



**DEPARTMENT OF GEORGIA  
POLICY  
HANDLING OF COMPLAINTS**

Reviewing Body: Risk & Compliance & Human Resources Committees Reviewed Date: 03/18/24  
Adopted By: Department Executive Committee Adopted Date: 03/22/24

Policy Statement

It is the policy of the American Legion Auxiliary (ALA), Department of Georgia (Department), to provide a Procedure to outline a process for confidential handling of complaints against the Department officers, Past Department Presidents, Department Committee Chairmen and Committee members.

Policy Definitions

Confidentiality in this context, shall mean the state of keeping secret or private. The ethical principle or legal right that all members will hold secret all information relating to the complainant and accused as it relates to the specific complaint.

Policy

1. Complaints shall be confidentially submitted in writing via email or U.S. mail to the President of the American Legion Auxiliary, Department of Georgia who will form a special investigative committee. The Committee shall be comprised of one (1) Executive Committee member, one (1) District President and one (1) Past Department President, subject to the approval of the Georgia American Legion Auxiliary, Department Executive Committee. The Executive Committee member can not be a board member who received the complaint. The investigative committee shall be comprised of members who are neutral and will demonstrate confidentiality in their investigative work.
  - a. If the complaint levied is against the Department President, the complaint must be submitted in writing to the Department First Vice President who will form a special investigative committee subject to the Approval of the Georgia American Legion Auxiliary Department Executive Committee.
  - b. Confirmation and acknowledgement of the complaint must be sent confidentially via email or U.S. mail to the complainant within 48 hours (2 business days) of receipt of the complaint.
  - c. A Department Executive Committee meeting for the purpose of ratification of the selected investigative committee members must occur within fifteen (15) business days of receipt of the complaint. The Department Executive Committee shall be informed of the nature of the complaint, without requiring the names of the complainant or accused, in order to ensure the complaint is handled by the proper authority.

2. All complaints must contain the following information:
  - a. Complete name, address, contact information of the person submitting the complaint.
  - b. Outline of the alleged incident including location, date, time and witnesses.
  - c. Any evidence related to the complaint (photos, documents, recordings, etc.)
3. A complaint levied will be considered in the following context:
  - a. Does the action injure the good name of the organization?
  - b. Does the action disturb the organization's well-being?
  - c. Does the action hamper the American Legion Auxiliary, Department of Georgia in its work?
 

*Example 1: Assaulting another member physically or verbally*

*Example 2: Repeatedly violating rules in the Unit's, District's or governing documents.*

*Example 3: Violating confidentiality of the Department Executive Committee's Executive sessions.*
4. Upon completion of the investigation, the committee will report to the Georgia American Legion Auxiliary,

Department Executive Committee, their recommendation(s) for outcome(s).

- a. If the recommendation from the committee is no action, a signed report indicating the recommendation will be confidentially retained at the Department office. The complainant will be notified of the findings.
- b. If the recommendation(s) from the committee is to take further action and prefer charges, the Georgia American Legion Auxiliary, Department Executive Committee will follow rules adopted by the Georgia American Legion Auxiliary, Department Executive Committee for the process and to be heard in such a manner as the Department Executive Committee shall prescribe.

### Process

Accountability: All members and leaders shall accept responsibility for effectively handling complaints.

The Unit shall manage unit complaints as outlined in the Unit's governing documents and/or the protocol

for resolving conflict as outlined in the *ALA Unit Guidebook*. If the Unit Executive Committee feels it has exhausted all avenues of resolution, it may choose to escalate the complaint to the District President. Under no circumstances will the Department of Georgia Executive Committee officers, nor the District Committee officers intervene in an investigation done by a Unit, unless otherwise prescribed in this policy.

1. The District President will guide the Unit to follow all processes for the handling of complaints in accordance with the governing documents of the Unit, District and Department as outlined in the *ALA Unit Guidebook*.
2. If the District President exhausts all avenues of resolution, the District President will contact the Department Liaison assigned to the District.
3. The Department Liaison will assist the Unit as outlined above and if unable to solve the complaint, s/he may escalate the issue to the Department President, whereupon s/he shall assign the resolution of the complaint per this policy and process.

