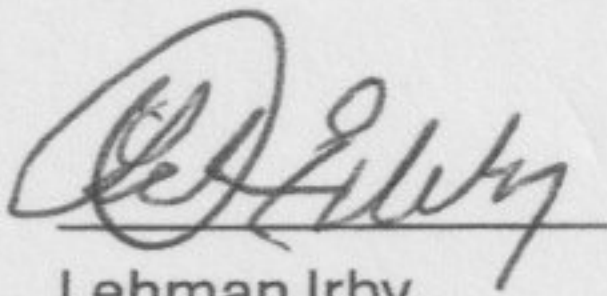


**The American Legion
Chester R. Vickery, Post 12
110 Denton Road
Dothan, Alabama 36302**

**Constitution and Bylaws
2026**



Lehman Irby
Commander

Constitution of The American Legion

Chester R. Vickery, Post 12

PREAMBLE

For God and Country, we associate ourselves together for the following purposes: To uphold and defend the Constitution of the United States of America; to maintain law and order; to foster and perpetuate a one hundred percent Americanism; to preserve the memories and incidents of our associations in all wars; to inculcate a sense of individual obligation to the community, state and nation; to combat the autocracy of both the classes and the masses; to make right the master of might; to promote peace and good will on earth; to safeguard and transmit to posterity the principles of justice, freedom and democracy; to consecrate and sanctify our comradeship by our devotion to mutual helpfulness.

ARTICLE I

Section 1. The name of this organization shall be Chester R. Vickery, Post 12. The American Legion, Department of Alabama. Hereinafter referred to as Post 12.

ARTICLE II

Objects

Section 1. The objectives and purposes of Post 12 shall be to promote the principles and policies as set forth in the foregoing preamble, and the National and Departmental Constitution of The American Legion.

ARTICLE III

Nature

Section 1. Post 12 is a civilian organization, and membership therein does not affect or increase liability for military or police service.

Section 2. This organization shall be nonpolitical and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person seeking public office or preferment.

Section 3. Rank does not exist in The American Legion; no member shall be addressed by his/her military title in any meeting of this Post.

ARTICLE IV

Membership

Section 1. An individual is eligible for membership in The American Legion only if the individual –

(1) Has served in the Armed Forces of –

(A) the United States at any time during –

(i) the period from April 6, 1917, through November 11, 1918; or

(ii) any time after December 7, 1941; or

(B) a government associated with the Posted States during a period or time referred to in sub clause (a) of this clause and was a citizen of the Posted States when the individual entered that service; and

(2) was honorably discharged or separated from that service or continues to serve honorably during or after that period of time.

Section 2. Application for membership shall be made in writing under such regulations as may from time to time be prescribed by the Post Executive Committee.

Section 3. Any member of Post 12 may be expelled for cause by a two-thirds vote of the Executive Committee after charges are filed under oath in writing, and a fair trial has occurred.

Section 4. A member who has been expelled from Post 12 for any cause may be reinstated to membership by a two-thirds vote of the membership present at a Post 12 meeting, and the payment of current dues for the year in which the reinstatement occurs.

Section 5. No person who has been expelled by a different Post shall be admitted to membership in Post 12, without the consent of the expelling Post. If such consent has been asked for and denied by the expelling Post, then it may be appealed to the state Executive Committee of the Department of the Expelling Post for permission to apply for membership in Post 12 and shall be ineligible for membership until such permission is granted.

ARTICLE V

Officers

Section 1. The administrative affairs of Post 12 of The American Legion shall be under the supervision of the Executive Committee which shall consist of the elected officers including two (2) members at large. The term of office of members of the Executive

Committee shall be for one year. Post 12, by its By-laws, may provide or such other standing committees as the business of the organization may require.

Section 2. The officers of Post 12 shall be a commander, a vice-commander, an adjutant/finance officer, a Post Chaplain, a Post service officer and a sergeant-at-arms, and such other officers as may be deemed necessary by this organization who shall be nominated at the meeting the month prior to the elections or from the floor at the meeting preceding the elections. Any office that is vacant may be appointed by the Executive Committee.

Section 3. All officers and executive committee members shall be elected annually, and they shall hold office until their successors take office at the next meeting following the elections. Any officer or executive committee member may be removed for inefficiency by a two-thirds vote by the Executive Committee.

Section 4. Every member of Post 12 in good standing shall be eligible to hold office in this Post.

Section 5. The duties of officers and the Executive Committee shall be those provided for in the By-Laws.

ARTICLE VI

Finance

Section 1. The revenue of Post 12 shall be derived from membership fees, from annual membership dues and from other sources as may be approved by the Executive Committee.

