

POST SUSPENSION GUIDE

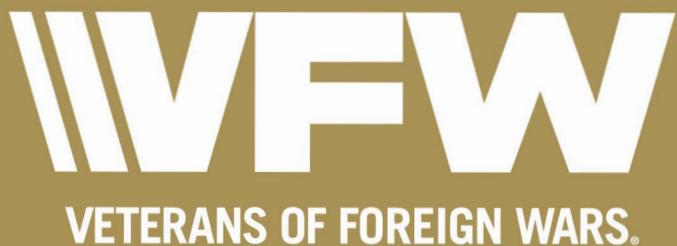


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Introduction

To be a leader within the VFW means connecting with those around you; inspiring them with a shared sense of mission; and through education and engagement, mobilizing them in order to accomplish a common goal.

- What is the purpose of a Post suspension? A Post suspension **is**
 - The Department Commander's tool for mandating corrective action to sustained Post deficiencies and provides a better opportunity to narrow education gaps of a Post's officers and members **only** when all other efforts have failed.
 - Used to identify Post deficiencies, assess additional shortcomings, and create a plan of action to address those deficiencies.
 - Effected through education and engagement by working with the Post officers and members to correct Post deficiencies and bring the Post to working order thereby fulfilling the VFW's chartered purpose.
- A Post suspension is **not**
 - A substitute for removing a Post officer under Section 220 of the National Bylaws. *Unless a Post officer's actions have jeopardized the Post legally or financially, a suspension should not occur due to an officer failing to fulfill their duties of office.*
 - Simply a bureaucratic necessity to revoke a Post's charter. *A Post suspension should be used as a last resort, and the goal is to bring the Post to working order not to revoke its charter.*
 - An effective way to force a Post to participate in VFW programs.

Steps Preceding Suspension

- How did we get here - what happens before a Post is suspended? A Post suspension should not be the consequence of a single Post officer's shortcomings, rather a suspension is the Department Commander's last recourse when previous attempts to correct a Post's shortcomings have failed.
- Departments should look for opportunities to strengthen weak Posts as it is far easier to take the time to educate a Post on how to correct a deficiency when it's first identified, rather than place a Post on suspension. Common places to identify where Posts are falling short:
 - Annual Post inspection
 - Post quarterly audits
 - Department required reports (veterans service, community service, etc.)
 - Role of District Commander as a conduit for information to Department
 - Post Inspection as authorized pursuant to Section 710 of the National Bylaws and MOP
 - Member and community complaints

“Identify, instruct, and educate struggling Posts. Show a concern for their problems, assign a junior or respected past officer to help with their membership drives and program initiatives, suggest programs and methods of carrying them out, encourage other Posts to help their neighbors.

Identifying struggling Posts and knowing where each one struggles is important because they will need much of your attention. Personalized instruction that gives guidance on a Post's weak areas is imperative to helping correct its deficiencies.” – District Commander:
Leadership, Duties and Responsibilities (vfw.org)

National Bylaws and Manual of Procedure - Section 211

Approved amendments to Section 211 of the Manual of Procedure – “Suspension and Revocation of Charter” passed at the 118th National Convention are meant to improve Department engagement during a Post’s suspension in three major ways.

1. Mandating increased oversight through a working Administrative Committee.
2. Spurring member reengagement through required suspension notification sent to all Post members with the next scheduled meeting time and place, and attached suspension order with listed Post deficiencies.
3. Expanding Administrative Committee reporting requirements to ensure Department actions are informed and data driven.

In addition to improving Department engagement, the approved amendments also expand the Commander-in-Chief’s authority to promptly revoke a Post charter where members have lost interest in fulfilling VFW obligations by failing to muster a quorum at meetings or elect Post officers while under suspension.

Department Commander Suspension

Once Post deficiencies have been identified and attempts to correct them have failed, a Department Commander should place the Post on suspension through a Special Order.

Special Orders help communicate a common goal through accountability, and should be written with the assumption that the decision will be appealed to the National Council of Administration. By keeping your Special Orders focused, specific, and supported with pertinent evidence you provide credibility to your Department. A Department can disenfranchise its leaders and volunteers with baseless Special Orders.

It's important to remember that a suspension order is not a Post death sentence. The order should not require actions that would be detrimental to the Post's future success: it should not cause the Post to fall behind in its contractual obligations or inflict an unnecessary financial burden. Unless absolutely necessary, the suspension order should not shut down the Post's business operations and should minimize any interruption to the Post's community engagement efforts and service to area veterans.

The standard for Department Special Orders: Special Orders must

- Be properly addressed and formatted.
- Utilize proper writing conventions (spelling, punctuation, capitalization, grammar, and paragraphing)
- Be specific and supported with evidence and supporting documentation if applicable.

