

Standing Rules of
Thomas-Daniels-Hand
Post 443
The American Legion
Department of Michigan

Thomas-Daniels-Hand Post 443 Standing Rules

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Article 1. General

Section 1. Purpose:

This document is intended to contain those items of a continuing nature which do not require authorization from the Department of Michigan, and which relate to the operation of the post, its fund-raising activities, and other operations.

Section 2. Authority:

Standing rules shall dictate the policies of Thomas-Daniels-Hand Post 443. However, no provision of these Standing Rules may conflict with the National, Department, or Post Constitutions, Bylaws, or Standing Rules. In addition, no provision of these Standing Rules may conflict with any federal, state or local laws and requirements which effect the operation of the Post. Any provision of, or amendment to, said Constitutions, Bylaws, Standing Rules, laws or requirements which is in conflict with any provision hereof, shall be regarded as automatically repealing or modifying the provisions of these Standing Rules to the effect of such conflicts.

Section 3. Amendments and Revisions:

The procedure for amending or revising these Standing Rules shall be specified by the Post Bylaws.

Article 2: Meetings

Section 1. Time of Post Meetings

Regular Post meetings shall be held at 1900 on the second (2nd) Monday each month.

Section 2. Time of Executive Committee Meetings

Executive Committee Meetings will be held at 1800 on the second (2nd) Monday each month.

Article 3: Absentee Ballot Procedures

Section 1. Notice to the Members

Notice of availability of absentee ballots, the procedures to be followed for requesting a ballot, and the eligibility requirements are to be published in the newsletter in time to allow for proper notification of all members. If the newsletter is not published as scheduled, a special mailing must go to all members. In addition, an attempt will be made to contact deployed members via email (if available).

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Section 2. Ballot Requests

- 1) Absentee ballot requests must be received by the post not later than the last working day prior to the day of the meeting in which nominations will be closed. The Adjutant may, at his/her discretion designate an earlier due date to facilitate processing of requests.
- 2) Ballots may be requested by regular mail, email (if available), or hand delivery of the request to the Post. No verbal requests will be honored. No one may request a ballot for someone else. A special email address will be set up by the adjutant strictly for balloting purposes if this is practical. The ballot request will include the members name, membership number, date of request, reason for request, desired ballot delivery method (email or regular mail), and delivery address (email or regular mail).
- 3) All requests for ballots will go to the Adjutant, who will verify the members eligibility in accordance with Section 6 of this article and track and record all requests.

Section 3. Ballot Delivery to Member

The day following the close of nominations, the Adjutant will prepare the absentee ballots. All ballots will have a tracking number to prevent fraud and ensure the privacy of the ballot. The Adjutant will either mail or email the ballot in accordance with the wished indicated on the ballot request. The Adjutant will maintain a confidential record showing tracking number assigned to each ballot request. The ballot will have the names of all members nominated for each position. No write in's will be allowed.

Section 4. Ballot Receipt by the Post

All completed ballots must be received by the Adjutant no later than the last working day prior to the Post meeting in which elections will be held. The Post accept no liability for delays incurred in the mail system, the email system, or any other delay in receipt. The Adjutant will verify the completeness and validity of each completed ballot received and store the ballots in a confidential location until the time and date of election. The Adjutant will not be allowed to discuss any information about the ballots except for the number received prior to the time and date of election.

Section 5. Election Night

The Adjutant will have the completed, validated ballots available during voting. He/she will also have the tracking records available for confidential review in case a vote is challenged. Absentee ballots will be counted at the same time as other ballots. When the motion is made to destroy the ballots, the absentee ballots shall also be destroyed. The tracking record (which will not contain information about for whom a member voted)

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shall be maintained for a period of one month following elections, at which time it will be destroyed.

Section 6. Eligibility

1. Must be a member in good standing when the request for an absentee ballot is received by the Post (i.e. dues paid up to date). Must be unable to attend due to circumstances beyond the member's control. This would include, but not necessarily limited to:
 - a) Those members on active duty who are currently deployed.
 - b) Those members who will be TDY due to their job and unable to be present for elections.
 - c) Those members in nursing homes, etc, and those whose health would prevent them from attending the election meeting
2. Specifically excluded from eligibility are:
 - a) Members who permanently reside outside the local area.
 - b) Members who desire an absentee ballot strictly for "convenience" sake.

