

UNITED SOCCER LEAGUES ANTI-RETALIATION POLICY

I. Introduction

This Anti-Retaliation Policy (this “**Policy**”) is applicable to the USL Championship, USL League One, and USL Super League (collectively, “**USL**” or the “**League**”), each of their member clubs (each, a “**Club**”), and each of their respective owners, officers, directors, agents, employees or any and all other Persons engaged or appointed by them or having actual or apparent authority to act on their behalf, which, in the case of a Club, specifically includes its coaches and players (each a “**Covered Person**” and, collectively, “**Covered Personnel**”).

The principles set out in this Policy are intended to apply to any work-related context. Work-related contexts include, but are not limited to, matches, training, conferences, work functions, social events, meetings, and business trips without regard to whether the location is a League Facility, Club Facility, or offsite.

The League and Clubs are committed to providing a safe environment for all Covered Personnel and preventing abusive conduct in any form. This Policy is intended to ensure that all Covered Personnel are able to work and to perform their duties without being subjected to any form of retaliation, and the USL will not tolerate retribution, harassment, or victimization under any circumstances. Clubs are required to adopt policies consistent with and in furtherance of this Policy. In the event of any conflict between this Policy and a Club policy, the provisions of this Policy will control.

Questions about this Policy may be directed to USL’s safeguarding department by emailing Safeguarding@USLSoccer.com.

II. Non-Exclusive Policy

This Policy may be enforced by USL against the Clubs and any Covered Person. This Policy may also be enforced by any Club against any Covered Person employed by it or otherwise under its control. However, Clubs may also have their own, separate policies, rules, regulations, processes, and procedures to address the reporting and prevention of harassment and other prohibited conduct (collectively, “**Club Policies**”). This Policy is intended to coexist with the Club Policies and not to replace or modify them in any way. Any Covered Person who feels that they have been a victim of retaliation (or have witnessed or been informed of any type of retaliation), should report the matter to both the USL pursuant to this Policy (as set forth in Section VI) as well as to their employer or pursuant to any applicable Club Policies.

III. Players Covered Under a Collective Bargaining Agreement

This Policy is intended to work in conjunction with, and not to replace, amend, or modify any terms or conditions of employment stated in any collective bargaining agreement. Wherever terms of this Policy differ from the terms expressed in the applicable collective bargaining agreement, Covered Personnel should refer to the specific terms of the collective bargaining agreement, which will control.

IV. Anti-Retaliation Policy

This Policy prohibits any form of discipline, reprisal, intimidation, or retribution for good faith reporting of incidents of harassment of any kind, pursuing any harassment claim, or cooperating in related investigations. Any Covered Person who believes that they have been retaliated against for making a good faith report or assisting in the investigation of a complaint should contact the USL in accordance with the reporting mechanism outlined above.

VII. Violations of This Policy

Any Covered Person, regardless of position or title, whom USL determines has subjected an individual to harassment or retaliation in violation of this Policy, will be subject to discipline. Disciplinary sanctions issued by the USL can include (without limitation) suspensions, fines, mandatory education and exclusion from League activities.

In addition, and independent of any finding by the USL, the Club may make its own determination in accordance with its internal Club Policies, discipline for which may include termination of employment.

V. Prohibited Conduct

This Section V contains policies prohibiting the following types of conduct: Physical Misconduct, Emotional Misconduct, Bullying, Harassment,, and Other Misconduct.

1. All Unlawful Harassment Prohibited

This Policy strictly prohibits unlawful retaliation by USL, the Clubs, or any Covered Personnel by use of any type of harassment. “Harassment” means repeated and/or severe conduct that (a) causes fear, humiliation, or annoyance, (b) offends or degrades, (c) creates a Hostile Environment, or (d) reflects discriminatory bias in an attempt to establish dominance, superiority, or power over an individual or group based on age, race, ethnicity, culture, religion, national origin, mental or physical disability and/or any other protected characteristic under federal or state anti-discrimination laws; or (e) any act or conduct described as harassment under federal or state law. Whether conduct is harassing depends on the totality of the circumstances, including the nature, frequency, intensity, location, context, and duration of the behavior.