Section 2. The amount of Post 12 membership dues shall be determined by the membership of Post 12 by majority vote of those present.

Section 3. Post 12 shall pay to Department the National and Department annual membership dues for every member of Post 12.

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American Legion Auxiliary

Section 1. Post 12 recognizes an auxiliary organization to be known as American Legion Auxiliary, Chester R. Vickery, Unit 12.

Section 2. Membership in the Auxiliary shall be as prescribed by the National Constitution of The American Legion.

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Amendments

Section 1. This Constitution is adopted subject to the provisions of the National Constitution of the American Legion and of the Constitution of The American Legion, Department of Alabama. When National or Department amend their By-laws Post 12's Constitution shall be automatically amended to be compliant with National and Department Constitutions.

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Bylaws of The American Legion Chester R. Vickery Post 12

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Executive Committee

Section 1. Between meetings, the government and management of Post 12 shall be entrusted to the Executive Committee, and all proceedings of said committee shall be presented to the membership at the next regular meeting.

Section 2. A vacancy existing in the Executive Committee from any cause other than the end of a term shall be filled by a majority vote of the committee. A person so elected shall hold office for the unexpired term of the succeeding member.

Section 3. Three members of the Executive Committee shall constitute a quorum.

ARTICLE III

Duties of Officers

Section 1. Duties of Post Commander. It shall be the duty of the Post commander to preside at all meetings of the Post and to have general supervision over the business and affairs of the Post, and such officer shall be the chief executive officer of the Post. The commander shall approve all orders directing the disbursement of funds and shall make an annual report covering the business of the Post for the year, and recommendations for the next year, which shall be read at the annual meeting and a copy thereof immediately forwarded to the Department adjutant. The Commander is Ex-Officio member of any and all committees or program (i.e. Sons of American Legion, Post 12 American Legion Riders)

entities. The commander shall perform such other duties as directed by majority vote of the membership.

Section 2. Duties of the Vice-Commander. The vice-commander shall assume and discharge the duties of the office of commander in the absence or disability of, or when called upon by the Post commander.

Section 3. Duties of Post Adjutant/Finance Officer. The adjutant shall have charge of and keep a full and correct record of all proceedings of all meetings, keep such records as the Department and National may require, render reports of membership annually or when called upon at a meeting, and under direction of the commander handle all correspondence of the Post. In addition the Adjutant/finance officer shall be charge of all finances and see that they are safely deposited in some local bank or banks and shall report once a month to the membership the condition of the finances of the Post, with such recommendations as may deem expedient or necessary for raising funds with which to carry on the activities of the Post. The adjutant/finance officer or the Commander shall sign all checks disbursing the monies of the Post.

Section 5. Duties of Post Chaplain. The Post chaplain shall be charged with the spiritual welfare of the Post members and will offer divine but nonsectarian service in the event of dedications, funerals, public functions, etc., adhere to such ceremonial rituals as are recommended by National or Department from time to time.

Section 6. Duties of Sergeant-at-Arms. The sergeant-at-arms shall preserve order at meetings and shall perform such other duties as may be from time to time assigned by the Post Executive Committee.

Section 7. Duties of Members at Large. The Members at Large shall be voting members of the Executive Board and shall represent the membership at large

ARTICLE V

Dues

Section 1. The annual membership dues of Post 12 shall be as stated in the Standing Rules, paid annually or for life, and shall include the Department and national per capita.

Section 2. A member not paying annual dues, including the Post, Department and National assessments by January 31, shall be classified as delinquent and shall be suspended from membership privileges.

A member considered delinquent for not paying dues by January 31 of the current membership year shall be classified as expired. Such an expired member may rejoin as an active member under the member's original join date without interruption of continuous years of membership and membership privileges reinstated, by payment of all past dues. A member considered expired for not paying dues by January 31 of the current membership year may rejoin, with a new join date, at any time in the future by re-establishing eligibility and making application as a new member.

ARTICLE VI

Elections

Section 1. Elections may be by voice vote if there is only one candidate; but where there is more than one candidate for the same position, elections shall be by ballot, and the majority of the votes cast shall be necessary to elect.

Section 2. Delegates and alternates to a Department convention shall be elected by ballot by the Post at a regular meeting of the Post to be held at least 20 days prior to the date of such convention. Alternates shall have priority in the order of their election.

Section 3. All officers and executive board members shall serve for one (1) year term or until their successors are elected. Term of office begins at the next regular meeting after elections.

ARTICLE VII

Transfers

Section 1. Any member who is not subject to suspension or membership revocation is eligible to transfer membership to Post 12 if they have paid their membership dues to their current Post for either the current year or immediate past membership year. A member transferring to Post 12 must pay the current year dues to their current Post or to Post 12.

