



DON DIEGO VFW POST 7420

**VETERANS OF FOREIGN WARS OF THE U.S.
DON DIEGO POST NO. 7420
2100 LOGAN AVENUE
SAN DIEGO, CALIFORNIA 92113-2204
619-239-5373**

VFW Post 7420 Canteen and House Rules

Responsibility: House Committee

Approving Authority: Don Diego VFW Post 7420 Members

Date submitted for Approved from membership : February 1, 2016

Date voted and approved by membership: July 7, 2016

Submitted by: Miguel Alatorre (VFW Post 7420 Commander)

Background

In accordance with the Don Diego VFW Post 7420 By-Laws, these Canteen and House Rules govern the maintenance, control and operation of the Canteen and the adjacent Meeting Room a. Nothing in these rules is intended to be contrary to The Post By-Laws, Department By-Laws, National By-Laws and Manual of Procedure of the Veterans of Foreign Wars of the United States, or the Laws of the United States of America, State of California or City of San Diego. Those rules and laws shall govern in the case of conflict between the two. No conflict of any section of these rules with those higher rules and laws shall nullify rules contained herein that are in compliance with those laws.

The House Committee shall maintain Canteen and House Rules. The Canteen and House Rules may be amended as necessary for the efficient operation of the Canteen. The



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recommended amendment(s) will be presented at General Membership Meetings for review and approval. The membership shall be so informed of changes not less than ten (10) days prior to the next regular meeting or special meeting.

Definitions

For the purpose of these rules the following terms shall be defined as follows:

- **Post**. All property including, facilities, parking areas, buildings, building contents and grounds located at 2100 Logan Ave, San Diego, CA 92113.
- **House**. The Post quarters and the equipment contained therein.
- **Canteen**. That area of the Post consisting of the Bar area, adjoining Recreation Room, the area adjacent to the bar including seating, men's and women's restrooms, jukebox, walk-in cooler and all storage areas for the holding of alcoholic beverages and other beverages and snacks sold at the bar.
- **Canteen Manager**. Any person appointed/hired by the House Committee to operate the Canteen subject to their instructions.
- **Bar**. The counter and any stools placed adjacent (abutting) the counter where alcoholic beverages are served.
- **Bartender**. The Bartender on duty.
- **Meeting Hall**. The large room between the main hall and front bar.
- **Kitchen**. Self-explanatory.
- **Parking Lot**. Paved portion of the Post grounds used for vehicular parking.
- **Grounds**. Post property outside of the main building.
- **Member**. Any VFW Post 7420 Life Member or Member of VFW Post 7420 whose dues are current.
- **Auxiliary Member**. Any member of a recognized VFW auxiliary that is part of VFW Post 7420.
- **Guest Member**. Any VFW life member or a member in good standing from any VFW Post, VFW Ladies' Auxiliary, or VFW Men's Auxiliary.



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- **Special Guest.** All active duty United States Military/Reserve personnel in uniform or who are able to show proper military identification.
- **Guest.** Any person who is not a member, guest member or special guest as defined above that has been invited to visit VFW Post 7420 by a member in good standing, or Post Auxiliary member in good standing.

Sponsor. A member of Don Diego VFW or Don Diego's Auxiliary, a VFW guest member or special guest, as defined above, who invites a guest into VFW Post 7420.

- **Patron.** Any authorized person patronizing the Post.
- **Public.** All persons not listed as member, auxiliary member, guest member, special guest or guest as defined above.
- **Minor.** Any person who has not attained the age of 21.

Canteen and House Rules

1. A Copy of the Canteen and House Rules will be provided to all Canteen employees when they are hired and whenever the rules are amended. The Canteen Manager will ensure that all canteen employees are familiar with these rules and will file an Employee Acknowledgment Form (see Appendix A) signed by the employee in the employee's personnel file when they are hired and each time the rules are amended. A current copy of the Canteen and House Rules along with the Post By-Laws shall be kept behind the bar at all times and made available to any employee or Post member upon request.
2. Oversight of Canteen operations, management and maintenance is the responsibility of the House Committee and House Committee Chairman. Financial responsibility and procedures for Canteen sales and expenditures are in accordance with Post 7420 By-Laws. Management of the Canteen and employed bartenders is the responsibility of the Canteen Manager with final approval of the House Committee as per Post



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7420 By-Laws. Direct operation of the Canteen is the responsibility of the Canteen Manager and the Bartender on duty.

