

February 16, 2023
WHISTLEBLOWER POLICY

OF THE

UNITED STATES BASEBALL FEDERATION, INC.

1. Purpose

The USA Baseball Whistleblower Policy (the “Policy”) is intended to support a strong culture of integrity and ethical conduct at USA Baseball by encouraging, valuing, and protecting good faith reporting of concerns involving USA Baseball and those affiliated with USA Baseball. The Policy covers good faith reporting of concerns of all kinds related to USA Baseball and includes anti-retaliation protections for those who report in good faith and/or cooperate with an investigation of such reports, like witnesses and victims.

Every person – including athletes, directors, officers, employees, members, committee members, task force members, hearing panel members, volunteers, and others affiliated with USA Baseball- has the right to report concerns and alleged violations in a way that is comfortable for them and cooperate in any investigations that follow without fear of retaliation for reporting or speaking to USA Baseball or any other entity about USA Baseball.

2. Policy Coverage

The Policy covers reporting of any alleged violation of applicable law, policy, or procedures as well as potential ethical misconduct. Examples of alleged violations that may be reported under the Policy include, but are not limited to:

- Non-compliance with applicable Federal or State laws
- Non-compliance with USA Baseball’s Bylaws, policies, or procedures
- Non-compliance with accepted accounting or financial practices (e.g., fraud)
- Non-compliance with the Ted Stevens Olympic and Amateur Sports Act
- Non-compliance with applicable provisions of the USOPC Bylaws or policies

Under USA Baseball policy, there are some violations that **must** be reported. Specifically, please be familiar with the reporting requirements in USA Baseball’s Code of Conduct policy, USA Baseball’s abuse awareness and athlete safety policies, as well as the SafeSport Code. Athlete safety violations must be reported, but **nothing in this Policy changes or replaces any mandatory reporting obligations under the SafeSport Code of the Olympic and Paralympic Movements**. Contact Lauren Rhyne or Karen Gaunt if you have any questions about these obligations. Additionally, suspected criminal activity against a person or property should be reported to law enforcement immediately.

If an Affiliated Individual is unsure about whether a matter might be a policy violation or is unsure about their reporting responsibility for a particular type of matter, please start by reviewing the particular policy involved. USA Baseball staff should refer to USA Baseball’s employee handbook, abuse awareness and athlete safety policies, or contact Executive Director, Paul Seiler (paulseiler@usabaseball.com), Senior Director of Education and Athlete Safety, Lauren Rhyne (laurenrhyne@usabaseball.com), or external General Counsel, Karen Gaunt (Karen.Gaunt@Dinsmore.com / 513-977-8503) for more information.

3. Reporting

How to Report

There are several ways an individual may make a report under this Policy.

- a) Reporters may submit a report to ethics@usabaseball.com. This inbox is monitored by George Grande, Chair of USA Baseball's Ethics Committee who will route reports to the right party to address the concerns.
- b) Reporters may also submit reports to [Executive Director, Paul Seiler](#), [Senior Director of Education and Athlete Safety, Lauren Rhyne](#), or [external General Counsel, Karen Gaunt](#).
- c) At least two individuals, one being George Grande (Chair of USA Baseball's Ethics Committee), must be the recipients of reports.

Please remember that as a reporter, Affiliated Individuals do not need to (and should not) investigate the matter of concern or determine fault or how to fix it. The Affiliated Individual does his or her part by making it known so the right people can take action. Investigations of reports are discussed below.

Email Inboxes where reports are accepted:

- Paul Seiler, Executive Director: paulseiler@usabaseball.com
- Lauren Rhyne, Senior Director of Education and Athlete Safety: laurenrhyne@usabaseball.com
- Karen Gaunt, External General Counsel: karen.gaunt@dinsmore.com
- George Grande, Chair of USA Baseball's Ethics Committee: ethics@usabaseball.com

4. Investigation and Resolution

Once a report is received, it will be forwarded to the responsible party for investigation. Investigations of reports of potential violations will be handled according to Section 11 of the USA Baseball Bylaws.

