

Effective: 2021

**GRIEVANCE POLICY
OF
USA BASKETBALL**

1. Purpose

This Grievance Policy (“Policy”) contains additional information regarding the grievance procedures set forth in Sections 14 and 15 of USA Basketball’s Constitution.

2. Process to Report Grievances

A Grievance Form is available in Appendix A to this Policy.

Grievances under Section 15 of the USA Basketball Constitution must comply with the requirements of Section 15.2 and must:

- Include the full name and identifying membership information of the complainant;
- Be signed under oath;
- Allege with particularity the nature of the grievance and each claimed violation by reference to specific sections of the USA Basketball Constitution, the Ted Stevens Olympic and Amateur Sports Act, or the USOPC By-Laws;
- State in concise language how, when, and where the alleged violation(s) occurred;
- Set forth the factual allegations in numbered paragraphs, each paragraph containing a single factual allegation;
- State the relief sought;
- Be addressed and delivered to the USA Basketball CEO or his/or designee and the Chairperson.

The grievance may also include supporting evidence and documentation to support the allegation(s).

3. Grievance Proceedings

a. Notice

Within a reasonable time not to exceed 14 business days, unless there exists just cause for delay, USA Basketball will provide respondent with notice of the proposed action, charges, or alleged violation(s) in writing with the supporting documentation filed by the complainant, and the consequences or remedy requested if a violation is found.

b. Right to a representative

Parties in USA Basketball grievance proceedings may choose to be represented by counsel, at their own expense.

c. Motion to dismiss

If the respondent contends that jurisdiction of the complaint is improper, that there is some other procedural or jurisdictional defect that would preclude a hearing on the merits, or that the grievance fails to state a claim upon which relief can be granted, it may move to dismiss the complaint. Such motion to dismiss will set forth the grounds for dismissal and will be filed within 21 days after receipt of the complaint by the respondent. USA Basketball will provide the motion to dismiss to the complainant. The complainant will be given the opportunity to

submit papers in opposition to the respondent's motion to dismiss. The hearing panel will determine whether or not to have argument on the motion to dismiss.

d. Answer

If no motion to dismiss is filed, the respondent will file an answer to the allegation(s) in the grievance within 21 days after receipt of the complaint by the respondent. If the hearing panel finds against the respondent with respect to its motion to dismiss, the respondent will file an answer to the complaint within 21 days after the hearing panel issues its decision on the motion to dismiss. If no answer is filed within the stated time, the respondent will be deemed to have agreed with the claim. The answer will be provided to the complainant.

e. Exchange of witness and exhibit lists

The parties will exchange their exhibits and a list of witnesses each party intends to present at the hearing, together with a brief summary of each witnesses' expected testimony, 14 days before the hearing or at such time as ordered by the hearing panel.

f. Hearing

Unless the parties agree to a decision on the papers, the hearing panel will schedule a hearing on the matter within a reasonable time, not to exceed 90 days after the filing of the answer. The hearing will be conducted in real time at a time and place that all parties are able to attend, and may be held in person, telephonically, by videoconference, or by other means allowing for a real time hearing.

g. Timelines

Pursuant to Section 14.4 of the USA Basketball Constitution, the Chairperson may expedite certain grievance proceedings. In all other matters, the hearing panel may alter the timelines set out in this policy for just cause, in the hearing panel's discretion.

If a deadline falls on a weekend or national holiday, such deadline shall be automatically extended to the next subsequent business day.

4. Hearing Panel

The parties will be notified of the individuals appointed to the hearing panel pursuant to Section 14.3 or 15.4 of the USA Basketball Constitution. Notice of the hearing panel appointment will include any disclosures by the panel members.

The parties will be given an opportunity to challenge the appointment of any hearing panel member within 10 days after receipt of notice of the appointment, or such other time as set forth in the notice. Grounds for challenges to panel members are limited to potential conflicts of interest. Issues regarding conflicts of interest will be decided by the Ethics Committee pursuant to USA Basketball's Statement of Principles of Ethical Behavior, Conflict of Interest, and Gifts & Entertainment Policy.

Appendix A
USA Basketball Grievance Form

Please submit this form to the CEO and Chairperson of the Ethics Committee by email to EthicsCommittee@usabasketball.com and include "Grievance" in the subject line. This inbox is monitored by the CEO, Chairperson of the Ethics Committee, CFO, and Office Operations Director.

I. Complainant name:

II. Sections of the USA Basketball Constitution, the Ted Stevens Olympic and Amateur Sports Act, or the USOPC By-Laws alleged to have been violated:

(Include attachment if more space is necessary.)

III. Factual allegations (in numbered paragraphs, each paragraph containing a single factual allegation):

1.

2.

3.

4.

5.

6.

7.

8.

9.

10.

11.

12. _____

(Include attachment if more space is necessary.)

IV. Relief sought:

(Include attachment if more space is necessary.)

V. I declare that the information contained in this form is true and correct to the best of my knowledge.

Signature: _____

Date: _____

No Retaliation

USA Basketball has zero tolerance for retaliation, and will not retaliate, against people who make good faith reports of potential violations, or who cooperate with investigations of those reports. No Affiliated Individual (as defined in USA Basketball's Whistleblower Policy) may threaten, harass, discriminate against, or take any negative employment- (where applicable) or participation-related action (e.g., discharge, demotion, suspension, non-assignment, negative review) on the basis of an individual making a good faith report and/or cooperating in an investigation.