Normal Operating Hours are (all times Pacific Standard time):

- i. "As posted" at the canteen and website
- ii. The Bartender may, at their discretion unless otherwise directed by the Canteen Manager, close the Canteen early under the following conditions:
 - Patronage at the Canteen drops to three or less patrons for more than 1 hour after 7:00pm. This rule does not apply to Friday and Saturday nights. Closing hours can be extended to 1:30am Friday and Saturday for Post, Private and Fundraising event.
 - A personal emergency occurs to them or their dependent(s) that could reasonably lead to a loss of life or significant injury / illness.
 - The Bartender determines that keeping the bar open would pose a hazard to the members, their guest(s) or the public or that significant property damage might occur.
 - When ordered to do so by any competent government authority such as the Police, Fire Department, National Guard, Alcoholic Beverage Commission (ABC), etc.
 - A prolonged loss of power. The Bartender will clear the Canteen of all personnel when power is lost and inform them that they are welcome to return once power is restored. If power remains out for longer than 30 minutes during periods of darkness, the Bartender may close the Canteen. During daylight hours the Bartender will remain at the premises and re-open the Canteen upon restoration of power. If the Bartender has information that power will not be restored during their shift they should contact the Canteen Manager for further directions.



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3. **Canteen and Special Event Rules:** VFW Post 7420 operates under a State of California liquor license. It is therefore **mandatory** that the rules and regulations pertaining to that license be strictly enforced. In addition, certain other rules and regulations are established to ensure the safety, welfare and good will of our members and guests.
- A. All bartenders will attend Alcohol Beverage Commission (ABC) training and be familiar with the ABC rules concerning the sale of alcoholic beverages. The following rules govern the control and sale of alcoholic beverages and patrons use of the bar area. Primary enforcement of these rules is the responsibility of the Bartender on duty.
 - B. All patrons will obey the directions of the Bartender. Conflicts will be resolved by the Canteen Manager.
 - C. Alcoholic beverages may only be consumed at the Post during normal Canteen hours and may only be consumed within the confines of the Post building. The commander can make an exception for special and outdoor Post events. The back patio for example.
 - D. No person under the age of 21 will be served alcoholic beverages.
 - E. All persons will show proof of age and valid VFW membership or U.S. Military Identification when requested by the bartender, unless they have been a previous patron and the Bartender recognizes them.
 - F. If any person suspects that an unauthorized individual has entered the Post or suspects that an underage individual is attempting to purchase or is consuming alcoholic beverages on the premises they will notify the Bartender who will check their identity.
 - G. Any person who purchases alcoholic beverages for, or provides alcoholic beverages to, a minor will have their Canteen privileges suspended for 120 days and will be held responsible for any and all civil actions resulting from said infraction.



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- H. **No person under the age of 21 will be permitted to sit at the bar, loiter near the bar at any time** without escort of Post Member for purposes, such as a Youth Fundraiser solicitation etc.
- I. With the exception of special events, Post open house and advertised meals, the general public is not authorized to patronize the Post unless they are guests as outlined in the definitions above.
- J. As necessary, bartenders and Post Officers will help ensure that all patrons will safely arrive at their next destination by calling a taxi, making sure the patron calls for a ride, or identifying a designated driver in the party. This especially important for members or special guests who are active duty or reserve service members.
- K. Per ABC rules, Post Officers are not allowed to provide direct service of any alcoholic beverage to a patron.
- L. Bartenders are not allowed to consume alcohol while on duty. A violation of this rule is grounds for immediate termination of employment.
- M. Bartenders and any paid employees are prohibited by the Alcoholic Beverage Code from being intoxicated on the Post premise. The House Committee will determine how many (if any) Alcoholic beverages that an off duty bartender may have at the Post on an individual case by case basis.
- N. A member's guest may not continue to patronize the Post in the absence of the member.
- O. Bartenders will report all incidents and important information they become aware of pertaining to Post members to the Commander and Canteen Manager. Information could include things like: notice of a member's hospitalization, illness or death. The Commander will in turn inform the appropriate Post Officer or committee chairman.
- P. When answering the Post's telephone, the bartender will attempt to answer the caller's question(s). If they don't know the answer, they can



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refer the caller to the Post or District 1 Service Officer, Post Website Resource pages or an Officer that is at the Post at the time.

