

POST REGULATION

ARTICLE I – HOUSE COMMITTEE AND FINANCE COMMITTEE

Section 1. The House Committee shall consist of a Chairman and a maximum of five members appointed by the Commander. The House Committee will meet as frequently as deemed necessary by the Chairman, but not less than once a month on a day and time agreed to by its members. Sixty percent (3) of the House Committee shall constitute a quorum. Members of the House Committee shall be allowed to serve on both the House Committee and Executive Committee during the same term.

A. Post Home Facilities. The House Committee will assist the Club Manager and will ensure the Post Home facilities are in a satisfactory state of cleanliness and repair, and in compliance with all fire and safety codes, and Health Department regulations.

- Establish a long range plan for improvements, repairs, modifications, alterations, and additions to the Post Home facilities, including any future requirements for new and / or additional equipment that may become necessary due to obsolescence, membership growth, deterioration, changing conditions, etc., and obtain Executive Committee approval for the funding. Provide necessary supporting documentation, such as cost estimates, justification, time frames or other information as required by the Commander. Provide supervision and oversight during execution of all projects.
- Establish a maintenance schedule for Post Home Equipment.

B. Reporting. The House Committee shall keep the Commander informed on a weekly basis and the Executive Committee and the General Assembly informed on a monthly basis of Post Home operations, safety of employees or patrons, Fire and Health Department violations, and any other areas presenting unusual or repetitive problems.

Section 2. The Finance Committee shall consist of a Chairman and a maximum of five members appointed by the Commander. The Finance Committee will meet as frequently as deemed necessary by the Finance Chairman, but not less than once a month on a day and time agreed to by its members. Sixty percent (3) of the Finance Committee shall constitute a quorum.

The Finance Committee will audit, inspect and review all club documentation, duties of the Club Manager and club operation procedures.

ARTICLE II - - GENERAL POST HOME OPERATIONS

Section 1. Members of the American Legion, the American Legion Auxiliary or Sons of the American Legion desiring to bring non-members into the Post are required to sign them in the guest log as their sponsor. Members are responsible for the behavior of their guest(s) at all times, as well as paying for the guests drinks. When a member sponsors another member's guest, the bartender will verbally ask the new sponsoring member if they know the guest personally, and will inform them that they are responsible in paying for the guests drinks, their behavior and to ensure that the guest leaves the premises when they do. If the sponsoring member cannot be found on the premises, the guest will be removed from the Post Home. The sponsoring member may be subjected to disciplinary action as prescribed under Article III of the Post Regulations. Active Duty Military Members may enter the Post by signing the guest log and presenting a Military Identification Card.

Section 2. No obscene language shall be permitted at the Post, regardless of the source.

Section 3. Post bulletin boards shall be for official use only. This includes the Post activities board and all other boards that may be located in the clubroom. Only Post Officers or those authorized by Post Officers, shall make entries, hang notices, or make modifications to these boards. Bartenders receiving information concerning the health and welfare of members of the Post are authorized to enter same on the appropriate board.

Section 4. Persons under 21 years old shall not sit at the bar at any time, and all persons under 18 years of age are required to leave the club room and kitchen areas at 2100 hours (9:00pm.). The only exception to the 2100 hour rule is special American Legion functions.

Section 5. Parents or sponsors shall be responsible for the actions of any minor children they have brought to the Post. If necessary, bartenders on duty, any Post Officer or House Committee Member shall ask the parents or sponsors to control their minors.

Section 6. Rules shall be posted governing the various games available in the Post Home. Game rules shall be strictly enforced.

Section 7. Post hours will be posted. Last call will be given at a time determined by the on-duty bartender to ensure that all patrons are out of the Post at closing time, but in no case later than thirty (30) minutes prior to closing time. All patrons shall be out of the Post at closing time. The bartenders shall be out of the Post no later than forty five (45) minutes past closing time. Changes to Post hours will be recommended by the House Committee and approved by the Executive Committee.

Section 8. All users of the kitchen (including the outside cooking facilities), by the volunteers or employees, shall adhere to the following cleanliness rules:

- Kitchen stove and oven will be left in a clean and spotless condition.
- All dishes, pots and pans are washed and properly stored.
- No food is left out. Leftovers shall be covered, stored in the appropriate container, and dated. No metal pots and pans will be stored in the refrigerators.
- Counters and tabletops are cleaned.
- French fry cooker turned off and covered, oil changed weekly or after cooking fish; gas to grill turned off, grills wiped down and covered; deck cleaned as necessary.
- All trash and garbage removed to dumpster, new liner in garbage can.
- Kitchen floor swept clean, overhead fan and range fan turned off.
- When the last of any product is used (paper products, butter, dressing, etc.), leave a note to that effect.