Conduct may not rise to the level of Harassment if it is merely rude (inadvertently saying or doing something hurtful), mean (purposefully saying or doing something hurtful, but not as part of a pattern of behavior), or arising from conflict or struggle between persons who perceive they have incompatible views and/or positions.

A. Physical Misconduct

Covered Personnel may not engage in Physical Misconduct. “Physical Misconduct” means any intentional contact or noncontact behavior that causes, or reasonably threatens to cause, physical harm to another person. Examples of Physical Misconduct may include, without limitation:

- **Contact Violations** – *e.g.*, punching, beating, biting, striking, choking, or slapping another; intentionally hitting another with objects, such as sporting equipment; or encouraging or knowingly permitting a Player to return to play prematurely following

a serious injury (e.g., a concussion) and without the clearance of a medical professional.

- **Non-Contact Violations** – e.g., isolating a person in a confined space, such as locking them in a small space; forcing another to assume a painful stance or position for no athletic purpose (e.g., requiring them to kneel on a harmful surface); withholding, recommending against, or denying adequate hydration, nutrition, medical attention, or sleep; providing alcohol to a person under the legal drinking age; or providing illegal drugs or non-prescribed medications to another.
- **Criminal Conduct** – e.g., any act or conduct described as physical abuse or misconduct under federal or state law (e.g., assault, battery, kidnapping and false imprisonment).

B. Emotional Misconduct

Covered Personnel may not engage in Emotional Misconduct. Emotional Misconduct may include, without limitation, (1) verbal acts, (2) physical acts, (3) acts that deny attention or support, (4) criminal conduct, and/or (5) stalking, as further described below. Emotional Misconduct is determined by the objective behaviors, not whether harm is intended or results from the behavior.

- **Verbal acts** – e.g., repeatedly and excessively verbally assaulting or attacking someone personally in a manner that serves no productive training or motivational purpose.
- **Physical acts** – e.g., repeated and/or severe physically aggressive behaviors, including but not limited to, throwing sport equipment, water bottles, or chairs at or in the presence of others or punching walls, windows, or other objects.
- **Acts that deny attention or support** – e.g., ignoring or isolating a person for extended periods of time, including routinely or arbitrarily excluding a Player from practice.
- **Criminal conduct** means any act or conduct described as emotional abuse or misconduct under federal or state law.
- **Stalking**, which occurs when a person purposefully engages in a Course of Conduct directed at a specific person, and Knows or Should Know, that the course of conduct would cause a reasonable person to (i) fear for their safety, (ii) the safety of a third person, or (iii) experience significant mental suffering or anguish. Stalking includes “cyber-stalking,” wherein a person stalks another using electronic media, such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact.

2. Bullying

Covered Personnel may not engage in Bullying. “Bullying” means repeated and/or severe behavior(s) that are (a) aggressive; (b) directed at another Covered Person; and (c) intended or likely to hurt, control, or diminish the individual emotionally, physically, sexually, socially or professionally.

Examples of bullying behavior may include, without limitation, repeated and/or severe:

- **Physical Bullying** – e.g., pushing, punching, beating, biting, striking, kicking, choking, spitting, or slapping, or throwing objects (such as sporting equipment) at another person.

- **Verbal Bullying** – e.g., ridiculing, taunting, name-calling, or intimidating or threatening to cause someone harm.
- **Social Bullying** – e.g., cyberbullying, use of rumors or false statements about someone to diminish that person’s reputation or professional standing; using electronic communications, social media, or other technology to harass, frighten, intimidate, or humiliate someone; or socially excluding someone and asking others to do the same.
- **Criminal Conduct** – Bullying includes any conduct described as bullying under federal or state law.