- Q. All members and guests will comply with the VFW rules, Post 7420 rules, and the existing federal, state and local laws.
- R. While Post Officers and House Committee Members cannot be absolved of their responsibilities to the Post while consuming alcoholic beverages as patrons, they should defer making Post decisions as appropriate.
- S. The Bartender has the right to refuse service to anyone and may eject any patron from the Post until the next business day for misconduct.
- T. Any bartender or member observing misconduct by any member must notify the Canteen Manager, House Committee Chairman, Post Commander, other Post Officers. The person making the report will make a written report for the House Committee Chairman as well. The House Committee may take disciplinary action against any member (as defined above) for improper conduct. Further information is outlined in item# 7.
- U. Any bartender or member observing misconduct by a: Guest, Member Guest or Special Guest (as defined above) must notify the House Committee immediately. The Bar Manager will take immediate action (or direct the bartender on duty/ or Post officer on site) to eject a Guest, Member Guest or Special Guest from the Post. Further actions are outlined in item# 8.
- V. Night time bartender(s) must be very aware of where patrons and guest are and what they are doing in the Post. Patrons and guest should stay in the Canteen area and are not allowed in the: offices, walk-in, kitchen, storage areas, behind the bar or any room not in use, unless they are authorized to be there by the Canteen Manager or other Post official.
- W. Check cashing; Members of VFW Post 7420 and its' Auxiliary(s) may cash personal checks up to a maximum of twenty five dollars (\$25.00) . Personal checks must include a current address and phone number. No out of state



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check will be accepted. If there is a returned check, the member loses check cashing privileges for 30 days (60 days for a subsequent offense) and must cover any fees thereof. No holding of checks is permitted.

4. Post Kitchen Rules

- A. Any paid employee working in the kitchen must have a valid Food Handlers Card (FHC).
- B. No member may remove any items from the kitchen without the permission of the Post Commander, the House Committee Chairman or person assigned control of the kitchen.
- C. All paid and volunteer kitchen workers must comply with the specific Kitchen Rules posted in the kitchen area.

5. Miscellaneous Canteen and House Rules.

- A. Animals. Service animals of members and guests shall be permitted access to the Post with the exception of food preparation areas. Pets are not permitted in any internal areas of the Post.
- B. Smoking. Smoking is NOT permitted in the Post.
- C. Weapons. Weapons are prohibited inside the Post. The Bartender, any Post Officer, at their sole discretion may designate an object as a weapon and ask that the object be removed from the premises. Exceptions include:
 - Utensils such as knives that are the property of the Post for the use in preparing food.
 - Pocket knives of reasonable size. This rule is subject to the discretion of the Bartender on duty, or any Post Officer as they see fit.
 - Weapons normally used in the line of duty carried by Law Enforcement Officials.
 - Weapons that belong to the Post or are obtained/authorized by the Post for ceremonial purposes.



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- D. Proper attire is required for all members and guests while in the Post. Personnel that wear clothing that is determined to be too revealing or containing offensive symbols or language or otherwise unacceptable may be asked by the on-duty Bartender, or any Post Officer to leave the Post property. Footwear must be worn at all times
- E. The use of the Juke Box will be kept at a low volume during all Post meetings, Presidential TV addresses or Government broadcasts that contain information of major impact to the general public and all major sporting events involving local teams during the regular season and all playoffs and championship games. The Bartender or any Post Officer will enforce this rule in the interest of the majority of the customers. The volume of the jukebox shall be maintained at a level that does not interfere with normal conversation in the Canteen.
- F. The use of all Canteen TV's shall be controlled by the Bartender. The TV shall be on the station broadcasting programming based on the majority of the Post members present. The volume of the TV's shall be maintained at a level that does not interfere with normal conversation in the Canteen.
- G. Posting of signs within the confines of the Canteen must be approved by the Canteen Manger.
- H. Sponsor responsibilities. Only Members and Auxiliary Members as defined in these rules may sponsor a guest to patronize Post 7420. Sponsors are responsible for their guest's behavior when they are on the premises. Sponsors must sign-in their guest(s) in the Sign in Log. Guest will not remain at the Post without their Sponsor present. The Post Commander, Sr. Vice Commander, Jr. Vice Commander or the House Committee Chairman may waive the requirement for Guests to be signed in during special events and functions where the public is invited to attend.
- I. All children in the Post will be accompanied by their parents or responsible adult while on the Post premises. The parent or responsible adult shall be responsible for the behavior of minor children in their charge. Parents and or responsible



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adults whose children become unruly, disruptive or disobedient will be asked to take their children and leave. All minor children must vacate the post no later than 9:00 pm., except for special events designated by the Post Commander.

- J. Parking Lot. The speed limit on the premises is 5 MPH. Handicapped parking is reserved for vehicles displaying authorized Handicapped placards. Vehicles will be parked in an orderly manner and shall not impede the flow of traffic into and out of the Post parking lot. No vehicle shall park in such a manner that blocks access to or from any exit of the Post building.