Often the success of a Post Suspension can be predicted by how well the Special Order is written. The order should clearly and concisely communicate the Department Commander's intent, define the suspension time, outline the Post's deficiencies, identify the Administrative Committee members, as well as the scope of the committee's power and authority.

Section 211(3)(a) requires,

“The Department Commander shall issue a Special Order suspending a Post Charter which outlines the deficiencies and appoints an administrative committee consisting of three (3) to five (5) members...”

Outlined deficiencies within the order should be specific and written simply and concisely so that both the Post and the administrative committee understand the issues and can work together to develop a corrective action plan.

The administrative committee should be comprised of leaders who both possess the knowledge to educate the Post and the demeanor to mentor them to success.

Based on the severity of the deficiencies, the committee should consist of three (3) to five (5) members, with one of those members being an appointed Chairman.

Section 211(3)(a) continues,

“...Pursuant to a written grant of powers and limitations, such committee shall supervise the business and affairs of the Post during the period of suspension...”

The order should clearly state the committee’s scope: the purpose of the committee is to supervise, educate, and mentor, but not control the Post (e.g., The Post Commander should still preside over the Post meeting under the supervision of the administrative committee).

“...The acts and actions of the committee shall be subject to the approval or disapproval of the Department Commander.”

Post members and officers take action under the guidance and approval of the administrative committee; however, the committee’s powers are subject to the approval of the Department Commander.

All committee approval requests should be made to the Department Commander in writing; similarly, the Department Commander should submit all approvals or disapprovals in writing.

Section 211(3)(b) requires,

“The Post Commander shall be notified in writing of the action by certified mail, return receipt requested, to the address of record or by personal delivery by a designated representative.”

If no Post officers have been elected, the notification should reach the immediate past Post Commander.

Section 211(3)(c) requires,

“The Department Commander shall notify the Commander-in-Chief in writing within two (2) days.”

This is most easily done by simply cc’ing the Commander-in-Chief on the Special Order.

Section 211(3)(d) requires,

“The Department Commander shall give notice, in writing, of the time and place of the next scheduled meeting, in such manner as to reasonably reach the Post members at least forty-eight (48) hours in advance of the time set for the meeting. Such notice shall include a copy of the special order.”

This notification could be incorporated in the special order, but remember that the intent of this notification is to reengage Post members to encourage their involvement bring the Post back to working order.

An administrative committee can help a Post correct its deficiencies, but if there is no buy-in from the members it will only be a matter of time before the Post is once again falling short of its organizational obligations.

Ideally this notification would be incorporated into a cover letter that is uplifting, encouraging, and spurs engagement from Post members by reminding them of the VFW's mission and purpose.

Section 211(3)(e) requires,

“Following an initial suspension period as provided in this subsection, the Department Commander may lift or extend the suspension for an additional period of time not to exceed ninety (90) days; and shall notify the Commander-in-Chief in writing within two (2) days.”

Although there is no requirement to notify the Post members, it would be in the Post's best interest to do so.

If extending the suspension, be sure to congratulate the members on their hard work, update them on the Post's progress, and inform them of goals the committee will need their continued support to achieve.

If lifting the suspension, be sure to thank them for their hard work, but remind them that a Post cannot be successful without active involvement from its members – the Post's future success depends on their active participation!

Section 211(4)(a) states,

“The administrative committee shall approve the expenditure or obligations of all funds and transfers of all property while the order of suspension is in effect. If provided in the Special Order, all funds, securities and other property of the Post may be placed under the custody and supervision of the Administrative Committee.”

As previously stated, the administrative committee operates in a supervisory role to educate and mentor the Post.

However, in cases where the reason for suspension is financial mismanagement or malfeasance the Department Commander may expand the committee's authority by placing all Post finances in their custody to mitigate additional loss.

This expansion of powers must be explicitly and clearly stated within the special order, and does not in any way negate the Department Commander's final approval authority.

Section 211(4)(b) states,

“All acts and actions shall be documented and summarized in a report to the Department Commander with a final recommendation.”

Committee reports do more than simply ensure By-Law compliance: detailed reports help the Department make informed decisions and provide data to help identify areas of improvement.

These reports also help National Headquarters identify trends in the field to better accommodate a response to common Post deficiencies with supplemental, targeted, and informed training and support.

Finally, committee reports will be the bulk of evidence used to defend the Department’s decision in the case a Post requests a hearing.

