

USAOCR CODE OF ETHICS AND CONFLICT OF INTEREST POLICY

The USAOCR Code of Ethics and Conflict of Interest Policy (known as the “Code”) shall be applicable to all USAOCR including, but not limited to, employees, Board of Directors, committee members, and volunteers. Each person associated with USAOCR shall annually certify compliance with the Code.

DEFINITION

Conflict of Interest: Any situation in which an individual or organization representing USAOCR, in any capacity, is influenced, or could be influenced, in a decision by a personal, close family member, financial, business, or other relationship which may override USAOCR best interests. Close family members include personal partners, parents, children (adult and minor), brothers, sisters and the personal partners of any of these.

POLICY

A conflict of interest shall be deemed to exist:

1. When an individual or individuals, or an organization or organizations representing USAOCR place themselves or can be perceived to have placed themselves in a position where they are under any obligation to any person or organization, which might benefit from improper consideration or favor.
2. When an individual or individuals, or an organization or organizations representing USAOCR seek or are perceived to seek, gain, receive, or benefit financially from preferential treatment in the discharge of their duties and responsibilities to USAOCR. Such situations include, but are not limited to, the following:
 - a. Participating as a director or officer of a firm which is a supplier of materials or services to USAOCR.
 - b. Entering into an agreement or contract for the sale or manufacture of equipment, apparel and/or services with any agency which could be construed as an endorsement of or promotion by USAOCR.
 - c. Having personal financial dealings with an individual or corporation whose business with USAOCR involves the designated representative’s sphere of responsibilities.
 - d. Making an investment in any situation in anticipation of USAOCR taking a material interest therein or which results from knowledge of facts not generally available to the public or in anticipation of actions that may be taken by USAOCR in such a situation.
 - e. Engage in any business or transaction or have a financial or other personal interest, which is incompatible with the discharge of their duties and obligations.
 - f. Participating in the selection process of any USAOCR committee if a member of the individual’s family is a candidate for selection.
 - g. Accord, in the performance of their duties and obligations, preferential treatment to relatives or friends or to organizations in which they or their relatives or friends have an interest, financial or otherwise.
 - h. Advocating or expressing an opinion, either verbally or in writing, which is contrary to the stated policies, decisions or positions of USAOCR.
3. If gifts or favors of any kind are exchanged between a designated representative and any individual or corporation whose relationship with USAOCR involves the designated representative’s sphere of responsibilities.
4. If designated representatives find themselves in a position of having to determine the allocation of funds to specific projects with which they or a family member could be perceived to be deriving benefit.

5. If a designated representative finds himself/herself in a position of evaluating and, subsequently, voting upon a sponsorship proposal from a company or corporation from whom the designated representative works or from whom that designated representative receives benefit (e.g., sponsorship).

DISCLOSURE

Disclosure of conflict of interest shall be made in the following ways:

1. For those who are nominated for election, they will disclose prior to the election their potential conflict of interest.
2. When an individual becomes a member of the USAOCR Board of Directors, he/she shall complete a Declaration of Interests outlining his/her involvement in the sport of OCR.
3. In addition to the foregoing, whenever a Board or Committee member or staff person considers that he or she could be, or potentially could be, in a conflict of interest as defined within this policy, he or she shall disclose this conflict to the Board of Directors.

ACTION UPON DISCLOSURE

Following disclosure of conflict of interest, which could affect the carrying out of the duties of the Board or Committee member or staff person, or where the personal interest is sufficient to appear to influence the objective exercise of his/her official duties, such individual will withdraw from all situations where the conflict exists. When in doubt, a majority vote of the Ethics Committee will make the final determination as to the course of action. Any determination of the Ethics Committee can be subject to the review of the Board. The Board will retain the authority to overrule the decisions of the committee provided it is by a two-thirds majority vote of the full board with the motion being tabled in the correct manner.

Following disclosure of a conflict of interest with respect to a particular decision, the following principles shall apply:

1. The individual in conflict of interest may not participate in discussion of this decision as an advocate on his/her own behalf, either formally at the meeting or informally through private contact, communication, and discussion, unless such participation is approved by a majority vote of the Ethics Committee;
2. Except where participation in discussion has been properly approved as per the above, the Board or staff person shall not be present at that portion of a meeting when matters in which they have an interest are considered; and
3. The individual in a conflict of interest shall not participate in any vote on the matter.

FAILURE TO DISCLOSE

Where a USAOCR representative has failed to disclose a conflict of interest, the Chairman will take the following actions:

1. Request that the USAOCR representative's actions be justified in writing;
2. Discuss the circumstances with the Executive Director or a person designated by him / her. Based on the decision of the Board, the USAOCR representative may be requested to cease those actions that brought about the conflict of interest or withdraw from those USAOCR activities that cause a conflict of interest. Should the USAOCR representative continue those actions or activities that have been deemed to be in conflict with the interests of USAOCR, the Board will have the authority to removal the director.

DOCUMENTATION

Documentation relating to conflict of interest situations shall be recorded in the minutes of the Board of Directors and all committees of USAOCR.

ADDITIONAL

In situations where an inflexible application of a policy would produce an excessive result, it is expected the policy will be tempered by appropriate discretion of the Executive Director, in consultation with the Ethics committee.

When exploitation of a conflict of interest has occurred, the conflict of interest will be made public.

If the USAOCR representative is removed from his/her position and the USAOCR representative wishes to appeal the decision, a written request for Appeal, stating the grounds for such an Appeal, must be submitted in accordance with the USAOCR Appeals Policy.