

2009USTA/Virginia Tennis Volunteer Policy on Ethical Responsibilities and Code of Conduct

The United States Tennis Association/Virginia Tennis, Inc. (USTA/VT) has traditionally demanded and received the highest ethical performance from its officers, directors, volunteers and employees. The activities of the USTA/VT mandate that continuing attention be given to the conduct of those individuals who represent this organization.

In an effort to maintain the high standard of conduct expected of the USTA/VT with respect to the management of its own affairs and to enable the USTA/VT to be deserving of the confidence and respect of the public it serves, the USTA/VT Board of Directors adopted the following Code of Conduct and Policy on Volunteer Ethical Responsibilities:

- 1. A Volunteer may not authorize the use of or use for the benefit or advantage of any person, organization or other entity, the name, emblem, endorsement, services or property of the USTA/VT, except in conformance with USTA/VT policy.**

This provision prohibits the misuse of the USTA/VT name, emblem, endorsement, services, or property. The term "property" as it is used in this provision includes records, data, and other information maintained or generated by or at the direction of the USTA/VT. This provision does not preclude purely private activities, such as teaching, writing, public speaking, consulting, or other personal activities, in connection with which the Volunteer's USTA/VT affiliation is only identified as a biographical notation, provided there is no unauthorized use of USTA/VT services or property.

- 2. A Volunteer may not give to or accept from persons with whom the USTA/VT does (or expects to do) business, cash, gifts, accommodations or favors, other than those of nominal value, offered as a result of the Volunteer's USTA/VT affiliation.**

This prohibits the improper use of the Volunteer's USTA/VT position to give, accept or seek to obtain any benefit for himself, herself or any other person. It does not prohibit benefits or items of nominal value, including reasonable hospitality or social courtesy, incident to USTA/VT activities. USTA/VT considers nominal value as \$100.00 or less. It is understood that various sports or entertainment organizations invite Volunteers to attend sports and social events of more than nominal value. Such invitations may be properly accepted only if they are part of normal, open and generally accepted business practices, are limited in number, and serve to promote the best interests of the USTA/VT. Volunteers are encouraged to consult with the section's Legal Counsel regarding potential conflicts of interest and must disclose conflicts to the board if such action is recommended by Counsel.

- 3. A Volunteer may not publicly utilize any USTA/VT affiliation in connection with the promotion of partisan politics, religious matters, or positions on any issue not in conformity with the position of the USTA and/or USTA/VT.**

This prohibits a Volunteer from identifying the USTA/VT with causes or subjects with which it is not appropriate for the USTA/VT to be associated in view of its mission. It prohibits the promotion of the Volunteer's private activities by the use of his or her USTA/VT affiliation. It does not preclude participation in purely private activities by Volunteers in connection with which the USTA/VT affiliation is only identified as a biographical notation provided the affiliation cannot reasonably be construed as an endorsement by the USTA/VT.

- 4. A Volunteer may not disclose any non-public USTA/VT information that is available solely as a result of the Volunteer's affiliation with the USTA/VT to any person not authorized to receive such information or use to the disadvantage of the USTA/VT any such non-public information.**

This prohibits both the disclosure and misuse of non-public USTA/VT information as well as non-public information relating to those with whom the USTA/VT does business. This provision applies solely to non-public information that is known to the individual only as a result of his or her affiliation with the USTA/VT. However, misuse of non-public USTA/VT information that is known to a Volunteer through another source may be contrary to the best interests of the USTA/VT in violation of Section 6 of the Code of Conduct.

- 5. A Volunteer may not knowingly take any action or make any statement intended to influence the conduct of the USTA/VT in such a way as to confer any financial benefit on any entity or person in which the individual has a significant interest or affiliation.**

This prohibits a Volunteer from obtaining or attempting to obtain a benefit or advantage for him/herself or for any organization or person in which the individual has a substantial financial interest or with which the individual has an affiliation. Any Volunteer who has such a conflict of interest should disclose it and should refrain from voting or decision making with respect to any issue relating to that organization or person. This provision does not preclude a Volunteer from making known information or opinions on relevant issues, provided the nature of the potential conflict is disclosed, the individual does not participate in the decision making and offers to leave the meeting at which the matter is considered or voted upon.

- 6. A Volunteer shall operate in a manner that is in the best interests of the USTA/VT.**

This provision imposes an affirmative obligation upon each Volunteer to operate in a manner that is in the best interests of the USTA/VT.

- 7. A volunteer assumes certain ethical and legal duties to the organization. These duties include the duty of care and duty of loyalty.**

- a. **Duty of Care:** Volunteers must act *reasonably* and avoid *negligence and fraud* in performing activities on behalf of the organization.

Examples:

- Be knowledgeable about district policies and procedures.
- Be careful in making decisions.
- Keep up-to-date records.
- Focus on the mission of the organization.
- Avoid sharing gossip, allegations, etc., and maintain professional communications with/about association leadership, members, etc.