Section 9. Clothing with obscene, suggestive or offensive language, pictures, drawings or photographs are not allowed on Post property at any time.

Section 10. During Memorial Services (if requested by the family) bar sales will cease. The presiding officer of the Memorial Service will notify the duty bartender(s) fifteen (15) minutes before the start of the service. At that time, a “last call” will be given. The bar shall remain closed until the conclusion of the service.

ARTICLE 111 – VIOLATIONS

Section 1. Complaints made against members, guests, and employees of this Post shall be made in writing and signed by the person making the complaint. The complaint shall provide a full account of the grievance, complaint or alleged violation of the regulations. The complaint shall be addressed to the Commander. The Commander will refer all valid complaints to the Grievance/Executive Committee for investigation and action. Only the Grievance/Executive Committee and the Commander shall know the author.

Section 2. Alleged violators of Post Regulations and/or By-laws, who are members or employees of Post 137, shall be notified in writing, of Grievance Committee investigation results and imposed punishment, if any. The Executive Committee must first approve all imposed punishments before actions can be taken. Guests (which includes American Legion, SAL, Auxiliary Members, and Active Duty Members) may be processed after investigation without written notification.

Section 3. The Grievance/Executive Committee shall impose punishment for violations of the Post Regulations and/or By-laws by members, guests and employees. Infractions determined to be serious in nature by the Grievance/Executive Committee shall be handled as follows:

- A. A warning.

- B.** Loss of clubroom privileges for a period of thirty (30) days.
- C.** Loss of clubroom privileges for a longer period or permanently. After a period of not less than sixty (60) days, the offender may submit a formal letter to the Commander for reinstatement. The Commander will refer reinstatement letter(s) to the Grievance/Executive Committee.
- D.** If the police are called, the bartender on duty will provide a written report of the incident to the Club Manager the next day. This report will be referred to the Grievance/Executive Committee.
- E.** Violent offenses subject the accused individual to immediate suspension pending the outcome of the investigation.
- F.** Minor offenses may result in a loss of clubroom privileges for a period from one (1) to twenty-nine (29) days.

Section 4. Penalties may be more severe depending on the circumstances of the alleged violation. The Executive Committee will approve penalties for alleged violators who are guests or non-member employees.

Section 5. In all cases, Grievance/Executive Committee action will be completed within thirty (30) days. The on-duty bartender will provide a statement for every incident referred to the Grievance/Executive Committee through the Commander. Alleged violators have the right to appeal to or appear before the Grievance/Executive Committee, if so desired.

ARTICLE IV - - BARTENDER RULES

Section 1. The Club Manager shall hire employees with Executive Committee approval. New employees will be on a trial basis for a period of six (6) months or 1,040 hours of work to determine continued employment. During the trial period, the Manager may terminate temporary employees at any time and for any reason with Executive Committee approval.

Section 2. Bartenders shall be in charge of the Post Home during their shift. They may call upon a Post Officer or House Committee Member for assistance, but at all times, they are responsible for enforcing the rules. Bartenders shall observe the following standard rules:

- Dress neatly and present a good appearance.
- Keep scrupulously clean, including washing their hands after using the rest room, sneezing, wiping their nose, eating, etc.
- Not use profanity.
- Be responsible for their own banks, register receipts, and stock inventory.
- Come to work sober and drug free.
- Not consume alcohol for six (6) hours prior to duty and while on duty.
- Not shoot pool, dance, or play any games while on duty.
- Be courteous and attentive to customers at all times.
- Not engage customers in conversations to the neglect of the bar.

- Enforce the Post Regulations equally to all patrons.

Section 3. Any reported violations of Post Regulations by a bartender may result in his/her immediate suspension, without pay. The report must be made to the Club Manager in writing and signed by whoever witnessed it. It shall be immediately reverred to the Grievance/Executive Committee through the Commander for review and action. The bartender may appear before the Executive Committee, if desired.