In all cases, matters will be investigated by a disinterested party. If, after investigating to the extent warranted by the circumstances, the investigator concludes that the subject of a report has committed a violation under the governing policy, the subject of the report will be subject to discipline to the extent permitted by USA Baseball Bylaws (Section 11).

USA Baseball is committed to reviewing all incoming reports, but there may be occasions when USA Baseball cannot conduct a full investigation and a report will be dismissed without investigation. Such circumstances include the reporter declining to participate in the investigation, an allegation that is not actionable by USA Baseball, or insufficient evidence for an allegation such that an investigation is not warranted.

In the event that an investigation of potential retaliation finds that an employee of USA Baseball has retaliated against an individual in response to any communication, including a formal complaint, from that individual (or their parent / legal guardian) related to an allegation of physical abuse, sexual harassment, or emotional abuse, USA Baseball shall immediately suspend that employee without pay or terminate the employee.

5. Anti-Retaliation Provisions

USA Baseball has zero tolerance for retaliation against people who make good faith reports under this Policy or those who cooperate with investigations of those reports. Retaliation, for the purposes of this Policy, is defined as any adverse or discriminatory action, or the threat of an adverse or discriminatory action, carried out against an athlete, employee, board member or officer, member, committee member, task force member, hearing panel member, volunteer, or others affiliated with USA Baseball, associated with USA Baseball as a result of any report, complaint, or other communication reporting misconduct of

any kind to USA Baseball, the USOPC, the Office of the Athlete Ombuds, any law enforcement agency or government entity, or employees of these organizations. Examples of adverse or discriminatory actions that would be considered retaliatory include, but are not limited to:

- Removal from a training facility
- Reduced coaching or training
- Reduced meals or housing
- Removal from competition

In addition, USA Baseball, nor any of its employees, contractors, agents, or volunteers, shall take or threaten to take any action against an athlete as a reprisal for disclosing information to or seeking assistance from the Office of the Athlete Ombuds.

6. Good Faith

Anyone reporting a perceived ethical, policy, financial, or legal violation must be acting in good faith and have some basis for believing there may be a violation. Anyone that makes a false report knowing that it is false or that it has no basis is violating this Policy. Such a violation may itself be reported under this Policy and it may lead to serious consequences, including termination of employment or participation.

Thank you for helping to ensure that USA Baseball is a safe zone for speaking up in good faith on important matters.

7. Confidentiality and Anonymity

USA Baseball will make every effort to keep the identities of the reporting parties and witnesses confidential. However, disclosure of an individual's identity or identifying information may be required in some cases, such as where USA Baseball is required by law to report a matter to law enforcement.

If a matter is reported anonymously and the reporter chooses to remain anonymous as it is investigated, USA Baseball will respect that. USA Baseball will review all reports with the same level of attention, but if a reporter chooses to remain anonymous, USA Baseball may be limited in its ability to fully investigate a report.

8. Resources

USA Baseball Executive Director, Paul Seiler, is responsible for this policy and its enforcement and can be contacted with any questions about this policy.

Email: paulseiler@usabaseball.com

Specific to the Olympic and Paralympic Movement:

Individuals who wish to report concerns related to this policy as it relates to involvement in the Olympic and Paralympic Movement, or are uncomfortable reporting a concern directly to USA Baseball, may also submit a report using the USOPC Integrity Portal. The Integrity Portal allows individuals to submit concerns to the USOPC confidentially and/or anonymously. Reports may be made online or by telephone.

Website: usopc.ethicspoint.com

Hotline: 877-404-9935

Team USA athletes may contact the Athlete Ombuds for independent and confidential advice on a variety of sport related matters, including their rights, applicable rules, policies or processes, and questions related to resolving disputes and grievances. The Athlete Ombuds can also help Team USA athletes connect with legal counsel or mental health resources if needed. All other USA Baseball athletes (i.e., athletes competing domestically at the masters or youth level, recreational athletes, foreign athletes), are welcome to visit the Athlete Ombuds website to review informational resources and should work directly with USA Baseball to understand additional resources and options available to them.

Email: ombudsman@usathlete.org

Website: www.usathlete.org