

**CLAUDE R. BATCHELDER POST, NO. 72
ALTON, NEW HAMPSHIRE 03809**



**DUGOUT RULES,
GUIDELINES and PROCEDURES**

Revised and passed 7 March 2011
by a unanimous vote of the Executive Committee.
Further revisions require approval by
a 2/3 vote of the floor.

DUGOUT BYLAWS**ARTICLE I - NAME AND LOCATION**

- Section 1 The Claude R. Batchelder Post 72 Dugout shall be known as the American Legion Dugout.
- Section 2 The location-of the Dugout shall be in the Post 72 home located at 164 Wolfeboro Highway, Alton, County of Belknap, State of New Hampshire.

ARTICLE II - PURPOSE

- Section 1 The purpose of the American Legion Dugout is to provide a suitable bar and lounge in order that all Post Members, Auxiliary Unit Members. Sons of the American Legion and bona fide Guests may enjoy refreshments without fear of interruption from strangers that might become disorderly and cause embarrassment to others. It is also our purpose to use the Dugout income to meet and fulfill obligations of the Post, to accrue the building fund sufficient to build or extend our Post home in time to come.

ARTICLE III - OPERATIONS

- Section 1 The "American Legion Dugout" shall be operated by the Canteen Committee. A majority vote of the Canteen Committee shall formulate policy, make necessary revisions and decide issues.
- Section 2 The personnel for the "American Legion Dugout" shall include Bar Manager, Bartenders, Waiters and/or Waitresses as required.

ARTICLE IV – DUTIES

- Section 1 **Duties and Responsibilities of the CANTEEN COMMITTEE**
- a.) The Canteen Committee will oversee all transactions of the business by and for the Dugout and shall have complete authority over all personnel of the Dugout as defined in Article III.
 - b.) The Canteen Committee shall be responsible for the financial and legal status of the Dugout.
 - c.) The Executive Committee will upon recommendation of the Canteen Committee, approve hiring and firing of all paid Dugout personnel. Prospective employees must undergo state police and FBI background checks.
 - d.) The Canteen Committee will conduct periodic inspections of the Dugout bar and lounge.
 - e.) Any Canteen Committee member may call for a special meeting if the need arises.
 - f.) The Canteen Committee shall approve all changes in drink prices.
 - g.) The Canteen Committee shall update the rules, guidelines and rules of conduct for the operation of the Dugout as deemed best.
 - h.) The Canteen Committee shall be responsible for the placement of updated rosters of paid Members to be available behind the bar. There must be one each from the Post, Auxiliary and the Sons of the American Legion. These should be updated monthly.
 - i.) The chairperson of the Canteen Committee shall present a financial and progress report to Members of the Post at each regular monthly meeting.
 - j.) The Canteen Committee shall review American Legion Dugout personnel in April and October with the Bar Manager.
 - k.) The Canteen Committee shall be responsible for taking inventory on the last Sunday of each month.

