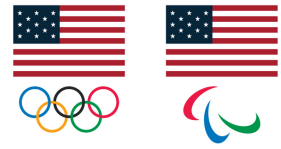


DELEGATION EVENT COMPLAINTS



What is a Delegation Event Complaint?

A Delegation Event complaint resolves misconduct issues that arise during the Olympic, Paralympic, Pan American or Parapan American Games (each referred to as a “Delegation Event”) or when an individual is otherwise removed from the delegation. Misconduct may involve any alleged violation of the USOPC Behavior Pledge. In these instances, the individual has the opportunity for a hearing before the Games Administrative Board (GAB).

Dispute Resolution Unit (DRU) Support



General Administration



GAB Support



Counsel to GAB



Communication with Parties



Case Management



Logistical Support



Arbitration Support

Authority & Governance



Ted Stevens Olympic & Amateur Sports Act (the Act): Gives the USOPC exclusive jurisdiction over all participation matters at the Games, including overseeing the resolution of disputes that arise during the Games (Sections 220503 and 220505).



USOPC Bylaws: Section 19 of the USOPC Bylaws grants the GAB with the final authority of all matters pertaining to or arising at the Games, including disciplinary matters through a hearing process.



USOPC Games Delegation Terms: Outlines the specific grievance procedures for participation or discipline disputes arising at the Games to be heard by the GAB.

ADDITIONAL RESOURCES

★ **Games Delegation Terms** – The Behavior Pledge and Grievance Procedures are specific to each Games. Delegation members should refer to the specific terms provided during the Games registration process.

★ **Athlete Ombuds Contact**
ombudsman@usathlete.org

CONTACT INFORMATION

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DELEGATION EVENT COMPLAINTS



What is the Delegation Event Complaint Process?

When an athlete or other individual at a Delegation Event engages in misconduct, or their participation rights are affected, and the matter can't be resolved informally, a formal hearing is provided. The GAB hears evidence and renders a decision on the matter, including the ability to impose appropriate sanctions. Since Delegation Event complaints may impact participation in an upcoming competition, resolution is treated as an urgent matter and may be expedited.



Constituent Involvement

- ★ Delegation Member**

The individual who believes their participation rights have been affected or is alleged to have violated the Behavior Pledge.
- ★ USOPC**

The USOPC can formally bring an action against the delegation member alleged to have violated the Behavior Pledge and seek discipline.
- ★ Dispute Resolution Unit**

DRU manages the Delegation Event Hearing process.
- ★ Games Administrative Board**

The GAB hears the complaint and renders a decision on participation rights and/or disciplinary action.
- ★ American Arbitration Association (AAA)**

The arbitral organization that administers the arbitration proceeding.



DRU Support Details



General Administration

DRU oversees the general administration of Games matters to ensure that the complaint is heard in a timely and efficient manner. This involves managing the overall processing of the complaint, from initiation of the matter to the closing of the case.

DRU receives information about the matter, serves as a liaison and counsel to the GAB, processes the complaint, communicates with the parties, and oversees the case management, among any other administrative or legal support.



GAB Support

DRU serves as liaison to the GAB in this type of matter. This includes setting up meetings, forwarding relevant documents or communication, answering procedural and logistical questions, and working through hearing panel needs. DRU is respectful of the hearing panel members' time and serves to support them in their role by making any part of the process as streamlined and efficient as possible.



Counsel to GAB

An attorney within DRU serves as counsel to the GAB. In the role as legal counsel to the GAB, the attorney may provide general legal advice and guidance and answer any questions related to legal issues that arise in the proceeding. This includes setting out the standards and scope of review so that the GAB understands the appropriate purview of the proceeding, along with their authority. DRU participates in deliberations with the GAB to assist with points of clarification, but does not have any decision-making authority. DRU drafts all final decisions in line with the GAB's determinations in each particular case for final review and approval by the hearing panel.