Transfer is final upon verification of eligibility and evidence of paid membership.

Evidence of paid membership:

1. American Legion membership card
2. Verification of membership by Department or National Headquarters membership records

3. Other documentation verifying payment of current or immediate past year membership dues, such as a canceled check or receipt; OR
4. When verifying documentation is not available a sworn statement that the member's dues payment was tendered.

A member who had previously transferred out of the Post and seeks to rejoin or transfer back to the Post must secure approval by a majority vote of the members present.

ARTICLE VIII

Resolutions

Section 1. All resolutions of state or national scope presented to Post 12 by a member or reported to Post 12 by a committee shall merely embody the opinion of Post 12 on the subject and copy of the same shall be forwarded to the Department headquarters for approval before any publicity is given or action other than mere passage by the Post is taken.

ARTICLE IX

Meetings

Section 1. The regular meetings of Post 12 shall be held at a time and place as specified in the Standing Rules.

Section 2. An annual meeting of Post 12 shall be held in the month of May each year for the purpose of electing officers and receiving annual reports.

Section 3. Special meetings may be called by order of the Commander or upon written request of at least two (2) members of the Executive Committee. Uniform notice of such special meetings shall be given to all members of the Executive Committee; and, except for extreme emergencies, shall be given at least forty-eight (48) hours in advance. At special meetings, only the business specified in advance shall be transacted.

ARTICLE X

Notices

Section 1. Every member shall furnish the Post adjutant with an email address and an address for mailing. It is the member's responsibility to notify the adjutant of change of address.

Section 2. the Post adjutant shall give notice of the annual election at least two (2) weeks prior thereto.

ARTICLE XI

Parliamentary Authority

Section 1. Post 12 shall be governed by the current edition of "Robert's Rules of Order, Newly Revised" on all points not addressed by this constitution and bylaws.

ARTICLE XII

Amendments

Section 1. This Constitution is adopted subject to the provisions of the National Constitution of the American Legion and of the Constitution of The American Legion, Department of Alabama. When National or Department amend their By-laws Post 12's Constitution shall be automatically amended to be compliant with National and Department Constitutions.

Section 2. This Constitution may be amended at any regular Post meeting by vote of two-thirds of the members present, provided the proposed amendment has been submitted in writing and read at the immediately preceding regular meeting. The requirement for a previous reading may be suspended by a unanimous vote of those present.

Standing Rules of The American Legion Chester R. Vickery Post 12

1) PREFACE

Standing Rules are rules and regulations for the guidance of an assembly which have been adopted by the membership and can be amended or rescinded by a two-thirds vote. If note has been given, these Standing Rules may be amended as frequently as needed in the form of an amendment (Robert's Rules of Order, Newly Revised).

Supplementary rules and regulations may be adopted by membership and shall be designated as Standing Rules. These Standing Rules may be suspended by a two-thirds vote of the membership present and eligible to vote.

I. Candidates for Post Office

- (1) Any member in good standing with Post 12 may run for an elected office. The candidate must be able to perform the duties as described in the Post 12 Constitution and Bylaws.
- (2) A letter of intent may be submitted to the Commander or Adjutant any time before the elections.
- (3) A member may be nominated from the floor up until the time of the elections.

II. Post Chairperson/Committees

- (1) The Executive Committee, upon taking office shall appoint the following standing committees: Americanism, Children and Youth, Finance, Membership, Legislative, Public Relations, Veterans Affairs and Rehabilitation.
 - (a) Americanism Committee. This committee shall be charged with the inspiration of patriotism and good citizenship by arrangements for proper observance of patriotic occasions; encouragement of patriotic and civic phases of instruction in schools; Americanization of aliens; combating anti-American propaganda by education of the general public in American ideals through public forums, etc., and activities for community and civic betterment.

