

CONSTITUTION AND BY-LAWS



THE GREATER CINCINNATI WOMEN'S
AMERICAN LEGION POST #644

DEPARTMENT OF OHIO

COMMANDER

ADJUTANT

CONSTITUTION OF THE GREATER CINCINNATI WOMEN'S AMERICAN LEGION POST #644

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 the Great 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 – NAME

Section 1: The name of this organization shall be The Greater Cincinnati Women's Post #644, The American Legion, Department of Ohio.

ARTICLE II – OBJECTIVES

Section 1: The objectives and purposes of this Post shall be to promote the principles and policies as set forth in the foregoing Preamble and the National and Department Constitutions of the American Legion, with a special focus on advocacy for the needs, issues, and benefits of women veterans.

ARTICLE III – NATURE

Section 1: The Post is a civilian organization; membership therein does not affect nor increase liability for military or police service.

Section 2: This Post shall be absolutely non-political and shall not be used for the dissemination of partisan principles or for the promotion of the candidacy of any person seeking public office or preferment.

Section 3: Rank does not exist in the Legion; no member shall be addressed by his/her military or naval title in any convention or meeting of the legion.

ARTICLE IV – MEMBERSHIP

Section 1: Membership eligibility in this Post shall be as prescribed by the National Constitution of the American Legion.

Section 2: Application for membership shall be made in writing under such regulations and in such form as may be prescribed by the Post Executive Committee, and all candidates (including transfers) shall provide proof of their eligibility for membership in The American Legion.

Section 3: All applications for membership shall be acted upon at the next Post General Membership Meeting following the making of such application, and shall at such meeting be accepted, rejected, or referred for further investigation and consideration. A majority vote of the members present will accept an application for membership. If a majority of those voting cast their vote against the acceptance of said application, then such application shall be recorded as rejected.

Section 4: Any member of this Post may be suspended or expelled in accordance with Article IV, Section 2, of the Department of Ohio By-Laws of the American Legion.

Section 5: Any person who has been expelled or suspended from this Post for any cause may be reinstated to membership by a majority vote of the membership present in a Post meeting. An approved reinstatement is contingent upon payment of the current year's dues. No person who has been expelled by a Post shall be admitted to membership in this Post without consent of the expelling Post, except where such consent has been requested and denied by such Post. In such cases, the former member may then appeal to the Department of Ohio Executive Committee for permission to apply for membership in this Post, and shall be ineligible for membership until such permission is granted.

Section 6: There shall be no form or class of membership except an active membership. No person shall be a member of this Post who is also a member of another Post of The American Legion.

ARTICLE V – POST OFFICERS

Section 1: The administrative affairs of this Post of The American Legion shall, except as may be otherwise provided by the By-Laws, be under the supervision of the Executive Committee, which shall consist of the officers of this Post. The term of office of members of the Executive Committee shall be for one year. This Post may provide for such other standing committees as the business of the organization may require.

Section 2: The officers of this Post shall be a Commander (Chairperson of the Executive Committee), First Vice Commander, Second Vice Commander, Adjutant, Finance Officer, Judge Advocate, Chaplain, Service Officer, Sergeant-At-Arms, Public Affairs Officer, Historian, the immediate Past Post Commander and up to three elected members-at-large. Other officers as may be deemed necessary (such as assistants to the elected officers) may be appointed by the Executive Committee subject to the approval of the membership at a Post General Membership Meeting. Appointed officers (such as the Public Affairs Officer, Historian, and Judge Advocate) may participate in Executive Committee Meetings but may not vote.

Section 3: All officers, except the Public Affairs Officer, Historian, Judge Advocate, and immediate Past Commander shall be elected annually and shall hold office until their successors are duly installed or as otherwise provided. The Post Commander shall recommend to the Post Executive Committee for approval the Public Affairs Officer, Historian, Judge Advocate, and such other officers deemed necessary for the efficient administration of Post affairs.

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

Section 5: The duties of the officers of this Post shall be those pertaining to such offices and committee members and as provided in the Post By-Laws.