Section 2

Duties and Responsibilities of the BAR MANAGER

- a.) The Bar Manager may or may not be a Member of the Post. He or she shall be compensated for his or her services at a rate determined by the Canteen Committee.
- b.) The Bar Manager will have charge of the bartenders, waiters, waitresses and all others assigned to him or her. The manager shall manage and operate the Dugout in accordance with the laws, rules and regulations of the State of New Hampshire, and the Dugout Rules, Guidelines and Procedures.
- c.) The Bar Manager shall have the responsibilities of paying bills and keeping appropriate books.
- d.) The Bar Manager shall be responsible for the actions, conduct and behavior of those under his or her charge.
- e.) The Bar Manager shall be responsible to see that no minors under 21 years of age are permitted in the bar area.
- f.) The Bar Manager shall record his or her cash daily, making out the necessary reports required by the State of New Hampshire and the Canteen Committee. He or she shall deposit daily receipts in the appropriate bank facility to the accounts of the American Legion Dugout of the Claude R. Batchelder Post 72. The deposit slips, cash register tapes and daily reports shall be turned over to the Canteen Committee for their records.
- g.) To accomplish the above, the Bar Manager shall coordinate his or her efforts with the post accountant, bookkeeper and finance officer.
- h.) The manager shall be permitted to pay for small purchases out of the cash register only if such purchases are fifty dollars or less.
- i.) The Bar Manager shall keep a time sheet on all personnel under his or her supervision for payroll purposes, shall make out payroll as required, a copy of which is to be turned in to the Canteen Committee monthly.
- j.) The Bar Manager shall be responsible for monies, liquor inventory, any purchases of liquor, beer deliveries, goods and services required for the operation of the Dugout.
- k.) The Bar Manager should encourage participation in all club activities and take action to enhance the profit of the Dugout with approval of the Canteen Committee.
- l.) The Bar Manager shall prepare a review of Dugout personnel in April and October.
- m.) The Bar Manager shall notify a Member of the Building Committee of any building needs, problems or repairs.
- n.) The Bar Manager will attend the monthly Canteen Committee meeting to give the Dugout report, make requests and recommendations and answer any Canteen Committee questions.

Section 3 Duties and Responsibilities of the BARTENDERS

- a.) Bartenders shall do all their work within the Dugout, the dining room and game room area. They shall mix and serve liquor or beer over the counter, shall receive cash for each sale and ring same on the cash register, as directed by the Bar Manager.
- b.) Bartenders shall perform such duties in the bar, dining room and game room area as assigned to them by the Bar Manager, such as keeping the counter, tables, glasses, furnishings, floors and equipment clean at all times.
- c.) Bartenders may trade shifts with the approval of the Bar Manager, and can be asked to waitress if it becomes necessary.
- d.) Bartenders, when on duty, shall wear clean appropriate clothing. They shall not be permitted to sit with customers, engage in games, or consume alcohol while on duty.
- e.) Bartenders shall keep track of all orders and be responsible for payment of each order.
- f.) Bartenders shall take orders from the Canteen Committee when it is deemed necessary. These orders shall be given only if a flagrant violation of Dugout guidelines or state regulations has occurred. Otherwise, the Canteen Committee shall work through the Bar Manager, i.e., constructive criticism and/or recommendations shall not be given as "orders" to the bartenders.
- g.) Bartenders shall be compensated for their services at a rate recommended by the Canteen Committee, and approved by the Executive Committee.
- h.) Bartenders shall report as soon as possible to the Bar Manager and/or Canteen Committee all disturbances.
- i.) Bartenders shall promote all Legion Activities.
- j.) Bartenders shall be responsible for maintaining the Guest Book, keeping it current and accurate.
- k.) Bartenders shall be responsible for orderly conduct and behavior of Members and bona fide Guests while on duty, and have full authority to order patrons to leave the premises should misconduct or intoxication be observed. All of these observations shall be recorded in the daily logbook. A daily log entry is required even if no problems have occurred.
- l.) It shall be the bartender's duty to determine that everyone served is a Member of the American Legion, Auxiliary or the Sons of the Legion, or is a Guest properly vouched for and signed in by a responsible Member in good standing.
- m.) Bartenders shall be responsible to see that no minors under 21 years of age are permitted in the bar area.
- n.) Bartenders are required to attend an annual state refresher course covering their legal responsibilities and new laws.
- o.) In case of emergency and the Bar Manager cannot be reached, the Commander should be called.