- (b) Children and Youth Committee. Shall be charged with aid and service to children of Veterans, cooperating with other established agencies in the community laboring for the betterment of child conditions and in coordinating services and agencies in the community for the above purposes. To act as intermediary for the needy child of a Veteran in obtaining the fulfillment of the Legion's pledge that "no child of a war Veteran shall be in need of the necessities of life" and "a square deal for every child."
- (c) Finance Committee. This committee shall be charged with the administration of the financial policy, preparation of budget recommendations and supervision of receiving, disbursing and accounting of all Post funds.
- (d) Membership Committee. The Membership Committee shall have charge of all matters pertaining to the membership of the Post, including the procuring of new members, reinstatements and eligibility of members.
- (e) Legislative Committee. This committee needs to have a knowledge of what is going on in Congress—what we favor or oppose and should be ready to initiate action in support of our position when requested by the nation or Department organization.
- (f) Public Relations Committee. The Public Relations Committee shall be charged with the promotion of public support of the Legion's programs by the establishment of proper contact with The American Legion Magazine, Department and national Legion news service and by local publicity of Post programs and activities.
- (g) Veterans Affairs and Rehabilitation Committee (VA&R). This committee shall supervise all matters pertaining to service to Veterans in the prosecution of all just claims against the Posted States or state government, employment, relief, etc.
- (2) The commander shall be considered as ex-officio of all committees.
- (3) The Executive Committee shall appoint a successor for any chairperson committee member position vacated.
- (4) Any committee requesting funds will bring the request before the membership. The membership will vote on the disposition of the request. A majority vote of those present and eligible to vote is required.

III. Membership

- (1) It is the policy of this Post that each member shall complete a membership application. All membership applications must be endorsed by the Post Commander or the Post Adjutant.

- (2) If eligibility requirements are not met the commander or the adjutant have the authority to return collected dues to the applicant immediately.
- (3) The membership year shall be from January 1st to December 31st. Dues shall not be prorated for parts of the membership year.
- (4) Dues shall be payable annually for the succeeding calendar year or for life. A member failing to pay annual dues by December 31st shall be classed as delinquent and shall be suspended from all membership privileges.
- (5) If a member joins after National Convention (dues are paid during the months of September, October, November or December) those dues will be applied to the following year. Membership rights, privileges and benefits will be given at the time the dues are collected.
- (6) Any change in the membership dues must be approved by Post 12 membership by a two-thirds majority of those present and eligible to vote.
- (7) Annual dues per member are \$60.

IV. Meetings

- (1) Meetings will be held at the Post building, 110 Denton Road, on the 2nd Thursday of each month at 6:30 p.m.
- (2) Meetings are open to the public.
- (3) If a member's good name and character are going to be discussed the Executive committee must go into a closed session. Everything discussed in the closed session is confidential. Breach of confidentiality may lead to disciplinary actions.

**CONFIDENTIALITY POLICY
OF THE
AMERICAN LEGION
CHESTER R. VICKERY
POST 12**

Definition:

Employee: In this context, Employee is defined as any individual who received compensation, either full or part time, from The American Legion, Post 12. The term also includes any consultant or independent contractor who provides services dealing with legal, sensitive business and personnel of The American Legion, Chester R. Vickery, Post 12.

Volunteer: In this context, Volunteers are defined as Post Officers and members providing non-compensated service to the Post.

In the course of their duties, employees and volunteers will have access to information that, if disclosed, could harm the organization, its business relationships, or individuals.

1. Employees and volunteers with the Post shall maintain confidentiality of any information concerning legal, sensitive business, and personal matters.
2. Employees and volunteers shall not disclose information about donors and donations without express permission, nor disclose information concerning personal, legal, or sensitive matters.
3. Employees and volunteers shall always exercise good judgement and care to avoid unauthorized or improper disclosures of confidential information.
4. Before an employee or volunteer can assume the responsibility of their position, they shall be required to sign The American Legion Confidentiality Agreement annually.

This policy is not intended to prevent disclosure when disclosure is required by law or court of law.

CODE OF ETHICS POLICY

OF THE AMERICAN LEGION CHESTER R. VICKERY POST 12

The National American Legion has established a Code of Conduct and Ethics, a set of principles and practices that provide the Post with a set of parameters and guidance for conduct and decision-making. The Code of Conduct and Ethics reflects the organization's core values, ethical principles, expectations, and responsibilities.

Code of Ethics

- ❖ Support the integrity and reputation of The American Legion, Chester R. Vickery, Post 12.
- ❖ Use good judgment based on high ethical principles to guide Post members.
- ❖ Refrain from any illegal, dishonest, or unethical conduct.
- ❖ Comply with all applicable laws and regulations and hold accountable all members.
- ❖ Act in a professional and businesslike manner.
- ❖ Treat others with respect.
- ❖ Be aware of any potential influence on colleagues and a will not to exploit their trust.
- ❖ Act to prevent and eliminate discrimination in all things.
- ❖ Maintain and respect policies, procedures and Post decisions and take the initiative toward improving such policies, procedures and decisions when it will better serve the Post.
- ❖ Possess a professional attitude that upholds confidentiality toward persons, colleagues, nominees and any sensitive situation arising within the Post.
- ❖ Because of my ability to influence and alter the lives of others I shall exercise special care when making recommendations or opinions public through testimony other public statements, including social media.