Section 6: In the event a vacancy occurs in the office of Post Commander, the First Vice Commander shall succeed to that office. In the event a vacancy occurs in any other elected office and more than six months remains in the term of the vacated office, a special election will be held to fill the office. If fewer than six months remain in the term of the vacated office, the vacancy shall be filled by appointment by the Commander, approved by the Post Executive Committee and subject to approval of the membership at the next Post General Membership Meeting.

Section 7: The resignation of a Post Officer or Post Executive Committee Member shall occur by written notice of the officer or committee member to the Post Commander or by verbal announcement of the officer or committee member to the membership at a Post General Membership Meeting.

ARTICLE VI – FINANCE

Section 1: The revenue of this Post shall be derived from membership dues and from such other sources as may be approved by the Post Executive Committee.

Section 2: The amount of such membership dues shall be fixed and determined by the general membership.

Section 3: The Post shall pay to Ohio Department Headquarters the National and Departmental annual membership dues for each member of this Post.

Section 4: Expenditures exceeding \$200.00, except expenditures for routine supplies, taxes, maintenance, and such other expenditures as herein authorized, shall be presented to the Post Executive Committee for consideration and recommendation before presentation to the Post membership for final action.

Section 5: The Service Officer, Chaplain, Adjutant, and Finance Officer may be allocated funds for expenses related to discharge of their duties as determined by the Post Executive Committee and approved by the Post membership.

Section 6: An independent accounting firm may be secured by the Post Executive Committee for the proper recording of taxable accounts.

ARTICLE VII – AMENDMENTS

Section 1: This Constitution is adopted subject to the provisions of the National Constitution of The American Legion and the Constitution of the Department of Ohio, The American Legion. Any amendments to said National or Department Constitutions which are in conflict with the provisions hereof shall be regarded as automatically repealing or modifying the provisions of the Constitution to the extent of such conflict.

Section 2: Approval of Amendment(s) to this Constitution may be made at any General Membership or special meeting of this Post and should require a two-thirds affirmative vote of the members present. The notice of such meeting has been given to each member a minimum of ten days prior to the date when such amendment(s).

BY-LAWS OF THE GREATER CINCINNATI WOMEN'S AMERICAN LEGION POST #644

ARTICLE I – NAME AND PURPOSE

Section 1: This Post, existing under these By-Laws, shall be known as The Greater Cincinnati Women's Post #644, The American Legion, Department of Ohio.

Section 2: The purposes of this Post are as set forth in the Post Constitution.

ARTICLE II – DELEGATES/ALTERNATES TO DISTRICT AND DEPARTMENT CONVENTIONS

Section 1: This Post shall be entitled to representation at District and Department conventions on the basis of one delegate and one alternate for the first twenty-five members, two delegates and alternates for sixty-six members and an additional delegate and alternate for each additional one hundred members paid up thirty days prior to Department Convention. Delegate and alternates will serve for one year.

Section 2: Delegates and alternates to represent this Post at the District and Department Conventions shall be elected not later than thirty days prior to the District Convention. The delegates and alternates elected shall be those receiving the greatest number of votes in descending order.

Section 3: Post members serving as delegates or alternates to the Department Convention may be furnished expenses as determined by the Post Executive Committee. Such determination shall be made at the Post Executive Committee Meeting immediately preceding the Department Convention.

Section 4: All delegates or alternates furnished expenses to attend a Department Convention shall be present on the floor for all business sessions of said Convention unless specifically excused by the Delegation Chairperson. Failure to be so present shall require the member to return to the Finance Officer expenses awarded within ten days of the close of the Convention.

Section 5: The outgoing Post Commander is automatically elected as the first delegate and will serve as the Post Delegation Chairperson.

ARTICLE III – NOTICES

Section 1: Each member shall furnish the Post Adjutant a current mailing address to which all correspondence may be sent. If members provide an electronic mail (email) address, email correspondence may be used in lieu of postal mailings.

Section 2: Notices of special meetings of this Post shall be mailed or emailed a minimum of six days prior to all special meetings. In an emergency, as many members as possible shall be contacted by telephone. The notice shall contain the date, time, place, and purpose of the meeting. When the notice is by mail or email, the Post Commander or Adjutant shall certify the date of mailing.