Section 4 Duties and Responsibilities of the WAITERS and WAITRESSES

- a.) Waiters and Waitresses shall do their work outside the bar and shall not be permitted behind the bar unless authorized by the Bar Manager or the Bartender on duty.
- b.) They shall perform duties such as taking orders from customers and receiving payment for each order, which shall be turned into the bartender on duty or the cook, when applicable.
- c.) They shall wear fresh clean clothes on duty. Waiters must wear a dress shirt. They shall not sit with customers, engage in games or consume alcohol while on duty.
- d.) They shall not take part in any customer's arguments, but will report any signs of disorder immediately to the bartender on duty.
- e.) They shall remove all empty glasses, bottles and food dishes from tables and clean the tables after each serving.
- f.) They shall perform all duties as may be assigned by the Bar Manager or Bartender on duty.
- g.) Waiters and Waitresses shall be compensated for their services at a rate recommended by the Canteen Committee, and approved by the Executive Committee.

ARTICLE V - SANCTIONS (Suspensions)

- a.) The Sanctions covered in this section concern suspensions (exclusions) from entering the Dugout. This section does not concern Sanction from the Post, Auxiliary or Sons of the American Legion meetings, duties and functions that do not require one to enter the Dugout.
Post, Auxiliary, Sons of the American Legion Members and Guests may be sanctioned by the Canteen Committee. Only the Canteen Committee may remove sanctions.
A Guest sanction shall be enforced as directed by a log entry in the Dugout logbook, authorized by the Canteen Committee.
- b.) Sanctioned Members and Guests may appeal in writing to the Canteen Committee.
- c.) Appellants will meet with the Canteen Committee to discuss the issues.
- d.) All Canteen Committee decisions are final.
- e.) No intoxicating liquor of any nature shall be allowed on the premises except those purchased by the bar and served at the bar. Anyone violating this rule is subject to sanction.
- f.) A list will be maintained at the bar of all sanctions. A sanction shall be enforced until further action by the Canteen Committee. Any violation of this order could be cause for employee dismissal.
- g.) Page 9 of these rules lists infractions and sanctions. This list shall be prominently posted in the Dugout.

ARTICLE VI - DUGOUT RULES of CONDUCT for DUGOUT PATRONS

Section 1

PURPOSE: To establish standard rules of conduct for Club patrons in an effort to improve the enjoyment of socialization by members and guests.

AUTHORITY: These rules and sanctions are promulgated through the authority of the Canteen Committee.

COMPLIANCE: It shall be the responsibility of the bar manager(s) and bartender(s) to ensure compliance of the Rules of Conduct.

COMPLAINTS: The Bar Manager(s), Bartender(s) and/or any Member may make written complaint to the Canteen Committee. Said complaint should include:

1. The rule violated.
2. The patron who is alleged to have committed the violation.
3. The date and time (approximate) of the alleged violation.
4. The names of members, witnesses and a brief narrative of the actions believed to constitute a violation of the rules.

DEFINITIONS:

1. **MEMBER:** Shall mean all members of the American Legion, Auxiliary and the Sons of the Legion.
2. **GUESTS:** Shall mean any sponsored patron who is not a member. A Post Member not in good standing cannot be a Guest.
3. **SANCTIONS:** Shall mean the denial of club privileges applied to violations of the Rules of Conduct. A sanctioned Member, if at a private function at the Post, shall not be served by the Dugout, but may be served at the function hall.

Section 2

FIGHTING:

- a.) Any Member who engages in fighting shall be denied club privileges for a period of one year; a second offense shall result in permanent denial of club privileges.
- b.) Any Guest who engages in fighting shall be permanently denied club privileges.
- c.) At a hearing of the Canteen Committee, if clear and convincing evidence identifies a participant as the initial aggressor, an additional six months may be added to the first offense sanction.
- d.) If clear and convincing evidence demonstrates that a participant acted solely in self defense or was attempting to prevent imminent bodily injury to another, the Canteen Committee, in its discretion, may exonerate the participant.
- e.) In any event, retaliation or mutually engaging in a fight will not be considered an affirmative defense,

Section 3

SERIOUS INJURY

- a.) Any Member who causes or attempts to cause serious bodily injury to another shall be denied club privileges for a period of time to be determined at the discretion of the Canteen Committee, which could include permanent sanctions.
- b.) Any Guest who causes or attempts to cause serious bodily injury shall be permanently sanctioned.
- c.) Serious bodily injury shall mean an injury caused to another to which requires medical attention. The Canteen Committee shall consider the seriousness of the injury during its deliberation and in applying sanctions to a Member.
- d.) It shall be the responsibility of the on-duty bartender to make a timely notification to the appropriate law enforcement agency upon becoming aware of a violation of this rule.

