

American Legion Post 295



Standing Rules & Code of Conduct 2024 - 2025

Purpose

The purpose of the American Legion Post 295 Standing Rules, Code of Conduct is to provide our members and their guests standards to govern conduct within the Post Home and Post Lounge.

ARTICLE 1

Definitions

Section 1. **Member** as applied to the Standing Rules, shall mean any Legionnaire, Auxiliary, Sons of the American Legion (SAL) in good standing of Post 295. A member in good standing is defined as one who has paid his/her annual dues by 1 January of the applicable year.

Section 2. **Lounge** is that portion of the Post Home housing the bar facilities.

Section 3. **Post Home** includes all the premises and grounds utilized by Post 295, including any building(s) and parking thereon.

Section 4 **Management**, as applied to the Standing Rules, shall refer to the Lounge Manager and the bartender(s) on duty.

Section 5. **Executive Committee** is the committee elected in accordance with the Post By-laws to oversee the Operation of the Post.

Section 6. **Minor** is any person declared a minor within the scope of California State ABC regulations.

Section 7. **Visiting American Legion Guest** is anyone who is a member in good standing of another American Legion Post.

Section 8. **A Guest** is anyone who is not a member of Post 295 or another American Legion Post, SAL, Auxiliary, Legion Rider, etc..

ARTICLE II

Persons Permitted in the Lounge

Section I. The privilege of the American Legion Post 295 Lounge is for members of American Legion Post 295, Auxiliary Members, and Sons of the American Legion (SAL) who are in good standing.

- a. All members are required to observe standards of good conduct and dignity..
- b. Members must be in good standing to enjoy Lounge privileges. Members must present current membership card or receipt that indicates payment of current years dues upon request of the management or Executive Committee.
- c. Members are permitted to bring guests. Members are responsible for the conduct of their guests. Guests must depart when the member departs.

ARTICLE III

Beverages

Section 1. No alcoholic beverages will be purchased for and/or served to minors. Nor will minor be allowed to carry any alcoholic beverages to any person in the Lounge. No exceptions. Adults must order any non-alcoholic beverage for a person under the age of twenty-one. No person under the age of twenty-one shall stand or be seated at the bar.

Section 2. No beverage of any kind that has not been purchased at the Post Lounge will be permitted on the premises. No beverages, alcoholic or otherwise, purchased in the Lounge may be carried out of the Post Home with the exception of the back parking area when put in a plastic cup (No Glass Outside). All alcoholic beverages must be consumed inside the Lounge, hall or the back parking area.

Section 3. No alcoholic beverages will be served to anyone who, in the determination of management is intoxicated. Indication of intoxication shall include but, is not be limited to, rude boisterous behavior, dozing or sleeping anywhere in the Lounge or Post Home,

aggressive behavior, taunting and/or harassment of patrons or management, and/or use of profane or personally insulting comments.

Section 4. No member or guest shall secure beverages for any person who has been refused service or both will be asked to leave the premises.

ARTICLE IV

Conduct and Post Standing Rules

Section 1. The Management and/or any officer of Post 295 (*Executive Committee*) present at the time shall have full authority to enforce these Standing Rules while on Duty. Members and their guests in the Lounge understand that the bartender on duty is the person in charge. Members and their guests must abide by the bartender's or Lounge Manager's decision in regard to violations of these rules. Management and/or any officer of Post 295 present at the time may order anyone to leave the Post Lounge who in his/her judgment, has violated one or more of these rules and/or has engaged in any conduct that is detrimental to the Post Lounge.