ARTICLE IV – MEETINGS

Section 1: General Membership Meetings of this Post shall normally be held at a time recommended by the Executive Committee and approved by the Post General Membership on the third Thursday of each month at a location determined by the Executive Committee. When the date of the regular meeting falls on a holiday, the meeting will be held on the third Thursday of that month. The total membership must be notified of a proposed time/date change a minimum of six days prior to the meeting.

Section 2: Five paid-up members shall constitute a quorum at any general membership or special meeting of this Post.

Section 3: The Post Executive Committee shall normally meet monthly at a date and time established by the Committee. Other meetings of the Post Executive Committee may be called by the Commander or by written notice by at least three members of the Committee. The Chairperson of the Post Executive Committee will decide the time and date of the special meeting.

Section 4: A majority of the Post Executive Committee shall constitute a quorum of any meeting of the Committee.

Section 5: The Chairperson of the Post Executive Committee or a majority of the Post Executive Committee shall have the power to call a special meeting of this Post provided that the provisions of Article IV, Section 2 are met.

ARTICLE V – ANNUAL ELECTION OF OFFICERS

Section 1: The Executive Committee shall recommend a Nominations Committee, consisting of three members approved by the General Membership, no later than the February General Membership Meeting. The committee will report on candidates at the March General Membership meeting and additional nominations may be made from the floor at this time. The candidates for Post offices and Executive Committee will be voted on at the April General Membership Meeting prior to the District Convention. The Post Commander may not be a member of the Nominating Committee.

Section 2: Annual election of Post Officers will be by secret ballot by the attending membership who is in good standing. Only members present during the General Membership Meeting will be eligible to cast a ballot. Write-in candidates will be allowed, provided that the write-in candidate accepts the nomination and is a member in good standing. After the ballot box is closed, the Commander shall appoint three (3) members who did not run for office to count the ballots and report results to the membership.

Section 3: Certification of eligibility to vote will be the responsibility of the Adjutant or officer designated by the Post Commander. Candidates for the office of Post Commander or their representatives may be observers during the election. In the event of a dispute as to eligibility to vote, the Post Membership Records shall prevail. After the ballot box is closed, the Commander shall appoint three (3) members who did not run for office to count the ballots and report results to the membership.

Section 4: In the event of a tie for any office, an election by secret ballot will be held at the next General Membership Meeting. Secret balloting will continue during this meeting until one candidate is elected by majority vote.

Section 5: The original ballots shall be retained by the Adjutant for a period of 30 days. If there is no challenge to the election results during this period, the ballots shall be destroyed.

ARTICLE VI – INSTALLATION & INITIATION

Section 1: Installation of all officers, members of the Post Executive Committee shall take place upon the next General Membership Meeting after the election.

Section 2: Initiation of new members shall be conducted at the discretion of the Post Commander not less than once per year.

ARTICLE VII – RULES

Section 1: The rules of procedure at all meetings of this Post shall be as set forth in the Officer Guide and Manual of Ceremonies, The American Legion, or, when not covered by such manual, as provided by Roberts Rules of Order.

ARTICLE VIII – LIMITATION OF LIABILITY

Section 1: This Post shall not incur or cause to be incurred any liability or obligation whatever which shall subject to liability any other Post, subdivision, group, members of The American Legion, or other individuals, corporations or organizations.

ARTICLE IX – DUTIES OF OFFICERS

Section 1: Duties of Post Commander: It shall be the duty of the Post Commander to preside at all meeting of this Post and to have the general supervision over the business affairs of this Post. He or she shall be the Chairperson of the Post Executive Committee.

He or she shall represent the Post in all capacities requiring Post representation unless he or she directs otherwise.

Section 2: Duties of First Vice Commander: The First Vice Commander shall assume and discharge the duties of the Post Commander when the Post Commander is absent or when called upon by the Post Commander to do so. The First Vice Commander shall be the Chairperson of the Membership Committee and shall be responsible for all records and activities related to membership recruitment and recording. The First Vice Commander shall make monthly reports to the Post Executive Committee and the membership during General Membership Meetings.