The District shall manage District complaints in accordance with the District's Constitution, Bylaws and Standing rules, and their policy regarding Handling of Complaints, along with using the principles of the *ALA Unit Guidebook*.

1. The District President will contact the Department Liaison to investigate the complaint.

2. If the Department Liaison exhausts all avenues of resolution, s/he may escalate the issue to the Department President, whereupon s/he shall assign the resolution of the complaint per this policy and process.
3. The District President shall not contact the Department Liaison if they are investigating a complaint sent to them by the Unit, if the Unit was unable to be unbiased or ineffective in the handling of the complaint.

#### Department Complaints

1. Members need to feel unintimidated, unafraid, and unencumbered to submit complaints via whatever manner is practical – a phone call, email, written note, or letter. It is preferable complainants submit in writing via U.S. mail any complaint to the Department President for investigation. If the complaint levies a concern about the Department President, the complainant shall submit the complaint to the Department First Vice President for investigation. All complaints whether against an individual or at the Unit, District, or Department level must include the following information:
  - a. The complete name, address, and contact information of the complainant.
  - b. An outline of the alleged incident/complaint including the person(s) the complaint is about; the location, date, time of the incident; and names and contact information of witnesses.
  - c. Evidence, if any, related to the complaint (photos, documents, recordings, etc.).
2. The President or as appropriate, the First Vice President shall form a special investigative committee, as outlined in this policy, comprised of three members (one serving as Chair) of the Department Executive Committee who are neutral and who shall demonstrate confidentiality and good character. The members of this committee must be approved by the Department Executive Committee. The Department Executive Committee shall be informed of the nature of the complaint, without requiring the names of the complainant or accused, in order to ensure the complaint is handled by the proper authority.
3. The President or as appropriate, the First Vice President shall confidentially send via email or U.S. mail confirmation and acknowledgement of the complaint to the complainant within two (2) business days of the receipt of complaint.
4. A Department Executive Committee special meeting shall be called to ratify the selected special investigative committee members must occur within 15 business days of the receipt of the complaint.
5. The special investigative committee shall consider the complaint in the following context:
  - a. Does the action injure the good name of the organization?
  - b. Does the action disturb the organization's well-being?
  - c. Does the action hamper the American Legion Auxiliary, Department of Georgia in its work?
6. The investigation shall be completed within 45 calendar days of the ratification of the special investigative committee. Upon completion of the investigation, the special investigative committee shall prepare a written report and deliver it to the Department Executive Committee, via email, the recommendation(s) for action.
  - a. If the recommendation is no action, a signed report indicating no action will be confidentially retained at the Department office. The President or as appropriate, the First Vice President shall notify the complainant of the findings.
  - b. If the recommendation is to prefer charges, the Department Executive Committee shall follow the process adopted for a hearing that follows our Department policy of Handling of Complaints.

7. Any discussions related to complaints that require the Department Executive Committee review shall only occur during executive session of the Department Executive Committee.
8. If any person involved in the review of a complaint, whether a member of the special investigative committee or the Department Executive Committee violates the confidentiality required by this policy and the Department's Confidentiality Policy, the person committing the violation will be subject to discipline as approved by the Department Executive Committee.
9. If the complaint is against a Department employee, the Human Resources Chair shall automatically be a member of the special investigative committee.
10. If the complaint is against the National Executive Committee (NEC) person or alternate NEC, the process of reporting the complaint shall follow the National policy and process submitting the complaint to the National President, National Vice President, National Secretary, National Treasurer, or any combination of these four (4) officers, depending upon the complaint.

Related Information

- ALA Unit Guidebook, 2024 Revised edition, specifically Chapter 8, Resolving Conflict
- ALA Department of Georgia Confidentiality Policy and Agreement
- Roberts' Rules of Order, Newly Revised (RONR), specifically 12<sup>th</sup> edition, Chapter 20 (61, 62, 63).
- Department Operations Guidebook, 2016 Edition, updated, Chapter 8, Membership: Section 3 Civility, and Code of Ethics and Chapter 5, Human Resources.

Date Revised or Established	Description of Revision	Adopted By:
03/22/24	Established	Department Executive Committee
03/20/24	Department Executive Committee shall be notified of the nature of the complaint before approval of a special investigative committee	Department Executive Committee
06/16/24	Revised Policy	Department Executive Committee