Section 2. The management and/or any officer of Post 295 present at the time reserves the right to refuse service to and/or ask anyone to leave the Post Lounge/Home whose conduct while in the Post Lounge/Home is such that it is of the opinion of the Management, detrimental to any person, the Post Home, or the American Legion. This includes but is not limited to:

- a. Conduct unbecoming a Legionnaire.
- b. Verbal and physical altercations or confrontations.
- c. Disparaging discussion regarding individual's character.
- d. Any personal attack in respect to sex, race, creed, religion or personal lifestyle.
- e. Loud, profane, vulgar or abusive language.
- f. Lewd, indecent or sexual misconduct.
- g. No lethal weapon of any type, concealed (with or without a concealed carry permit), or openly carried, may be brought into Lounge area of Post 295 except by on duty law enforcement officers.
- h. Negative Bar Talk: Defined as criticizing Post, SAL, or Auxiliary, Officers or policy to Post members and guest where the conversation meant to demean or disparage the post, person, committee, or organization.
- i. Theft of and/or destruction of Post Lounge /Home property.
- j. Use of, or possession of, illegal drugs while in the Post Lounge /Home.

Section 3. Members and guests shall not interfere with the duties and direction of Lounge Employees. No member or guest shall reprimand an employee of the Post Lounge. Any suggestions or criticism concerning Lounge operations, or the conduct of its employees, must be submitted in writing, signed and dated by the individual submitting the report to the Post Commander or placed in the suggestion box where it will be given due consideration. Any unsigned reports will not be considered.

Section 4. Post members and guests are not authorized behind the bar, in the kitchen or in the storage area unless asked by the management on duty to help with a specific task. Upon completion of that task, they are to return to the customer side of the bar. The bartender should ask an officer or member of the post for assistance when assistance is necessary. This rule specifically in regard to the kitchen does not preclude member's use of the kitchen during special events.

Section 5. Pets are not allowed into the Post Lounge at any time. Service animals are allowed in accordance with ADA regulations. Service animals will not be allowed in the kitchen, or on the bar or tables at any time. Service animals must remain under the control of their owners.

Section 6. Any member or guest found damaging or destroying Legion property will be required to pay for the damage.

Section 7. Members have the right to file an incident report, reporting any violation of these Standing Rules. The report must be presented to management within three (3) days of the incident unless such incident involves an employee, then such report will be submitted to the Post Commander or Executive Committee Member.

Section 8. Any member disciplined under any article or section of these Standing Rules, shall have the right to appeal. The member will appeal to the Executive Committee at the next regularly scheduled Executive Committee Meeting. The appeal steps are outlined in Article VII of these Standing Rules.

Section 9. When events are sponsored by any organization within the Post that require the use of the Post Home, kitchen and or hall areas for cooking or other activities, that organization is responsible for all clean-up associated with the event.

ARTICLE V

Use of the Television, Jukebox, Pool Table, Dart and other Gaming Devices

Section 1. The television in the Post Lounge may be used at any time.

Section 2. The pool table, dartboards and any other gaming devices in the Post Home are for entertainment purposes.

Section 3. The jukebox, pool table, dartboards and other gaming devices may be closed at the discretion of the management or by the direction of the Executive Committee for special events.

Section 4. Only the management on duty will adjust the volume control for the jukebox and televisions. The choice of what is to be shown and played on all audio/visual equipment will be determined by the majority of patrons on hand.

Section 5. At the discretion of the management on duty, based on his/her evaluation that the majority of the Legion patrons are watching a major television event, the jukebox may be turned down or off so as not to interfere with the majority.

ARTICLE VI

Discipline of Post 295 Members and Guests

Barring a member or guest from Post 295 Lounge and Premises.

Use of the Post 295 Lounge is a privilege extended to members and their guests who are expected to abide by these Standing Rules. The following outlines American Legion Post 295 procedures concerning barring of members and guests from the Post Lounge/Home. (See BY-LAWS OF CYPRESS POST 295 Article XVI)

Section 1. Bartender on Duty. The bartender on duty has the right to ask a member or guest to leave for a 24-hour period for any violation of the Standing Rules. Anytime the bartender asks a member or guest to leave he/she will complete an incident report to the Lounge Manager for review and action.

Section 2. Lounge Manager. The Lounge Manager upon receipt of an Incident Report, may, if deemed necessary, have a member or guest barred until the next Executive Committee Meeting.