Member Acknowledgement of Understanding

I understand that violation of this Code of Conduct and Ethics may be grounds for disciplinary actions up to and including immediate dismissal.

**WHISTLEBLOWER POLICY
OF THE AMERICAN LEGION
CHESTER R. VICKERY
POST 12**

Policy Statement

It is the National American Legion's policy to provide a culture and process that encourages, receives, retains, and resolves complaints arising from "Whistleblower" communications concerning any questionable accounting or auditing matters, potential fraud or illegal or irregular activities suspected or committed by members of the Post.

Policy Definitions

Fraud is defined as a willful or deliberate act with the intention of obtaining an unauthorized benefit, such as money or property, by deception or other unethical or illegal means. Fraudulent acts covered under this policy include, but are not limited to:

- ❖ Forgery or illicit alteration of any documents
- ❖ Misrepresentation of information on documents.
- ❖ Misappropriation of funds, inventory, securities, supplies, or any other asset.
- ❖ Theft, disappearance, or destruction of any assets or documents required by National to be retained.
- ❖ Improprieties in the handling or reporting of money or financial transactions.
- ❖ Issuing false or misleading financial statements, tax returns or other forms of financial information whether for internal or external use.
- ❖ Any apparent violation of Federal, State or Local Laws related to dishonest activities or fraud.

Employee, in this context, is defined as any individual who receives compensation, either full or part time, from the Post. The term also includes any consultant or independent contractor who provides services to the Post through a contractual arrangement with the Post.

Management, in this context, is defined as any officer or other individual who manages funds, or other resources.

Volunteers, in this context, is defined as any members of the Post involved in a concern, complaint and/or investigation addressed by the Post Executive Committee who are providing non-compensated services.

Whistleblower, in this context, is defined as one who raises a concern about or reveals suspected misconduct or wrongdoing occurring in the Post to those in positions of authority.

Policies

1. Members of Post Executive Committee shall follow the Fraud and Whistleblower Procedures as set out in this document and the Post Guidebook.
2. The Post shall promptly investigate any suspected fraudulent, dishonest activity. The Post Executive Committee shall determine the nature, scope, timing and extent of investigative activities.
3. When appropriate, based on a finding of fraud, the Post Executive Committee shall take appropriate disciplinary actions and pursue legal remedies available under the law. Disciplinary action may include, but are not limited to, the possibility of termination, required restitution and forwarding information to appropriate authorities for criminal prosecution or other legal remedies.
4. There shall be no assumption of privacy during the performance of an investigation of fraud.

Retaliation Protection

1. No retaliation – it is contrary to the value of The American Legion for anyone to retaliate against any employee, management or volunteer who has reported a concern or complaint in good faith and believed the information to have been accurate in subject to discipline up to and including termination of membership in the organization or termination of employment.
2. Any member of the Post who acts maliciously by making know information or reasonable believers to be false with information will not be protected under the Retaliation Protection of this policy.

The American Legion
Chester R. Vickery, Post 12
110 Denton Road
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Constitution and Bylaws
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Commander

Constitution of The American Legion

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Section 1. Duties of Post Commander. It shall be the duty of the Post commander to preside at all meetings of the Post and to have general supervision over the business and affairs of the Post, and such officer shall be the chief executive officer of the Post. The commander shall approve all orders directing the disbursement of funds and shall make an annual report covering the business of the Post for the year, and recommendations for the next year, which shall be read at the annual meeting and a copy thereof immediately forwarded to the Department adjutant. The Commander is Ex-Officio member of any and all committees or program (i.e. Sons of American Legion, Post 12 American Legion Riders)

entities. The commander shall perform such other duties as directed by majority vote of the membership.

Section 2. Duties of the Vice-Commander. The vice-commander shall assume and discharge the duties of the office of commander in the absence or disability of, or when called upon by the Post commander.

Section 3. Duties of Post Adjutant/Finance Officer. The adjutant shall have charge of and keep a full and correct record of all proceedings of all meetings, keep such records as the Department and National may require, render reports of membership annually or when called upon at a meeting, and under direction of the commander handle all correspondence of the Post. In addition the Adjutant/finance officer shall be charge of all finances and see that they are safely deposited in some local bank or banks and shall report once a month to the membership the condition of the finances of the Post, with such recommendations as may deem expedient or necessary for raising funds with which to carry on the activities of the Post. The adjutant/finance officer or the Commander shall sign all checks disbursing the monies of the Post.

Section 5. Duties of Post Chaplain. The Post chaplain shall be charged with the spiritual welfare of the Post members and will offer divine but nonsectarian service in the event of dedications, funerals, public functions, etc., adhere to such ceremonial rituals as are recommended by National or Department from time to time.

