

Department of California Procedures for Units

Topic

Action

Documents/Forms

(Provided by the Department Office)

Establish a
New Unit

★Launching

- Stimulate interest in community
- Contact District President/Officers
- Request authorization from Post
Post must request authorization form from Department Office, vote to accept Unit, return completed form (with District President's signature) to Department Office
- Hold preliminary meeting(s)
- A minimum of ten (10) new Senior members is required to form a Unit; any number of transferring members may sign the charter application; Junior members are not counted with the original ten applicants, however, may be charter members

★Development

- Once Post authorizes Unit, hold organizational meeting
Department Office will send a kit of instructions and materials to the Unit upon receipt of *Authorization*.
- Elect temporary chairman and secretary
- Adopt temporary bylaws using the Model Unit Bylaws available through the Department Office
- Establish dues (minimum dues for Seniors \$17.00 Juniors \$2.00) It is recommended that Units collect more than \$17.00 per Senior member. The additional money stays with the Unit and may be used for administrative or general fund purposes
- Temporary chairman asks for nominations for the following:
President, First- and Second-Vice Presidents, Chaplain, Historian, Secretary, Treasurer, Sergeant-at-Arms, and at least one (1) Executive Committeewoman.
- Newly elected officers assume duties
- President names committees as soon as possible

- ★Post Authorization
- ★Department Procedure for Establishing a New Unit
- ★Instructions for Organization of a New Unit

- ★What New Unit Returns to the Department Office
- ★New Unit Kit Inventory
- ★Recommended Officer and Committee List

- ★Additional Membership Materials as needed (Unit should use Supply Order Form) No

charge for materials sent to newly forming Unit

★Completion

- Adopt bylaws
- Using materials from Department, complete individual membership applications
- Prepare membership transmittal
- Complete application for Charter
- Complete Unit Officer Certification, Unit Data, and Fidelity forms
- Using *What the New Unit Returns to the Department Office* checklist, transmit all required documents at one time to Department Office
- Department Office will review and prepare materials to be forwarded to National Headquarters; any errors will be brought to the attention of the Unit President and/or the District President for correction
- Once documents are forwarded to National the Unit may begin establishing bank accounts and accomplishing the work of the various programs
- The National organization will take up to two months to process the documents and issue a charter which is mailed to the Department Office for completion
- Department will forward the completed charter and other important tax related documents to the Unit President

★Maintenance

- Invite the District President and other officers to attend regular Unit meetings for the first year
- Call Department Office when in doubt about specific issues, documents, requirements, etc.
- At the end of each month (August-June) expect to receive a packet from the Department Office - program materials and other important information is included
- Use the Department web site to get immediate answers to many questions (www.calegionaux.org)
- When Unit can afford to, purchase additional references and materials for members from the Department Office
- Attend District and Department functions as often as possible (particularly, Leadership Workshops)

Probation to
Strengthen
Unit

★Procedure for Charter
Cancellation

- ★A District President may request that the Department Executive Committee (January/June) accept the motion to place a Unit on probation
- ★Prior to making the motion the District president must provide adequate documentation regarding the reason(s) for placing the Unit on probation
 - Noncompliance with Department requests for fidelity bond payment, poppy ordering, poppy financial reporting, payment of delegate fees, and/or outstanding debts to Department
 - Noncompliance with basic rules regard the functioning of a Unit - minimum of nine (9) meetings per year, timely elections, minimum of ten (10) paid Senior members at all times, current bylaws, payment of District per capita, invitation of District President to no fewer than one regular Unit meeting each year
- ★Once placed on probation, District President and other District officers must work closely with the Unit during the subsequent six months to resolve any issues of noncompliance
- ★Six months from placement on probation, the District President will report results to the Department Executive Committee
 - She will either move to remove the Unit from probation, continue probation for another six months or place on probation to surrender
- ★It is suggested that it should take a Unit no more than one year to show significant improvement to justify continuance of the Unit charter

Probation to
Surrender
Unit

★Procedure for Charter
Cancellation

- ★This is a six month opportunity for the surrendering Unit to successfully meet all the requirements of charter cancellation
- ★Once the Unit has satisfied the voting requirements for surrendering (see below), the District President and Unit officers can close the Unit's business in an orderly manner

Surrender of Unit

- ★The District President must be made aware of a potential for surrender
- ★Vote of all Unit members
 - Membership must be advised prior to the regular meeting at which the topic of surrender will be addressed (a letter or bulletin to all members is suggested)
 - A majority vote of those members in attendance is needed to surrender
 - Minutes of the meeting must reflect the number of members in attendance, the motion to surrender, and the outcome of the vote
- ★Immediately following the successful vote to surrender the Unit, the District President should be notified (do not call the Department Office before the District)
- ★It is recommended that the Unit be placed on probation for a period of six months at the next meeting of the Department Executive Committee (January/June)
 - During the time of *Probation to Surrender Unit* (see above), the Unit officers will be able to completely satisfy the requirements of surrender
- ★The District President will provide the Unit the *Procedure for Charter Cancellation*
 - Follow the steps carefully
 - Determine if the Unit is incorporated; if so, the Unit must file all the necessary documents with the State of California and the Internal Revenue Service

Revocation of Unit

- ★Only in extreme situations should revocation be imposed
- ★The District President must be able to prove a substantial effort to communicate with the Unit
- ★Revocation may be imposed if the Unit refuse to pay for obligations and/or ceases to function

★In the case of revocation, all the Unit records and funds must be returned to the Department Headquarters

References:

Unit Handbook of the American Legion Auxiliary (Revised 2000) Published by the National American Legion Auxiliary

National Constitution, Bylaws, and Standing Rules of the American Legion Auxiliary

Department of California Constitution, Bylaws, and Standing Rules

Department of California Model Unit Bylaws

Department of California Code: Department Policy, Administrative; Poppy

Note: There may be differences in the order in which procedures occur between the National and Department references. The Department procedures in no way conflict with the National references and are meant to provide a smooth and successful completion of any and all National requirements.