Section 4. Bartenders shall ensure all patrons are members in good standing of the American Legion, Sons of the American Legion, or the American Legion Auxiliary by requiring the membership card be shown as necessary. Active Duty Military Members may enter the Post by presenting their Military Identification Card and signing the guest log. All others must be sponsored as required in these Post Regulations, and must sign the guest log. This includes those members' wives who have not joined the American Legion Auxiliary. The bartenders shall not sponsor guests while on duty. Membership cards expire December 31 each year. From January 1st through the end of February, the bartenders shall card every patron to ensure they have a current year's membership card. Members whose cards have expired will not be served. The 1st Vice Commander will compile a delinquent list and give it to the Club Manager by January 1st. Those patrons who do not have their cards on them will be checked against the delinquent list and the current roster to establish their membership. **If neither a delinquent list nor a current roster are available, a member in good standing may vouch for a member who does not have his/her card. When the member vouching leaves, the member who was vouched for must also leave. The member vouching will be held responsible for any member he/she vouches for and their actions. The member vouching will be held accountable and may face disciplinary actions if the person being vouched for is not a current member of the Post.**

Section 5. Bartenders not members in good standing of the American Legion, Sons of the American Legion, or the American Legion Auxiliary, shall not sign the applications for new members or the applications for renewal to the appropriate organization, nor will they sponsor any guests when off duty.

Section 6. If the bartender has funds available, personal checks may be cashed for members in good standing in Post 137, Unit 137 or Squadron 137. The maximum value of any check cashed at the bar will be \$100.00 per member per day. No two-party checks or payroll checks will be cashed, and the signer of the check must be the person cashing it. The cashing of any other check requires approval of the Club Manager, a Post Officer or a House Committee Member, up to a maximum of \$50.00 per person per day. Any Post Officer or House Committee Member who authorizes the cashing of a check shall print his/her name and Legion membership number on the check and shall be responsible for the check.

Section 7. A "Bad Check" list (Non-Sufficient Funds, NSF) containing the person's name and date they were entered on the list shall be maintained by the Club Manager. The bartenders shall not cash checks for anyone whose name appears on this list. A

person may be removed from the “Bad Check” list by seeing the Club Manager, making full restitution and paying a \$30.00 penalty per bad check to justify their removal from the “Bad Check” list. If restitution and penalty are not paid within 30 days, the member’s clubroom privileges will be automatically revoked until restitution/penalty is paid. Any member who has 2 NSF checks within a one year time period shall have his or her check cashing privileges suspended for a period of one year. If a member feels that they have been unjustly placed on the “Bad Check” list, they may present their case to the Grievance/Executive Committee. If a bartender cashes a check for anyone on the “Bad Check” list or members of Post 137 not authorized IAW Section 6 above, that bartender shall be responsible for the check.

Section 8. Bartenders will keep the bar top, ashtrays, and bar area clean at all times.

Section 9. Bartenders will restock the coolers and liquor, making the bar ready for the oncoming shift prior to being relieved by the oncoming bartender. Note will be made of items restocked as directed by the Club Manager. During busy periods when two or more bartenders are working, the bartender who goes off duty first will ensure the bar is restocked.

Section 10. The night bartender (or by the Club Mangers direction) shall restock the coolers and liquor, wash all dirty glasses and mugs, clean the bar and bar area, make the bar ready for the next day, and ensure security inside the premises. Particular attention shall be given to all rest rooms to ensure no patrons have been left in the building. The night bartender shall ensure all doors are locked, designated locks are in place, and the alarm system is properly activated.

Section 11. The bartender shall discourage patrons from being obnoxious in their behavior and using obscene language that might be offensive to other patrons, guests, or children. The bartender shall refuse service to patrons who refuse to comply. If such conduct continues, the bartender shall ask the patron to leave the Post. If patrons do not leave after being asked to do so, the bartender shall call the Club Manager, the House Committee Chairman, or the Commander for assistance. If the bartender cannot reach any of the above, or if the conduct worsens before it can be resolved, the bartender may call the police. A report will be made to the Club Manager the next day on action taken. In the case of any emergency involving robbery, bodily harm, or the intent to do bodily harm, the police shall be notified first. The Club Manager, House Committee Chairman and the Commander will be notified when time permits, and a report will be filed the next day. THIS RULE WILL BE STRICTLY ENFORCED.

Section 12. The bartender shall enforce state and local laws for drinking age, and shall not serve any patron who appears to be intoxicated.

Section 13. Bartenders not able to report to work due to sickness or some other emergency shall notify the Club Manager, who shall ensure the bartender on duty has a relief.

Section 14. No alcoholic beverages shall be taken from or brought into the Post home. Only alcoholic beverages purchased at the Post in unbreakable cups may be taken to the swimming pool area.