Article 4: Book Keepers

Section 1. Chain of Command

The Post Commander shall have hire and fire authority regarding the Book Keepers for each account associated with Thomas-Daniels-Hand Post 443 subject to the Executive Committee's approval of his/her actions.

Section 2. Booker Keeper Responsibilities

The Book Keepers have responsibility for maintaining financial records of the Post, making payments for monthly bills to the Post, ensuring the payments to vendors are completed, making bank deposits for the financial accounts, produce and provide a monthly financial report for the Legion Finance Officer to report to the Executive Committee and the General Membership meeting each month by the fifth (5th) of the month. These accounts include but not limited to:

- 1) Bar
- 2) Membership
- 3) Bingo
- 4) Lottery/Keno
- 5) SAL
- 6) Riders
- 7) General Account

Article 5: Guests of the Commander/President/SAL Commander

Section 1. Purpose and Definition

- 1) Certain individuals who are ineligible for membership in the Legion, Auxiliary or SAL provide significant contributions to those organizations by their participation in activities, functions, etc of the organization. The purpose of this article is to allow the Post Commander, Auxiliary President, and SAL Commander the opportunity to recognize and reward these contributions.
- 2) Individuals designated as “Guest of the Commander”, “Guest of the President”, or “Guest of the SAL

“Guests” will have full lounge privileges as if they were a member of the organization, including participation in any “members only” activity. This designation does not, however, grant the individual voting rights in the organization.

Section 2. Identification Cards

Individuals designated as “Guest of the Commander”, “Guest of the President”, or “Guest of the SAL Commander” will be issued cards identifying them as such. These cards will be accepted in lieu of actual membership cards in the lounge.

Section 3. Designation

The Post Commander is authorized to designate up to five (5) individuals at his/her discretion subject to the guidance provided in Section 1. The Auxiliary President is authorized to designate up to two (2) individuals at her discretion subject to the guidance provided in Section 1. The SAL Commander is authorized to designate two (2) individuals at his discretion subject to the guidance provided in Section 1. Such designation expires on December 31st of the year it was made or when revoked by the designator, whichever comes first. The individual designating a “Guest of the ...” is fully responsible for the conduct of the individual so designated.

Article 6: Inventory Committee

Section 1. Purpose

The purpose of the Inventory Committee is to maintain an inventory of Post Property.

Section 2. Property to be Inventoried

The following items, are at a minimum, will be maintained on the Post inventory:

- 1) Any item values at over \$25.00

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- 2) All furniture, regardless of cost
- 3) All electronic appliances, regardless of cost

Section 3. Frequency of Inventory

Post property shall be inventoried at least once per officer year in June for the incoming Post Commander.

Article 7: Veteran's Fund

Section 1. Veteran's Fund Committee

The Veterans Fund Committee shall consist of the following Post officers.

- 1) Commander
- 2) 1st Vice Commander
- 3) Adjutant
- 4) Finance Officer
- 5) Chaplain
- 6) Service Officer

Section 2. Policy

- 1) . Payments to these qualifying individuals will be to whomever the debt is owed, and not the individual themselves.
- 2) Must provide form DD-214 or DD-256 or be a member of the American Legion, VFW, DAV, AmVets, or other Military Organization.
- 3) A maximum of \$500.00 will be contributed to an individual. Once the contribution is made, the individual cannot receive another contribution for the period of 12 months. The Commander, and 2 members of the Veterans Fund Committee shall have the authority to exceed the amount of \$500.00 with a cap of \$1,000.
- 4) An Emergency Situation is defined as any situation which will render a qualifying individual homeless, without power or heat, and anything deemed to be life-threatening.
- 5) Proof of need, i.e., bill or shut off notice must be provided.
- 6) The Commander, as Committee Chair, shall, at a minimum, have three (3) of the Veteran's Fund Committee Members present during the interview process, and contribution of funds determination before ordering the dispersion of funds from the Veterans Fund.
- 7) A 24-hour turn-around of approval may be required.

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- 8) Any request for contribution must be put on the Veteran's Assistance Form with the approval of three Veteran's Fund Committee members.