Section 6. Duties of Sergeant-at-Arms. The sergeant-at-arms shall preserve order at meetings and shall perform such other duties as may be from time to time assigned by the Post Executive Committee.

Section 7. Duties of Members at Large. The Members at Large shall be voting members of the Executive Board and shall represent the membership at large

ARTICLE V

Dues

Section 1. The annual membership dues of Post 12 shall be as stated in the Standing Rules, paid annually or for life, and shall include the Department and national per capita.

Section 2. A member not paying annual dues, including the Post, Department and National assessments by January 31, shall be classified as delinquent and shall be suspended from membership privileges.

A member considered delinquent for not paying dues by January 31 of the current membership year shall be classified as expired. Such an expired member may rejoin as an active member under the member's original join date without interruption of continuous years of membership and membership privileges reinstated, by payment of all past dues. A member considered expired for not paying dues by January 31 of the current membership year may rejoin, with a new join date, at any time in the future by re-establishing eligibility and making application as a new member.

ARTICLE VI

Elections

Section 1. Elections may be by voice vote if there is only one candidate; but where there is more than one candidate for the same position, elections shall be by ballot, and the majority of the votes cast shall be necessary to elect.

Section 2. Delegates and alternates to a Department convention shall be elected by ballot by the Post at a regular meeting of the Post to be held at least 20 days prior to the date of such convention. Alternates shall have priority in the order of their election.

Section 3. All officers and executive board members shall serve for one (1) year term or until their successors are elected. Term of office begins at the next regular meeting after elections.

ARTICLE VII

Transfers

Section 1. Any member who is not subject to suspension or membership revocation is eligible to transfer membership to Post 12 if they have paid their membership dues to their current Post for either the current year or immediate past membership year. A member transferring to Post 12 must pay the current year dues to their current Post or to Post 12.

Transfer is final upon verification of eligibility and evidence of paid membership.

Evidence of paid membership:

1. American Legion membership card
2. Verification of membership by Department or National Headquarters membership records

3. Other documentation verifying payment of current or immediate past year membership dues, such as a canceled check or receipt; OR
4. When verifying documentation is not available a sworn statement that the member's dues payment was tendered.

A member who had previously transferred out of the Post and seeks to rejoin or transfer back to the Post must secure approval by a majority vote of the members present.

ARTICLE VIII

Resolutions

Section 1. All resolutions of state or national scope presented to Post 12 by a member or reported to Post 12 by a committee shall merely embody the opinion of Post 12 on the subject and copy of the same shall be forwarded to the Department headquarters for approval before any publicity is given or action other than mere passage by the Post is taken.

ARTICLE IX

Meetings

Section 1. The regular meetings of Post 12 shall be held at a time and place as specified in the Standing Rules.

Section 2. An annual meeting of Post 12 shall be held in the month of May each year for the purpose of electing officers and receiving annual reports.

Section 3. Special meetings may be called by order of the Commander or upon written request of at least two (2) members of the Executive Committee. Uniform notice of such special meetings shall be given to all members of the Executive Committee; and, except for extreme emergencies, shall be given at least forty-eight (48) hours in advance. At special meetings, only the business specified in advance shall be transacted.

ARTICLE X

Notices

Section 1. Every member shall furnish the Post adjutant with an email address and an address for mailing. It is the member's responsibility to notify the adjutant of change of address.

Section 2. the Post adjutant shall give notice of the annual election at least two (2) weeks prior thereto.

ARTICLE XI

Parliamentary Authority

Section 1. Post 12 shall be governed by the current edition of "Robert's Rules of Order, Newly Revised" on all points not addressed by this constitution and bylaws.

ARTICLE XII

Amendments

Section 1. This Constitution is adopted subject to the provisions of the National Constitution of the American Legion and of the Constitution of The American Legion, Department of Alabama. When National or Department amend their By-laws Post 12's Constitution shall be automatically amended to be compliant with National and Department Constitutions.

Section 2. This Constitution may be amended at any regular Post meeting by vote of two-thirds of the members present, provided the proposed amendment has been submitted in writing and read at the immediately preceding regular meeting. The requirement for a previous reading may be suspended by a unanimous vote of those present.

Standing Rules of The American Legion Chester R. Vickery Post 12

1) PREFACE

Standing Rules are rules and regulations for the guidance of an assembly which have been adopted by the membership and can be amended or rescinded by a two-thirds vote. If note has been given, these Standing Rules may be amended as frequently as needed in the form of an amendment (Robert's Rules of Order, Newly Revised).