Suspension Order Template

(Insert Date)

SPECIAL ORDER NO. ____

[Name], Commander
VFW Post XXXX
Address 1
City, State, ZIP

Dear Commander Jones:

In accordance with sections 211 of the National Bylaws and the Manual of Procedure, the operations of (***Post Name and Post Number***) are hereby suspended for a period of up to ninety (90) days due to Post deficiencies in violation of the laws and usage of the organization, specifically (***List here the exact details of the deficiencies that resulted in the Post being suspended***).

Effective immediately, the following Administrative Committee is appointed: (***List three (3) to five (5) committee members with a designation chairperson***)

[Identify the intent of the suspension. Define the scope of the committee’s power and authority to include the approving of the expenditure or obligation of all funds and transfers of all property while the order of suspension is in effect. Stipulate whether the committee is to take custody of Post funds, securities, and other property. The above Administrative Committee shall supervise all of the activities of the Post and through education and mentorship ensure full compliance with all applicable Bylaws, rules and regulations of the organization.]

[Define the committee Chairperson’s reporting requirements to the Department Commander (at least once a month) setting forth, in detail, the actions instituted and the steps taken toward the resolution of the above listed deficiencies and any other deficiencies that may have been identified. Explain the final report shall contain the committee’s recommendation as to whether the suspension shall be rescinded or continued, or if the Post charter be revoked.]

[Explain that Post members and officers take action under the guidance and approval of the administrative committee, but the committee’s powers and approval authority are subject to final approval of the Department Commander.]

(Signature block of the Department Commander attested by Department Adjutant with all the appropriate “cc’s” to include Post member distribution)

Administrative Committee

A successful administrative committee should be comprised of three (3) to five (5) members who are enthusiastic, dedicated, well-informed, available, and operate under the guise of three (3) motivational elements [The puzzle of motivation, Dan Pink]:

1. **Purpose:** “A yearning to do what you do in service of something larger than yourself.” Motivate Post members and their officers by helping them define the VFW’s mission in their own words, and in doing so giving them ownership over their mission.

It is important the administrative committee reminds the Post members and their officers why the Veterans of Foreign Wars of the United States exists and that its mission is their own.

2. **Autonomy:** “The urge to direct our own lives.” Motivate Post members and their officers by giving them the ability and freedom to accomplish their mission in their own way.

The administrative committee’s role is as a leader, mentor, educator, and promoter of the VFW’s mission and its programs. The committee’s mission is to help the Post by providing it with the education and resources it needs to solve its problems and realize its own success.

3. **Mastery:** “The desire to get better and better at something that matters.” Motivate Post members and their officers by encouraging them to get better at accomplishing their mission with engaging and useful Schools of Instruction and educational training.

Following through means following up: to keep a Post from again falling short it is important for a member of the committee to check on the Post’s progress by offering further education and training after the suspension is lifted.

Administrative Committee: Duties and Responsibilities

The administrative committee's duties and responsibilities go far beyond the language in Section 211 of the National Bylaws and Manual of Procedure, and the committee chairman has the daunting job of ensuring the committee is prepared.

A successful administrative committee chairman must (adapted from Navy Seal mission planning checklist)

1. Analyze the mission.

- a) Be sure all committee members understand the Post suspension process.
- b) Explain the special order, the listed Post deficiencies, the scope of the committee's power and authority, and that the goal of any suspension is to bring the Post back to working order. If clarification is needed, do not hesitate to contact the Department Commander.
- c) Communicate to committee members their role as mentors and educators rather than enforcers.

2. Identify personnel, assets, resources, and time available.

- a) Speak with your committee members to identify their strengths and how those strengths can best be applied to correct the Post's deficiencies.
- b) Consider how many active Post officers you'll be working with, their demographics and that of the membership.
 - i) Before the meeting with Post members, the administrative committee should meet with the Post officers. During that meeting, it is important to ensure the Post officers in attendance understand the committee's intent, the suspension process, the special order in its entirety, and the role of the administrative committee, as well as the Post officer's role in helping to bring the Post back to working order.
- c) Examine the scope of the Post's obligations (Post home overhead, contractual obligations to vendors, community impact, and finances).
- d) Know that 180 days is the maximum duration a Post may be on suspension.