Section 15. During daylight hours, the front and side doors leading to the Post Home shall be unlocked. After dark, these doors may be locked at the bartender's discretion. Doors may be opened by the Club Manager or a Post Officer as needed.

Section 16. The Club Manager shall arrange all work schedules, and shall be notified of any changes desired (including the swap of shifts).

Section 17. No food shall be stored in the coolers behind the bar.

Section 18. Only the duty bartender will be behind the bar, except when the bartender requests help from a member. Non-members of Post 137 will not be permitted behind the bar.

Section 19. Bartenders shall dispense liquor from a vessel prescribed by the Executive Committee and not free pour liquor. The vessel shall contain the approved number of ounces for each drink, and no more or less. Discrepancies shall be reported to the Commander in writing.

Section 20. The jukebox shall be turned off when scheduled entertainment begins. The big screen television set, located beside the bandstand, shall be turned off when entertainment begins. The small screen television sets may be turned on with the sound muted. Conflicts may occasionally occur between the volume levels of the jukebox, the big screen television and each small screen television. Patrons should be encouraged to move closer to whichever TV they are watching. The jukebox volume should be kept at a moderate level. If patrons are controlling the volume on the TV's and other patrons complain, the bartender shall set the volumes at the level he/she deems appropriate and not permit patrons to have the controls.

Section 21. The Club Manager shall recommend to the Grievance/Executive Committee through the Commander possible termination, suspension or reprimand of bartenders for infractions determined to be serious in nature. The Grievance/Executive Committee shall consider the following guidelines:

- A. An oral reprimand noted in the record of the employee. The bartender shall be informed by the Club Manager of the nature of the infraction and the action needed to preclude recurrence of the infraction.
- B. A Letter of Caution noting the nature, date, and circumstances of the infraction. The bartender shall be furnished the original Letter of Caution, and shall sign and date a copy of the Letter of Caution prior to insertion in the employee's record. The employee shall be counseled by the Club Manager, who shall explain the action needed to preclude recurrence of the infraction.

- C. A Letter of Reprimand noting the nature, date, and circumstances of the infraction. The bartender shall be furnished a copy of the Letter of Reprimand prior to insertion in the employee's record. The Club Manager shall explain the action needed to preclude recurrence of the infraction and shall counsel the employee.
- D. An employee may be terminated from employment for a serious infraction of Post Regulations. The Grievance/Executive Committee shall review the facts, circumstances, and frequency surrounding the allegations of infractions, and make the determination to dismiss the employee or not to dismiss the employee.
- E. During the counseling session with the Club Manager or Grievance/Executive Committee, the employee(s) shall have every opportunity to defend their actions and provide explanations, clarifications and justifications for their actions. The Grievance/Executive Committee shall evaluate all pertinent information to determine the severity of the infraction, and either dismiss the charge or take the action deemed appropriate.
- F. The Club Manager shall have the authority to suspend an employee, without compensation, for serious infractions, including theft of Post property, misuse of funds, and inability to perform their duties or responsibilities in a professional manner.
- G. The Club Manager shall inform the Commander of the suspension and the nature of the circumstances as soon as practical.
- H. Employees may also be terminated for continued poor performance or infraction violations after benefit of counseling and as noted in the employee's record. The Club Manager is responsible for recommendations to the Grievance/Executive Committee through the Commander concerning employees who continue to perform poorly.

ARTICLE V - - CLUB MANAGER DUTIES

Section 1. A complete job description for the Club Manager is in a separate document entitled Manager Job Description.

Section 2. The Club Manager is responsible to the Executive Committee through the Commander for all matters concerning transactions in the clubroom and has ultimate accountability for the receipt of cash, checks and bartender's banks, and maintaining the food and beverage inventory.

Section 3. The Club Manager shall:

- Plan, coordinate, and schedule event/functions of Post 137.
- Ensure a designated Post representative is present throughout the event/function.
- Advise users of menu and bar costs, bartender services, cleanliness requirements, and restrictions on the number of event attendees.
- Ensure menu items selected are purchased and prepared, if contracted to do so by the users.
- Ensure that beverages consumed are available and inventoried prior to and subsequent to the event.

Section 4. Only American Legion Post 137, American Legion Auxiliary Unit 137 and the Sons of the American Legion Squadron 137 may be contracted to cater an event using Post 137 facilities and equipment. No individual, employee or other group may use Post facilities to cater an event and earn a profit. Any contracted caterer shall bring the food already cooked and utilize his/her own equipment to serve it. Any money collected for an event catered by a 137 organization (except tips) shall be turned in to the appropriate Finance Officer.