Supplementary rules and regulations may be adopted by membership and shall be designated as Standing Rules. These Standing Rules may be suspended by a two-thirds vote of the membership present and eligible to vote.

I. Candidates for Post Office

- (1) Any member in good standing with Post 12 may run for an elected office. The candidate must be able to perform the duties as described in the Post 12 Constitution and Bylaws.
- (2) A letter of intent may be submitted to the Commander or Adjutant any time before the elections.
- (3) A member may be nominated from the floor up until the time of the elections.

II. Post Chairperson/Committees

- (1) The Executive Committee, upon taking office shall appoint the following standing committees: Americanism, Children and Youth, Finance, Membership, Legislative, Public Relations, Veterans Affairs and Rehabilitation.
 - (a) Americanism Committee. This committee shall be charged with the inspiration of patriotism and good citizenship by arrangements for proper observance of patriotic occasions; encouragement of patriotic and civic phases of instruction in schools; Americanization of aliens; combating anti-American propaganda by education of the general public in American ideals through public forums, etc., and activities for community and civic betterment.

(b) Children and Youth Committee. Shall be charged with aid and service to children of Veterans, cooperating with other established agencies in the community laboring for the betterment of child conditions and in coordinating services and agencies in the community for the above purposes. To act as intermediary for the needy child of a Veteran in obtaining the fulfillment of the Legion's pledge that "no child of a war Veteran shall be in need of the necessities of life" and "a square deal for every child."

(c) Finance Committee. This committee shall be charged with the administration of the financial policy, preparation of budget recommendations and supervision of receiving, disbursing and accounting of all Post funds.

(d) Membership Committee. The Membership Committee shall have charge of all matters pertaining to the membership of the Post, including the procuring of new members, reinstatements and eligibility of members.

(e) Legislative Committee. This committee needs to have a knowledge of what is going on in Congress—what we favor or oppose and should be ready to initiate action in support of our position when requested by the nation or Department organization.

(f) Public Relations Committee. The Public Relations Committee shall be charged with the promotion of public support of the Legion's programs by the establishment of proper contact with The American Legion Magazine, Department and national Legion news service and by local publicity of Post programs and activities.

(g) Veterans Affairs and Rehabilitation Committee (VA&R). This committee shall supervise all matters pertaining to service to Veterans in the prosecution of all just claims against the United States or state government, employment, relief, etc.

(2) The commander shall be considered as ex-officio of all committees.

(3) The Executive Committee shall appoint a successor for any chairperson committee member position vacated.

(4) Any committee requesting funds will bring the request before the membership. The membership will vote on the disposition of the request. A majority vote of those present and eligible to vote is required.

III. Membership

(1) It is the policy of this Post that each member shall complete a membership application. All membership applications must be endorsed by the Post Commander or the Post Adjutant.

- (2) If eligibility requirements are not met the commander or the adjutant have the authority to return collected dues to the applicant immediately.
- (3) The membership year shall be from January 1st to December 31st. Dues shall not be prorated for parts of the membership year.
- (4) Dues shall be payable annually for the succeeding calendar year or for life. A member failing to pay annual dues by December 31st shall be classed as delinquent and shall be suspended from all membership privileges.
- (5) If a member joins after National Convention (dues are paid during the months of September, October, November or December) those dues will be applied to the following year. Membership rights, privileges and benefits will be given at the time the dues are collected.
- (6) Any change in the membership dues must be approved by Post 12 membership by a two-thirds majority of those present and eligible to vote.
- (7) Annual dues per member are \$60.

IV. Meetings

- (1) Meetings will be held at the Post building, 110 Denton Road, on the 2nd Thursday of each month at 6:30 p.m.
- (2) Meetings are open to the public.
- (3) If a member's good name and character are going to be discussed the Executive committee must go into a closed session. Everything discussed in the closed session is confidential. Breach of confidentiality may lead to disciplinary actions.

**CONFIDENTIALITY POLICY
OF THE
AMERICAN LEGION
CHESTER R. VICKERY
POST 12**

Definition:

Employee: In this context, Employee is defined as any individual who received compensation, either full or part time, from The American Legion, Post 12. The term also includes any consultant or independent contractor who provides services dealing with legal, sensitive business and personnel of The American Legion, Chester R. Vickery, Post 12.

Volunteer: In this context, Volunteers are defined as Post Officers and members providing non-compensated service to the Post.

In the course of their duties, employees and volunteers will have access to information that, if disclosed, could harm the organization, its business relationships, or individuals.