3. Decentralize the planning process.

- a) Based on their strengths, empower key committee members and Post officers to analyze possible courses of action. (**e.g. if a listed Post deficiency is related to the Post's finances, the committee member with the most experience in that field should take the lead to work with the Post Quartermaster and Trustees to analyze possible courses of action.*)

4. Determine a specific course of action.

- a) Based on input from committee members and Post officers, determine a specific course of action for each deficiency. (**e.g. if the Post's books and records are incomplete, the Post lacks quarterly audits, and accountability of Post funds is sparse; a specific course of action would be to bring those records up to date as much as possible, educate Post officers on their duties, and remind Post members of their responsibility to hold their officers accountable.*)

- i) Be aware, in analyzing possible courses of action more deficiencies could arise.
- 5. Empower key leaders to develop the plan for the selected course of action.**
- a) Key committee members should work with Post officers to develop a course of action with calendared benchmarks so progress can be documented and tracked. (**e.g. what educational resources will key committee members use for schools of instruction? Will there be separate schools of instruction for Post officers and members or will it be covered in one class? What is the timeline for bringing the books and records up to date, completing quarterly audits, and correcting the procedures for disbursing funds? How will progress be tracked and what stop gaps will be put in place to prevent further deficiencies?**)
- 6. Submit plan for Department Commander approval.**
- a) Submit plan with formality in writing for Department Commander's input and approval.
 - b) Department approval should be communicated in writing.
- 7. Plan for likely contingencies through each phase of the operation.**
- a) Do you know who could take over if you lose one of your committee members for whatever reason?
 - b) How do you plan to deal with Post members who are angry their Post is suspended?
 - c) What will you do with a Post officer who is willing to complete their term of office, but seems unable to grasp key elements of their duties and responsibilities?
- 8. Delegate portions of the plan and brief to key junior leaders.**
- a) Once specific courses of action are planned with benchmarks, brief the entire plan to the administrative committee and Post officers.
 - b) Delegate portions of the plan to key committee members and Post officers.
- 9. Brief the plan to all participants and supporting assets.**
- a) The Post meeting will be where you have the Post officers introduce the administrative committee.
 - b) As chairman you should explain the overall suspension process, the administrative committee's role, the suspension order, and the overall plan. It's imperative you reassure the Post members that suspension does not mean their Post will close, but remind them their active participation is vital in bringing the Post back to working order.
 - c) The Post officers should explain the plan specifics and take questions under the committee's supervision.
- 10. Conduct post-operation debrief after execution.**
- a) Regardless if the committee's recommendation is to lift or extend the suspension, or revoke the Post's charter; a progress/summary report is needed in order for the Department Commander to make an informed decision. The report should identify existing Post deficiencies (if applicable), plan of action to correct deficiencies, current state of the plan, and what must happen to reach the goal
 - b) Following through means following up and regardless of the suspension's outcome a follow-up is necessary.

- i) If recommendation is to lift the suspension, it is important to follow-up with the Post to assess their progress after the suspension is lifted. Analyze lessons learned with Post officers and provide subsequent schools of instruction to reinforce lessons learned during the suspension and keep the members engaged. Gather feedback from Post officers and members to provide better information to Department and National Headquarters in order to improve the suspension process and create better training material.
 - ii) If the recommendation is to extend the suspension, follow-up with committee members and Post officers to assess their progress and adjust benchmarks if needed. Then, conduct a Post meeting as soon as possible to keep the Post members informed and engaged. Gather feedback from Post members about the process and make adjustments where necessary.
 - iii) If the recommendation is to revoke the Post charter, identify shortcomings that led to that recommendation. Gather feedback from Post officers and members to analyze lessons learned implement in the future.
- c) Every follow-up should start and end by thanking all of those involved regardless of the outcome. This organization is made up of dedicated volunteers and their work should be recognized.

Administrative Committee Report

“All acts and actions shall be documented and summarized in a report to the Department Commander with a final recommendation.” (*Section 211(4)(b) Manual of Procedure*)

Committee reports are important because they advise the Department Commander and ensure his/her actions are informed and data driven.

The minimum mandated reporting frequency should be defined in the suspension order; however, communication between the committee and the Department should occur more often if situations dictate.

The final report should include

- An initial assessment
- Plan of action with desired goal
- Steps taken
- Shortcomings and setbacks
- Progress achieved
- Final result with supporting documentation
 - Meeting minutes
 - Officer and member reports/statements
 - Completed reports (i.e. quarterly audits, inspection, etc.)
 - Election report if officers were changed

The final report should be written and addressed with formality and signed by the committee Chairperson.

Conclusion

“Leaders are people who hold a position of power: those who lead inspire. We follow those who lead not because we have to, but because we want to.” – Simon Sinek

As stated in the introduction, leadership is primarily the ability to get people to work together to accomplish a common goal. A good leader must create enthusiasm, provide direction, and encourage initiative. A leader must be able to set goals, plan their accomplishments, and obtain the cooperation of others to achieve them.

The Veterans of Foreign Wars is an organization of leaders: we must shift our mindset away from seeing actions as punitive and towards seeing each action as a leadership initiative – suspensions are no different.