VI. Reporting

The USL champions a culture of compliance, safety, and respect. As a part of this Policy, the USL encourages open communication in which all Covered Personnel feel empowered to report concerns that violate this policy.

A. Reporting to USL

Any Covered Person who feels that they are a victim of retaliation (pursuant to any Club Policies, if applicable) as well as to the USL.

To support Covered Personnel in making a report, the USL has contracted with i-Sight, an independent service provider specializing in secure and anonymous Whistle-blower Hotline and web-based reporting services. This hotline will enable an individual to anonymously report a suspected violation by phone (888) 896-4835 or via the “Report a Concern” link on USL’s Safeguarding Webpage (<https://www.uslsoccer.com/safespace>).

Any Covered Person who is found, after appropriate investigation, to have engaged in a violation of this Policy will be subject to appropriate disciplinary action (which, if being enforced by an employer, may be up to and including termination of employment).

B. Intentionally Filing a False Allegation

In addition to constituting misconduct, filing a knowingly false allegation that Personnel engaged in Prohibited Conduct may violate state criminal law and civil defamation, slander, and other tort laws. Any person making a knowingly false allegation shall be subject to disciplinary action by USL.

An allegation is false if the events reported did not occur, and the person making the report knows or should have known that the events did not occur.

A false allegation is different from an unsubstantiated allegation; an unsubstantiated allegation means there is insufficient supporting evidence to determine whether an allegation is true or false. Absent demonstrable misconduct, an unsubstantiated allegation alone is not grounds for a Code violation.

APPENDIX 1

DEFINITIONS

1. “**Bullying**” has the meaning set forth in Section V.2.
2. “**Club**” has the meaning set forth in the Preamble.
3. “**Club Policies**” has the meaning set forth in the Preamble.
4. “**Course of Conduct**” means at least two or more acts, in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person’s property.
5. “**Covered Person**” has the meaning set forth in the Preamble.
6. “**Covered Personnel**” has the meaning set forth in the Preamble.
7. “**Emotional Misconduct**” has the meaning set forth in Section V.1.B.
8. “**Harassment**” has the meaning set forth in Section V.1.
9. “**Hostile Environment**” means conduct that is, both subjectively and objectively, sufficiently severe, persistent, and/or pervasive as to interfere with, limit, or deprive any individual of the opportunity to participate in any program or activity. Whether a Hostile Environment exists depends on the totality of known circumstances, including, but not limited to: (1) the frequency, nature, and severity of the conduct; (2) whether the conduct was physically threatening; (3) the effect of the conduct on the victim’s mental or emotional state; (4) whether the conduct was directed at more than one person; (5) whether the conduct arose in the context of other discriminatory conduct; (6) whether the conduct unreasonably interfered with any person’s educational or work performance and/or sport programs or activities; and (7) whether the conduct implicates concerns related to protected speech. A Hostile Environment can be created by persistent or pervasive conduct or by a single or isolated incident that is sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a Hostile Environment, particularly if the conduct is physical. A single incident of sexual contact without Consent, for example, may be sufficiently severe to constitute a Hostile Environment. In contrast, the perceived offensiveness of a single verbal or written expression, standing alone, is typically not sufficient to constitute a Hostile Environment.
10. “**Intimidation**” means menacing or causing reasonable fear in another person. A person’s size, alone, does not constitute intimidation; however, a person’s size may be used in a way that constitutes intimidation (e.g., by blocking access to an exit).
11. “**League**” has the meaning set forth in the Preamble.
12. “**Physical Misconduct**” has the meaning set forth in Section V.B.
13. “**Player**” means a player who participates on a Club.

14. “**Policy**” has the meaning set forth in the Preamble.
15. “**Threats**” means words or actions that would compel a reasonable person to engage in unwanted sexual activity (e.g., threats of physical/sporting harm or revealing private information).
16. “**USL**” has the meaning set forth in the preamble.