6. House Maintenance.

Maintenance of House infrastructure shall be the responsibility of the House Committee Chairman. The House Committee Chairman shall:

- A. Ensure compliance with all fire codes and ensure the Post is ready for and conducts its annual code inspection.
- B. Ensure that all Post licenses are renewed in a timely manner.
- C. Ensure that the Alcoholic Beverage Control License is renewed in a timely manner and that all employees who handle the sale, purchase and control of alcoholic beverages meet the minimum requirements of the Alcoholic Beverage Commission.
- D. Attend to all problems with Post facility and systems to ensure they are maintained in good working order including electrical, water, heating, air conditioning, plumbing and structural matters.
- E. Make detailed and timely reports on the status of all Post facility and systems to the House Committee and Post Members including cost for scheduled and unscheduled maintenance, status of repairs, recommended repairs and potential issues that may arise due to deferred maintenance.



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- F. Make detailed and timely financial reports to the Quartermaster concerning expenditures for maintenance and repair and resources necessary for upcoming or deferred repairs.

7. Disciplinary Action Imposed on Post Members.

Procedures for evoking disciplinary action against a member of VFW Post 7420, responsibilities of the accusing party, the House Committee and the rights and process of appeal of the accused Post member for violations of the House Rules are outlined in this section.

- A. Any member, guest, or employee of the Post may file a complaint with the House Committee against any patron, member, employee, officer or appointee of the Post that they believe have violated the House Rules.
- B. Complaints against Post members will be submitted to the House Committee for review must be in writing and signed by the person bringing the complaint.
- C. Any member who strikes another person in a non-self-defense manner will be immediately ejected from the Post for 30 days pending the finding of the House Committee. Disciplinary action can result in 3 month to 1 year suspension of canteen privileges.
- D. Racial, demeaning or abusive language or behavior shall not be tolerated. Any instance will result in immediate ejection from the Post for 24 hours by the Bartender or any Post Officer present. Any continued misconduct by any member may result in a restriction of Canteen privileges for up to sixty (60) days as a result of a House Committee closed hearing of all involved parties. Further or more serious infractions may result in the House Committee recommendation to the Post Commander and general membership of higher restrictions to include permanent loss of all privileges.
- E. Written reports must include the name of the accused, the date and time of the incident, the circumstance of the incident and any witnesses and the name of the



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person or persons bringing the complaint. Complaint must be submitted within five (5) days of incident.

- F. Any Member of the House Committee or Post Officer subject to a formal complaint for misconduct or abuse of these rules will not be permitted to participate in the committees proceedings on the matter.
- G. Expelling a patron until the next business day is the maximum penalty that may be imposed by the Bartender. The on-duty Bartender will submit a written report of the incident to the House Committee Chairman, via the Canteen Manager, within 24 hours. If no further disciplinary action is deemed necessary the report will be held on file for a maximum of 180 days. Provided no other incidents occur during that time period the report will be destroyed and no record of the incident will be maintained and the circumstances of the incident may not be used against a member any time thereafter.
- H. The House Committee Chairman or the Post Commander may remand the matter to the House Committee for further action, or may evoke additional disciplinary measures until such time as the full House Committee can take up the matter.
- I. Any measure imposed by the House Committee Chairman may be reviewed by the Post Commander. Any measure imposed by the Post Commander on a Post member may be overridden by the Membership at the next regular scheduled meeting or at a special meeting called for the purpose of reviewing the actions of the accused.
- J. The maximum penalty that may be imposed on an accused member by anyone other than the House Committee or Post Commander is suspension of Post privileges until the next scheduled meeting of the committee. If no meeting occurs in any given month, the maximum penalty that may be imposed is suspension of Post privileges for 30 days for first offenses.
- K. Any member accused of violating the rules and subject to disciplinary action brought before a hearing of the House Committee will be afforded the opportunity to present their case in person before the committee.



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L. The accused may appeal any decision of the House Committee in writing to the Post Members. The Post Members may refuse to review the case, make modifications to, or overrule the decision of the committee. The Post Member's decision is final and may not be appealed.

8. Disciplinary Action imposed on Guest, Member Guests, and Special Guests.

- A. The Post Commander has the overall responsibility for the safety, welfare and good will of all Members of Post 7420 who patronize their Post Home, therefore misconduct of a Guest, Member Guest or Special Guest will not be tolerated.
- B. The Commander will take immediate action to eject a Guest, Member Guest or Special Guest from the Post for misconduct. If the commander is not at the Post, He/She can direct the Canteen Manager/bartender on duty/Post Officer(s) on site to eject the person or persons.
- C. Since guests must have a sponsor; the sponsor of a guest will be informed if and when guest privileges can be restored based on the severity of the incident.
- D. Any serious infractions or further incidents of misconduct as define by the House and Canteen Rules by a Guest, Member Guest or Special Guest will result in permanent loss of all guest privileges at the Post Commander's discretion.