Section 3. Action on Incident Reports. The Lounge Manager will review all Incident Reports with the Post Commander, Adjutant and Judge Advocate prior to the next regularly scheduled Executive Committee Meeting. They will present their recommendation to the Executive Committee for approval. Except in special circumstances the guidelines provided in Annex A will be used as recommendations. The Post Adjutant will maintain a file on all Incident Reports and is responsible for ensuring that written notice is provided to the offenders, such notice will inform the member he has the right to contest the offense at the next regularly scheduled Executive Committee meeting. The notice will contain the following information: Date and time of offense. Type of offense citing Article and Section violated. Date and time of the Executive Committee Meeting in which the offense will be reviewed. The Post Lounge Manager is responsible for ensuring that a list of all members and guest that are barred is maintained at the bar for the bartenders. This list will include the name, date barred, length of time barred, and offense.

Section 4. All members of American Legion Post 295 as defined in the Standing Rules have the right to contest charges brought against them at the next regularly scheduled Executive Committee Meeting. Members who have been barred from the Post Lounge have the right to attend official post functions excluding lounge functions.

Section 5. Executive Committee is the final and ruling authority on post discipline.

ARTICLE VII

Conclusion

Section 1. All members and guests are expected to read the rules set forth herein and abide thereby. A violation may subject you to possible loss of Canteen privileges for a period of up to (1) year or more. In addition to these prescribed rules, the manager will report in writing any circumstance not specifically covered herein as he/she may see fit, to keep and maintain proper conduct on the premises. Any such action taken by him/her will be reported at the next scheduled Executive Committee meeting so they in turn can ensure proper remedial action.

Section 2. These Standing Rules will be reviewed annually within 60 days after installation of officers.

Section 3. A copy of these Standing Rules will be kept behind the bar at all times for members and guests who wish to review them.

Section 4. The Standing Rules and Code of Conduct contains Annex A which briefly outlines offenses and the recommendation in regard to violation of such offenses.

Bartender on Duty

The Bartender on duty has the right to ask a member or guest to leave for a 24-hour period for any violation of the House Rules. The bartender will complete an incident report each time he/she asks a member or guest to leave and report such incident to the Lounge Manager and enter it into the daily incident log.

Lounge Manager

The Lounge Manager has the right to bar a member or guest until the next regularly scheduled Executive Committee Meeting.

Member Rights

A member who is the subject of an incident report has the right to attend the next regularly scheduled Executive Committee Meeting to contest the charges and will be notified of that right by the Post Adjutant.

Annex A to Standing Rules & Code of Conduct

Annex A contains the recommendation for first time offense violations of American Legion Post 295 Standing Rules and Code of Conduct. Please note, the recommended time ban-ed is only a guideline. Repeated violations or special circumstances could result in more than the recommended time barred outlined in this annex. It is the responsibility of each member and guest to read American Legion Post 295 Standing Rules and Code of Conduct. Each member is expected to ensure that any guests they bring into the Post will also abide by these rules. Members have the right to contest any charge filed against them. The steps are outlined in Article VI of American Legion Post 295 Standing Rules and Code of Conduct.

OFFENSE	RECOMMENDED TIME BARRED
Use of profanity or obscenities	24 Hours
Intoxication	24 Hours
Minor disagreement or confrontations	24 Hours
Intentional purchasing of alcoholic beverages for a customer who has been refused service	30 days
Major disagreements or confrontations	30-45 Days
Physical Confrontations	90-120 Days
Possession of a weapon or threat of the use of a weapon on Post Premises	1 Year— To be reviewed annually
Possession or use of illegal drugs on Post Premises	1 Year—To be reviewed annually
Purchasing a drink for a minor	1 Year— To be reviewed annually
Lewd, indecent sexual misconduct	1 Year — To be reviewed annually
Theft	1 Year — To be reviewed annually

Standing Rules approved by the Executive Committee on May 21, 2024. These rules supersede all previous versions of the Standing Rules and Code of Conduct. The original signed version of these rules will be maintained in the office safe.

John Gibson
Commander

Date

Tom Roepke
Adjutant

Date