Section 3

1. Geographical Boundaries for the utilization of the Veterans Fund is as follows
 - a. Midland County and any area within a 25-mile radius of the American Legion Post 443.
2. Priority for contributions will be as follows.
 - a. Members of American Legion Post 443
 - b. Midland County Area
 - c. Veterans within a 25- mile radius of American Legion Post 443

Article 8: Bar Manager

Section 1. Chain of Command

1. Upon notification, written/verbal, from the bar manager that he/she is resigning, the Commander shall notify the bar committee to start the hiring process.
2. The bar committee will post the position and collect applications for the period of two (2) weeks.
3. After the two (2) week period, the bar committee chairman shall notify the applicants or the date and time for interviews.
4. The bar committee chairman shall conduct a meeting to discuss and select a panel of three to five members (with one alternate member) to conduct the interviews and review the applications with the committee as a whole.
5. The bar committee will select the template/questions to be asked at the interview, and ask all applicants the same questions. A rating system will be used to rank the applicants based of their answers to the questions.
6. Once all interviews are completed, the bar committee chair shall take the final standings of the interview panel back to the bar committee, and as a committee, select the most qualified candidate based on qualifications submitted on the application, and rating order from the interviews.

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7. Once the committee as a whole has selected the most qualified candidate, the bar committee chair will notify the Commander, who will bring that candidate to the Executive Committee for the final decision/vote on hiring the new bar manager.
8. Once voted in as a new bar manager, a letter of acceptance will be sent to the new hire to accept the position. The chairman of the bar committee shall retain the rank order listing developed for the period of one (1) year, should the newly hired bar manager resign. A performance-based evaluation shall be completed by the chairman of the bar committee and the Commander at the end of a ninety (90) day period, which will serve as a probationary period evaluation to ensure the newly hired bar manager is meeting the expectations of the bar manager position and the American Legion Post 443. After the ninety (90) day evaluation, an annual evaluation shall be completed annually to address any concerns from the bar manager, bar committee, or the Executive Committee. The bar committee chairman and Commander will conduct the evaluation.
9. Should the current bar manager decide to rescind their resignation, it shall be the Commander and bar committee chairman's decision whether to rescind the resignation, or continue on with the hiring of a new bar manager. The bar manager has up until the new bar manager is hired to rescind their resignation. Should this event occur, the bar committee chairman has the authority to complete the interview process developing a list of candidates for the period of one (1) year should the bar manager decide to resign again.

Section 2. Bar Manager Responsibilities

The Bar Manager has sole responsibility for hiring, firing (with Post Commander concurrence), and supervision of the bartenders, waitresses and custodial staff. As such, he/she is responsible for creating and maintaining proper job description for those personnel. For more information see also Bartenders Manual.

Section 3. Assistant Bar Manager

1. The Assistant Bar Manager hiring process shall be the same process used to hire the Bar Manager to ensure the best qualified candidate is selected for this position.
2. The Duties and Responsibilities for the Assistant Bar Manager shall be determined between the Bar Manager and Bar Committee and documented under Section 3.

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3. Any changes to the Duties and Responsibilities shall be discussed within the Bar Committee and approved by the Executive Committee.

Section 4. Re Hiring of previously terminated employees

Any employee that has been terminated (not resigned) from the post, is no longer eligible for rehire concurrent with state labor laws and can only be rehired upon discussion and approval from the Executive Board.

Article 9: Bar Policies

Section 1. Authorized Patrons

All members of Thomas-Daniels-Hand Post 443, Unit 443, and Detachment 443 shall be considered authorized patrons of the Bar provided they are in possession of a Legion Membership Card for the current (calendar/Legion) year, and are of legal drinking age in this state. In addition, the following are considered pre-authorized guests and, as such are authorized patrons of the lounge:

- 1) Members of any other Post, Unit, or Detachment of the American Legion.
- 2) Military personnel currently on active duty.
- 3) Members of any other veteran's organization chartered by the US Government.
- 4) Members of any chartered Canadian veteran's organization.

Pre-authorized guests are required to enter their names in the guest log prior to being served.