- Section 4 ILLEGAL DRUGS
Buying, selling, transferring or possession of illegal drugs is not permitted on American Legion property.
- Section 5 WEAPONS
No weapons of any kind are permitted on American Legion property.
- Section 6 DISORDERLY CONDUCT
Disorderly conduct including but not limited to loud, threatening behavior, profane or abusive language will not be tolerated on American Legion property. A disorderly Member or Guest shall be sanctioned for sixty days. A second offense in three years will result in a one year sanction.
- Section 7 OVER CONSUMPTION
- a) All Members and Guests are expected to control their consumption of alcoholic beverages to prevent intoxication. Any Member or Guest found to be, in the opinion of the Bar Manager or Bartender, not fit to be served by reason of intoxication from any substance, or who displays the classic signs of an intoxicated person shall be notified by the Bar Manager or Bartender that he or she is "Shut Off"; and an entry shall be made in the daily logbook, in all cases, documenting the action.
 - b) Any Member who uses profane, abusive or offensive language to the Bar Manager or Bartenders upon being "Shut Off" shall be sanctioned for a period of sixty days: a second offense will result in a six month sanction.
 - c) Any guest who uses profane, abusive or offensive language to the Bar Manager or Bartenders upon being "Shut Off" shall be sanctioned for a period of six months: a second offense will result in a permanent sanction.
- Section 8 DESTRUCTION of PROPERTY
Destruction of property by a Member will result in a ninety day sanction and restitution. Destruction of property by a Guest will result in a one year sanction and restitution.
- Section 9 BEARING FALSE WITNESS
A Member bearing false witness against another Member Guest or employee will be sanctioned for one year and must provide a letter of admission and apology.
A Guest bearing false witness against another Member Guest or employee will be permanently sanctioned.
- Section 10 GUEST BOOK
- a) All Guests shall be sponsored by a Member in good standing of the American Legion Family of Post 72. The Guest and the Member shall enter the required information. Failure to do so shall result in immediate denial of club privileges for the Guest.
 - b) Any Member signing in a Guest shall be responsible for the actions and conduct of that Guest.
 - c) When a sponsor leaves the club, the Guest shall also leave unless a new sponsor is found and new entries made in the Guest Book.
 - d) While on duty the Bar Manager or Bartender shall not sponsor a Guest.

Section 11 COPIES OF RULES

One copy shall be maintained at the bar for use by the Dugout employees and the Bar Manager; one copy in the possession of each Canteen Committee member; one copy in the possession of each Executive Committee member and one copy in possession of the State of New Hampshire Liquor Commission Inspector.

Section 12 CHECK CASHING

An ATM has been placed in the Post for the convenience of Members and Guests. If the ATM is not working, a member in good standing may cash one \$25 check per day if the bartender has sufficient funds.

RULES OF CONDUCT

Infractions and Sanctions

FIGHTING:

Member: One year with possible additional six months if aggressor.

Guest: Permanent.

Member: Second offence: Permanent.

DISORDERLY:

Member or Guest: Sixty days.

Member or Guest: Second offence in three years: One year.

SERIOUS INJURY: To be determined by the Canteen Committee.

FAILURE TO COMPLY WHEN SHUT OFF:

Member: Sixty days. Second offence: Six months.

Guest: Six months. Second offence: Permanent.

DESTRUCTION OF PROPERTY:

Member: Ninety days and restitution.

Guest: One year and restitution.

BEARING FALSE WITNESS:

Member: One year and letter of admission and apology.

Guest: Permanent.