- b. **Duty of Loyalty:** Volunteers must act in the best interests of the organization and be sensitive to any business, family, or personal interests that might conflict with one's duty of loyalty to the USTA, USTA/MAS, and USTA/VT districts and affiliates.

Examples:

- If volunteers serve on the board or management of, or have a financial interest in, other tennis-related organizations, they should not use their USTA/VT position to further their business interests to the possible detriment of the USTA and/or USTA/VT.
- Volunteers should not use their position to gain an unfair advantage for themselves or their family. For example, if a family member is being ranked by a committee on which the volunteer serves, the volunteer should not participate in that ranking process.
- If volunteers obtain confidential USTA or USTA/VT information in connection with their role as a volunteer, it should not be disclosed to others.

- If volunteers or a company with which volunteers are affiliated intend to provide a service or product to the USTA and USTA/VT, these volunteers should be careful to disclose their interest and avoid participating in discussions related to the service or product.

8. It is important to note that even the *appearance* of a conflict of interest should be avoided.

a. **Disclosure is the key.** In connection with any actual or possible conflicts of interest, the volunteer must disclose to USTA/VT the existence of his interest and all material facts of such conflicting interest. By disclosing and addressing potential conflicts of interest, volunteers can avoid compromising the reputation of the organization and being subject to unfair criticism.

Examples of volunteers who should disclose conflicts of interest:

- Participants in USTA-affiliated programs (e.g., intersectional team players, league captains, etc.)
 - Volunteers who receive an honorarium for professional work done on behalf of the section or district (e.g., league coordinators, officials, clinicians, coaches/chaperones, verifiers, etc.)
 - Family members, relatives, spouses and significant others of program participants (e.g., the parent of a competitive child, Competition Training Center participant, etc.)
 - Individuals who are employed or have close relatives employed in the tennis industry and involved in either competitive and or complementary programs with the USTA (e.g., tournament directors at a private club, tennis concessionaires at a public facility, employees of agencies in partnership with the USTA, etc.)
 - Individuals involved in other non-profit corporations (i.e., either as an employee and/or board member) that do business with tennis related groups and/or are in the tennis business themselves-
- b. **Determining Whether a Conflict of Interest Exists.** After disclosure of the interest, financial or otherwise, and all material facts, and after discussions with the interested person, the USTA/VT board of directors shall decide if a conflict exists.
- c. **Procedures for Addressing a Conflict of Interest.** If the board determines that a conflict of interest exists, it shall take, and cause the involved person to take, all steps reasonably necessary to resolve such conflict, which may include the conflicted member's withdrawal from his position in USTA/VT.
- d. **Violations of the Conflicts of Interest Policy.** If the board has reasonable cause to believe that a volunteer has failed to disclose actual or possible conflicts of interest, it shall inform the individual of the basis for such belief, afford the individual an opportunity to explain the alleged failure to disclose and take any and all corrective action as may be necessary.
- e. **Completion of Disclosure Statement.** Volunteers as determined by the Board of Directors shall annually complete and sign a Statement of Disclosure Regarding Conflicts of Interest.

This policy is intended to supplement but not replace any applicable state laws governing conflicts of interest applicable to nonprofit and charitable corporations.

**UNITED STATES TENNIS ASSOCIATION
VIRGINIA TENNIS**

Acknowledgement of Ethical Responsibilities and Disclosure Regarding Conflicts of Interest

I have read the USTA/VT Volunteer Code of Conduct and Ethical Responsibilities and agree to comply with its provisions.

As a volunteer of USTA/VT, I recognize that I owe duties of care and loyalty to the association. One aspect of fulfilling those duties is to avoid conflicts of interest in which my allegiance might be split between an association position or responsibility and some other professional, business, or volunteer position or responsibility. To help avoid conflicts, on this form I am disclosing other situations or areas in which it might even appear that I have conflicting duties to other entities. I invite any further review by the association of any aspects of these situations or areas that might be considered appropriate. Also, I will take other steps, such as avoiding deliberation and resolution of certain issues or even withdrawing from my position in the association, if it is determined that those steps are necessary to protect against legal liability to the association or to me arising from conflicts of interest. I hold the following positions in companies in the tennis industry or that do or may do business with the USTA, USTA/MAS, or USTA/VT (list name of entity/organization and position held, e.g., owner, director, officer, trustee, etc.):

1. Positions (i.e., professional, business, volunteer, etc.), family, or other responsibilities that might give rise to conflicts:

2. Situations in which I am serving as a vendor, or am employed by or consulting with a vendor, to the association or its members:

3. To the best of my knowledge and belief, I am not involved in any activity and have no interests that conflict or suggest a potential conflict with the USTA, USTA/MAS and/or USTA/VT and I know of no professional, business, or volunteer position or responsibility, including vendor situations, that might give rise to conflicts

(check here):

Volunteer's signature:

Volunteer's printed name:

Date:

Approved 10-26-08