ARTICLE VI - - MODIFICATIONS

Section 1. To remain up-to-date, these regulations may be revised, modified, or amended at any time as recommended by the Executive Committee. The Commander may approve minor changes, while major changes require Executive Committee approval.

**Addendum 1. USE OF BOAT RAMP AND STORAGE OF
CARS, BOATS, TRAILERS, MOTOR HOMES**

1. American Legion Post 137 (hereafter known as The Post), located at 5443 San Juan Avenue, Jacksonville, Florida, has created an RV park and boat ramp area on the western side of its property adjacent to Cedar River (also known as Cedar Creek).
2. The purpose of this facility is to allow for Legionnaires to set up their motor homes for a daily donation that is prescribed by The Post Executive Committee.
3. This donation is subject to change at any time that The Post Executive Committee votes to change the donation.
4. The boat ramp is available to those Legionnaires that are camping at the RV Park and to The Post members.
5. There is an annual donation that Post members must pay in order to have access to the boat ramp.

6. If the annual donation is not paid by the date set, as prescribed by The Post Executive Committee, access to the boat ramp will be denied.
7. Parking of boats and boat trailers is not intended to be for a period to exceed 24 hours, except as noted below.
8. Due to the large number of members that utilize the boat ramp area, it is not to be used as a storage area.
9. Exceptions to this would be if a boat was in need of repair and the facility where the boat is going to be taken to for repairs does not have an appointment time available in a reasonable amount of time. The reasonable time will be determined by the House Committee and approved by the Executive Committee.
10. The reasonable time exceptions will be posted in the lounge area.
11. If a member is going to be on the water for longer then 24 hours, and the boat trailer will be left at The Post, it must be placed at the southwest corner of The Post property. This will allow for other members to utilize the facilities in a safe manner.
12. Anyone who is going to be on the water for more than 24 hours must make written notice on a form to be described by the Executive Committee. The notice will state the date leaving, the expected return date, where the member is going and an emergency contact number.
13. To gain permission to leave a boat trailer for over 24 hours it is mandatory that a member of the House Committee be contacted to get that permission. If a House Committee member is not available, contact the Club Manager, or in his absence, the bartender on duty.
14. By having this information, The Post will have the ability to contact public safety authorities to inform them of a possible emergency.
15. At no time will a boat, trailer, motor home, or motor vehicle of any type be left on The Post property with a For Sale sign on it. This applies even if the boater is only sailing for the day, or the RV camper is only staying for one night.
16. The Post property is not a used vehicle sales lot.
17. No unregistered vehicles of any type will be on the property at any time.
18. Violators of any of these rules are subject to being towed at the owner's expense.

_____/_____
 Finance Committee Chairman Date Commander / Date

House Regulation Updates and Changes:
Change #1: Article III Section 2 “Alleged violators of Post Regulations...” and Section 3, c. “Loss of all clubroom privileges...” by Executive Committee Order August 21, 2003.
Change #2: Article I Section 1 “Members of the American Legion, the American Legion Auxiliary, or Sons of the American Legion desiring to bring non-members into the Post...” by Executive Committee Order September 13, 2003.
Change #3: Article I Section 1 paragraphs A through D deleted by Executive Committee Order October 14, 2006.
Change #4: Article I Section 1 “No members shall serve...” by Executive Committee Order October 14, 2006.
Change #5: Article III Section 3 added paragraph E “Violent offenses subject the...” and paragraph F “Minor offenses may result...” by Executive Committee Order October 14, 2006.
Change #6 to entire document. Changed the term Manager to Club Manager. By Executive Committee Order October 14, 2006.
Change #7: Article II new Section 9 adding rules on clothing with obscene, suggestive or offensive language, pictures, drawings or photographs. By Executive Committee Order July 14, 2007
Change #8: Addendum 1 Use of Boat Ramp and Storage of Cars, Boats, Trailers, Motor Homes. By Executive Committee Order August 11, 2007
Change #9: Article IV Section 4. Added terminology on how a member who does not have his/her card with them can be vouched for. By Executive Committee Order January 12, 2008
Change #10: Article IV Section 7. Added language regarding 2 NSF checks in one year causing check cashing privileges to be revoked for one year. Eliminated check cashing for non-members.