9. Hiring, Counseling, Suspension and Termination of Canteen Employees.

- A. **Canteen Manager.** The House Committee shall appoint a Manager to operate the Canteen, subject to their instructions. The Manager shall be responsible to the House Committee and the Post Commander for conduct of all Patrons as required by the Canteen Rules.
- B. The hiring, counseling, suspension and recommendation to terminate the Canteen Manager shall be the responsibility of the House Committee Chairman.
- C. Suspension of the Canteen Manager may only occur with the consent of a majority of the House Committee.



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- D. However, the House Committee Chairman with the approval of the Post Commander (or Sr. Vice Commander in his absence) may temporarily suspend the Canteen Manager until such time as the House Committee can meet and take up the matter.
- E. Unless the suspension occurs within 10 days of a regularly scheduled House Committee Meeting the House Committee Chairman will call a Special House Committee Meeting to address the issue.
- F. Suspension of a member requires a majority decision of the House Committee.
- G. **Hiring of Bartenders.** The hiring of canteen bartenders is the responsibility of the Canteen Manager, with final approval of the House Committee before placement. The new hire will be placed on a 90 probation period.
- H. **Counseling of Canteen Bartenders.** The counseling of canteen bartenders is the responsibility of the Canteen Manager. Counseling will be documented using VFW Post 7420 Employee Counseling and Discipline Form (Appendix B). The Canteen Manager will document the events which form the basis for counseling and/or disciplinary action and the action taken (warning, suspension, or termination etc.) The counseled employee will be offered the opportunity to make comments on the appropriate section of the Employee Counseling and Discipline Form. The Canteen Manager will seek the employee's signature on the form which will indicate their awareness of the counseling /disciplinary action. If the employee refuses to sign the form the Canteen Manager will stress that their signature does not constitute admission of wrongdoing but merely an acknowledgment of the action taken. If the employee still refuses to sign the form the Canteen Manager will note this on the form.
- I. **Suspension and Termination of Employees.** Disciplinary action resulting in the suspension or termination of canteen employees is the responsibility of the House Committee. However, the Canteen Manager, with the consent of the House Committee Chairman, may suspend an employee until such time as the



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House Committee can meet to take up the matter. Unless the suspension occurs within 10 days of a regular schedule House Committee Meeting the House Committee Chairman will call a special House Committee Meeting to address the issue. Termination or extended suspension requires a majority decision of the House Committee. It is the responsibility of the Canteen Manager and / or House Committee Chairman to make regular reports to the House Committee of all counseling and disciplinary actions taken.

- J. **Appeals.** Any employee who has been counseled, suspended or terminated may appeal their case to the House Committee. The employee will be notified as to the time and place of the House Committee Meeting that will address the issue. The employee will be afforded the opportunity to present their case to the House Committee and may bring witnesses in their defense. Request for appeal to the House Committee will be made in writing.

Approvals:

_____Signed Copy on File_____

Miguel Alatorre

Post Commander

_____Signed Copy on File_____

Robert Navarro

House Committee Chairman

_____Signed Copy on File_____

Larry Anaya

Post Judge Adjutant



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Appendix A

Employee Acknowledgment Form

I, _____ have received a copy of Post 7420's Canteen and House Rules I have familiarized myself with these rules and understand that I am responsible for complying with the rules at all times. I also understand that any time I am unclear of the intent of these rules I am responsible for seeking clarification by the Canteen Manager or House Committee Chairman.

Should at any time I believe that by carrying out any of these rules would be in violation of local, state or federal law or that by doing so will cause harm or damage to personnel or property I will immediately contact the Canteen Manager , or House Committee Chairman for clarification. If I am unable to contact either of these individuals I will seek direction / advice from any Post Officer.

Date: _____

Signature: _____



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Appendix B

Employee Council and Discipline Form

Date: _____

Employee Name: _____

Name & Title of Person Conducting Counseling: _____

Description of Events leading to Counseling (Required)

Corrective Action Taken (Required)



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Employee's Comments (Optional at employee's discretion, indicate "none" if no comments are desired.)

Employee's Signature: _____

(Signature is an acknowledgment that employee has been counseled and is not an admission of wrong doing.)