Section 3: Duties of the Second Vice Commander: The Second Vice Commander shall assume and discharge the duties of the Post Commander in the absence of the Post Commander and the First Vice Commander. The Second Vice Commander shall be Chairperson of the Post Activities Committee with duties consisting of, but not limited to, planning entertainment, programs, and activities conducive to the enjoyment of the membership and the attraction and retention of new members. The Second Vice Commander shall make monthly reports to the Post Executive Committee and the membership during General Membership Meetings.

Section 4: Duties of the Post Adjutant: The Adjutant shall have charge of and keep a full and complete record of all the proceedings of all meetings, keep such records as the National and Department organizations may require, and under direction of the Post Commander, handle correspondence of the Post. A single exception shall be made in the case of the Post Service Officer, who shall be responsible for all correspondence pertaining to that office. The Adjutant may recommend to the Post Commander a member to be appointed as Assistant Adjutant. Such appointment shall be subject to Post Executive Committee approval.

Section 5: Duties of the Finance Officer: The Finance Officer shall have charge of all funds and accounts of this Post except those specifically delegated to other officers or committees by the Post Executive Committee. The Finance Officer shall deposit in some local bank all funds under his or her charge and provide a full and accurate report at each Post Executive Committee and General Membership Meeting on the status and condition of such accounts and funds. The Finance Officer shall be a voting member of all committees where the obligation, expenditure, or receipt of funds is involved. The Finance Officer will assure all persons authorized to disburse funds or sign checks are properly recorded with the bank. The Post Commander will assure that an audit is performed on all accounts prior to the installation of new officers and that such audit report is presented at the first Post Executive Committee Meeting in August. The Finance Officer shall cause a Surety Bond to be established covering all persons charged with the responsibility for Post funds and accounts.

Section 6: Duties of the Post Historian: The Historian shall be charged with recording and retaining the history of this Post, its activities and those of its members and to perform such other related duties as directed by the Post Commander.

Section 7: Duties of the Post Service Officer: The Service Officer shall be charged with the welfare of Post members, nonmember veterans and the families of all veterans. The Service Officer shall assist veterans and/or their families in preparation of compensation, insurance of death claims and other forms of service work incident to that office. The

Service Officer shall report at each meeting cases of sickness and other matters of local service work. The Service Officer shall be responsible for all correspondence pertaining to that office.

Section 8: Duties of the Post Chaplain: The Chaplain shall be charged with the spiritual welfare of the Post and its members and will offer divine, but nonsectarian, service at dedications, funerals, public functions and Post meetings. The Chaplain shall adhere to such ceremonial rites as are recommended by the National or Departmental organizations from time to time.

Section 9: Duties of the Post Sergeant-at-Arms: The Sergeant-at-Arms shall preserve order at all Post meetings and perform such other duties as may properly pertain to the office. The Sergeant-At-Arms shall advance, post, and retire the colors at all Post meetings.

Section 10: Duties of the Post Judge Advocate: The Judge Advocate is the interpreter of the Constitution and By-Laws of the Post. He/she may be called upon at any time by the Commander, other officers or members of the Post to rule on the legality of their actions and decisions in so far as they affect the good of the American Legion.

Section 11: Duties of the Post Public Affairs Officer: The Public Affairs Officer shall increase awareness among the veterans' community and the community at large of the Post's activities, programs, and advocacy of veteran's issues. The Public Affairs Officer shall ensure publicity through disseminating Post news to the local news media and through establishing relationships with editors and journalists serving the Post community. The Public Affairs Officer shall also submit photos and articles for the Department of Ohio publications by the prescribed due dates.

ARTICLE X – ADMENDMENTS

Section 1: Amendment(s) to these By-Laws may be made at any General Membership or special meeting of this Post by a two-thirds majority vote for approval by the members present provided that notice of such meeting has been given to each member a minimum of ten days prior to the date when such amendment(s) are to be voted upon.

ARTICLE XI – ADOPTION OF BY-LAWS

Section 1: The provisions contained in this Constitution and By-Laws, when approved by The American Legion, Department of Ohio and when adopted by this Post shall be the official Constitution and By-Laws of this Post and shall supersede all other rules and regulations of whatever nature concerning the government and management of this Post and its activities.

ARTICLE XII – ADJUTANTS RESPONSIBILITIES

Section 1: The Post Adjutant shall send a copy of this Constitution and By-Laws to all members of the Post and any new members joining the Post.