Communication with Parties

DRU communicates directly with the parties or involved individuals in the case and serves as a liaison between the parties and the GAB. This prevents any ex-parte communications with the GAB, along with streamlining information. This also allows for the effective facilitation of information to the GAB by eliminating extraneous communications. DRU ensures that all documents, filings submissions, or formal requests are promptly delivered to the GAB and confirms receipt and delivery with the parties.

DRU may answer logistical, administrative, or other questions from the parties directly, along with addressing any procedural questions on behalf of the USOPC.



DRU Support Details



Case Management

DRU utilizes an internal case management site to effectively track all details a case from initiation of a matter to resolution, in accordance with the timeframes as set forth in the USOPC Document Retention Policy. This includes storing:

- Contact information from relevant individuals in the case (e.g. parties, panel, counsel, representatives, other affected parties)
- Filings and submissions
- Deadlines
- Orders and decisions
- Summaries of claims, issues, and decisions
- Key features and outcomes

Additionally, DRU ensures that GAB members have access to case details in an effective manner. DRU organizes and stores all case related materials and tracks outcomes for executive-level reporting purposes.



Logistical Support

To provide services for an effective proceeding, DRU provides logistical support for any conference calls or hearings. DRU sets up all conference calls, including providing links or call-in details and sending calendar invites and reminders. DRU completes roll call for all calls and hearings, keeps track of time, and assists with taking notes, when appropriate.

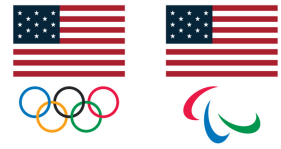
Additionally, DRU arranges all administrative aspects for each hearing, including setting the conference line and/or securing office space, providing breakout rooms for the parties and the GAB, arranging travel and accommodations for GAB members, distributing case materials to the GAB members and counsel, IT setup requests, and any other logistical issue that may arise.



Arbitration Support

For any case that is brought forth to the American Arbitration Association (AAA), DRU serves as a liaison to the AAA for administration of these matters.

To the extent permitted and agreed to by the parties, DRU may be notified of the proceeding and may participate as an observer in the arbitration.



Ted Stevens Olympic and Amateur Sports Act



Section 220503:

The purposes of the corporation are-

(3) to exercise exclusive jurisdiction, directly or through constituent members of committees, over

(A) all matters pertaining to United States participation in the Olympic Games, the Paralympic Games, and the Pan-American Games, including representation of the United States in the games.

Section 220505:

(c) POWERS RELATED TO AMATEUR ATHLETICS AND THE OLYMPIC GAMES. The corporation may-

(5) facilitate, through orderly and effective administrative procedures, the resolution of conflicts or disputes that involve any of its members and any amateur athlete, coach, trainer, manager, administrator, official, national governing body, or amateur sports organization and that arise in connection with their eligibility for and participation in the Olympic Games, the Paralympic Games, the Pan-American Games, world championship competition, the Pan-American world championship competition, or other protected competition as defined in the constitution and bylaws of the corporation

USOPC Bylaws



Section 19 (applicable provisions):

Section 19.2 Games Administrative Board. *There will be a Games Administrative Board of the corporation which will have final authority at the site of the Games with respect to all matters regarding policy, protocol, discipline, and similar matters, except with regard to team selection issues and Code of Conduct violations, which are otherwise governed by the Code of Conduct and Grievance Procedures for the Games or Section 9 of these Bylaws. The Games Administrative Board will consist of the chair, the CEO, the Chef de Mission, the chair of the AAC, and the chair of the NGBC. In the case of (i) their unavailability or (ii) an actual or apparent conflict of interest as to a particular matter before the Games Administrative Board, any member may designate an alternate to serve for a limited time. Failing such a designation by the member him or herself, the Chair may designate an alternate for any absent member, who will exercise all of the privileges of that absent member for a limited time. The Chair will chair meetings of the Games Administrative Board, which may be held in-person or via teleconference.*