1. Employees and volunteers with the Post shall maintain confidentiality of any information concerning legal, sensitive business, and personal matters.
2. Employees and volunteers shall not disclose information about donors and donations without express permission, nor disclose information concerning personal, legal, or sensitive matters.
3. Employees and volunteers shall always exercise good judgement and care to avoid unauthorized or improper disclosures of confidential information.
4. Before an employee or volunteer can assume the responsibility of their position, they shall be required to sign The American Legion Confidentiality Agreement annually.

This policy is not intended to prevent disclosure when disclosure is required by law or court of law.

CODE OF ETHICS POLICY

OF THE AMERICAN LEGION CHESTER R. VICKERY POST 12

The National American Legion has established a Code of Conduct and Ethics, a set of principles and practices that provide the Post with a set of parameters and guidance for conduct and decision-making. The Code of Conduct and Ethics reflects the organization's core values, ethical principles, expectations, and responsibilities.

Code of Ethics

- ❖ Support the integrity and reputation of The American Legion, Chester R. Vickery, Post 12.
- ❖ Use good judgment based on high ethical principles to guide Post members.
- ❖ Refrain from any illegal, dishonest, or unethical conduct.
- ❖ Comply with all applicable laws and regulations and hold accountable all members.
- ❖ Act in a professional and businesslike manner.
- ❖ Treat others with respect.
- ❖ Be aware of any potential influence on colleagues and a will not to exploit their trust.
- ❖ Act to prevent and eliminate discrimination in all things.
- ❖ Maintain and respect policies, procedures and Post decisions and take the initiative toward improving such policies, procedures and decisions when it will better serve the Post.
- ❖ Possess a professional attitude that upholds confidentiality toward persons, colleagues, nominees and any sensitive situation arising within the Post.
- ❖ Because of my ability to influence and alter the lives of others I shall exercise special care when making recommendations or opinions public through testimony or other public statements, including social media.

Member Acknowledgement of Understanding

I understand that violation of this Code of Conduct and Ethics may be grounds for disciplinary actions up to and including immediate dismissal.

**WHISTLEBLOWER POLICY
OF THE AMERICAN LEGION
CHESTER R. VICKERY
POST 12**

Policy Statement

It is the National American Legion's policy to provide a culture and process that encourages, receives, retains, and resolves complaints arising from "Whistleblower" communications concerning any questionable accounting or auditing matters, potential fraud or illegal or irregular activities suspected or committed by members of the Post.

Policy Definitions

Fraud is defined as a willful or deliberate act with the intention of obtaining an unauthorized benefit, such as money or property, by deception or other unethical or illegal means. Fraudulent acts covered under this policy include, but are not limited to:

- ❖ Forgery or illicit alteration of any documents
- ❖ Misrepresentation of information on documents.
- ❖ Misappropriation of funds, inventory, securities, supplies, or any other asset.
- ❖ Theft, disappearance, or destruction of any assets or documents required by National to be retained.
- ❖ Improprieties in the handling or reporting of money or financial transactions.
- ❖ Issuing false or misleading financial statements, tax returns or other forms of financial information whether for internal or external use.
- ❖ Any apparent violation of Federal, State or Local Laws related to dishonest activities or fraud.

Employee, in this context, is defined as any individual who receives compensation, either full or part time, from the Post. The term also includes any consultant or independent contractor who provides services to the Post through a contractual arrangement with the Post.

Management, in this context, is defined as any officer or other individual who manages funds, or other resources.

Volunteers, in this context, is defined as any members of the Post involved in a concern, complaint and/or investigation addressed by the Post Executive Committee who are providing non-compensated services.

Whistleblower, in this context, is defined as one who raises a concern about or reveals suspected misconduct or wrongdoing occurring in the Post to those in positions of authority.

Policies

1. Members of Post Executive Committee shall follow the Fraud and Whistleblower Procedures as set out in this document and the Post Guidebook.
2. The Post shall promptly investigate any suspected fraudulent, dishonest activity. The Post Executive Committee shall determine the nature, scope, timing and extent of investigative activities.
3. When appropriate, based on a finding of fraud, the Post Executive Committee shall take appropriate disciplinary actions and pursue legal remedies available under the law. Disciplinary action may include, but are not limited to, the possibility of termination, required restitution and forwarding information to appropriate authorities for criminal prosecution or other legal remedies.
4. There shall be no assumption of privacy during the performance of an investigation of fraud.

Retaliation Protection

1. No retaliation – it is contrary to the value of The American Legion for anyone to retaliate against any employee, management or volunteer who has reported a concern or complaint in good faith and believed the information to have been accurate in subject to discipline up to and including termination of membership in the organization or termination of employment.
2. Any member of the Post who acts maliciously by making know information or reasonable believers to be false with information will not be protected under the Retaliation Protection of this policy.