Section 2. Proof of Eligibility

- 1) The bartender on duty is required to verify the eligibility of all authorized patrons on the lounge
- 2) Authorized patrons must have proof of their eligibility on their person at all times while in the lounge and must present this proof prior to being served for the first time each day and upon the request of the bartender or waitress on duty. Those patrons who cannot or will not provide proof of eligibility must be signed in as a regular guest before receiving services in accordance with guest policy. Proof of eligibility is defined as:
 - a) A current, valid membership card issued by one of the organizations listed in the previous section. A current, valid, active-duty military identification card.
 - b) A current, valid, reservist military identification card and orders indicating the member is currently on active duty,

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Section 3. Guest Policy

Any authorized patron is entitled to sponsor guests in the lounge in accordance with the following:

- 1) Each sponsored guest must be signed in by an authorized patron prior to being served.
- 2) Guest sponsors must be physically present in the building while the guest is present and are responsible for the conduct of their guests. This includes special events and private parties.
- 3) The bartenders, while on duty, and any waitresses, while on duty, may not sponsor guests.

Article 10: Bar and Clubroom Administration and Operation

Section 1. Bar Committee

The Bar Committee shall consist of seven (7) members to consist at a minimum of below and be consistent with the most recent Post by-laws and Bartenders Manual. Bar Chairman will be chosen by bar committee members and will be one of the below members. The chairman will be chosen at the first meeting of the membership year following Department Convention.

1. Commander
2. 2nd Vice
3. Judge Advocate
4. SAL
5. Auxiliary
6. Legion Riders
7. Member-at-Large

Section 2. Operations

The general operation and management of the Bar and Clubroom shall be the responsibility of the Bar Manager, who shall be elected by the Bar Committee and approved by the Executive Committee. Bar Managers responsibilities shall include:

- 1) To carry out the general policies, as set by the Bar Committee, and to make recommendations to the Committee for changes in these policies as he/she sees fit to operate profitably and efficiently.
- 2) To manage the day-to-day operations of the Bar and Clubroom including the hiring and supervision of the employees, ordering and maintaining inventories,

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and paying bills as necessary for the operations and maintenance of the Bar and Clubroom.

- 3) To maintain and manage a checking account for the payment of necessary bills, and a set of books which shall reflect the financial activities of the Bar and Clubroom on a month-to-month basis, and to report the condition of these books once a month to the Legion Finance officer for reporting to the Executive Committee and General meeting of the Post.
- 4) In charge of the Kitchen Committee to ensure staffing of all reoccurring events. This is to include but not limited to: Burger nights, Bike nights, Bingo and Fish Frys.

Section 3. Rules

At all times the operation of the Bar and the Clubroom shall conform to the rules of the Michigan State Liquor Control Commission and the House rules of the Post.

Section 4. Privileges

Only Current dues paid members of the American Legion and its subsidiaries shall be afforded the privileges of the bar, all others shall be considered guests. Any member in arrears in his or her dues on January 1 of the following year, shall not be granted privileges of the bar.

Article 11: Employee Wages, Wage Increases and Vacation Policy

Section 1. Employee Pay

- 1) Starting pay for employees shall be the minimum wage set by Michigan State law. If a new hire has previous experience and the hiring official deems that a wage above that level is warranted, it must be approved by the Post Commander.

Section 2. Wage Increases

- 1) All employees should get an annual cost of living wage based on the CPI-W. This figure normally is announced in mid-October. The E-board will review the Post financial status in November/December each year and ensure the Post can finically afford to increase the wages per the CPI-W. This wage increase will take affect for all employees on the first full pay period earned in January. If an employee is a recent Hire, a wage increase may not be warranted if not required by a minimum wage increase IAW Washington State I000aws, other wage increases may be deemed necessary during the year and need to be approved, per the post bylaws by the E-Board. Things to consider for those wage increases should be:

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- a) Has the employee taken on more responsibility?
- b) Has the employee sales increased dramatically during the year.
- c) Is the employee's cash box and gambling receipts accurate?
- d) Are they going above and beyond all the jobs listed in their job description?
- e) Is the current pay, fair for the job market in Midland County?

Section 3. Vacation

- 1) Employees shall earn one hour of paid vacation per pay period, after two years of consecutive employment. After five years of consecutive employment the employee will earn two hours per pay period. No more than 10 hours leave time can be carried over per calendar year. Annual vacation may be donated to another employee.
- 2) Sick leave shall be administered per Michigan State law.

Article 12: Gaming

Section 1. Gaming Requirements

- 1) Bingo shall be conducted in accordance with the State of Michigan Charitable Gaming Commission. Quarterly reports will be submitted no later than 10 days after the end of the quarter.

Section 2. License Responsibilities

Section 3. Distribution of Funds to other Non-Profit entities

Accepted:

Adjutant

Commander