

The Association of Bong Miners In the Diaspora (ABM-D)

Constitution



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ARTICLE I

PREAMBLE:

We the former residents of Bong Mines, Bong County, Liberia, currently residing in the Diaspora, cognizant of the need to foster interpersonal relationships, and the need to work for the enhancement of the Bong Mines' Community, both at home in Liberia and abroad, have therefore organized ourselves into an association to be known as the Association of Bong Miners in the Diaspora (ABM-D); and do hereby ordain and establish this CONSTITUTION & BY-LAWS for the governance of the same.

ARTICLE II

VISION & MISSION

Section I: Vision

To inspire hope and rebuild lives

Section II: Mission

Identify, coordinate & implement projects that impact the lives of its members and residents of the Bong Mines Community

ARTICLE III

OBJECTIVES

The Objectives of the ABM-D shall be:

- 1) To foster interpersonal relationships amongst members of the ABM-D;
- 2) To protect and promote the interest of Bong Mines Community at home and abroad;
- 3) To contribute to the reconstruction and redevelopment of the Bong Mines Community;
- 4) To create an atmosphere that shall enable the membership to engage in meaningful discussion on issues relating to the welfare of the Bong Mines Community;

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- 5) To create an environment in which the membership shall seek to improve the economic and educational opportunities for Bong Mine community;
- 6) To form collaborative alliances with other Bong Mine community organizations, including alumni associations, workers groups/unions, student organization etc. operating within Liberia or outside the country to encourage dialogue, and activities indicative of peace, unity and reconciliation among members of the community;
- 7) Engage with other community organizations to support projects and programs that lead to revitalizing major institutions in Bong Mines;

ARTICLE IV

POWER OF THE CONSTITUTION AND BY-LAWS

Section I

This Constitution and By-Laws is the SUPREME AND FUNDAMENTAL LAW of the Association and its provisions shall have binding force and effect on all of its authorities and members, as well as member-organizations in the Diaspora.

Section II

All laws, rules, regulations, procedures, activities and programs found to be inconsistent with this Constitution and By-Laws shall be INVALID and of NO Legal Consequence.

ARTICLE V

POWERS AND RIGHTS OF THE MEMBERSHIP

The supreme power of the Association is inherent in the membership; henceforth, the power of the governing body is derived from the membership and shall be exercised at the will and to the benefit of the members. The General Assembly is the highest decision making body of the Association.

ARTICLE VI

MEMBERSHIP

Full membership shall comprise of any person or persons aged eighteen (18) and above, regardless of their tribe, race or nationality, who might have lived, worked or attended school in Bong Mines.

Full membership shall also be opened to any person(s) whose spouse(s), parent(s), children and/or other relative(s) or friend(s) who might have lived in Bong Mines, and who may share ABM-D's ideals of making the community better.

Section I: Active Members

Those members who have met all stipulated guidelines and rules as stated in our constitution. Active members must be in good standing with all financial obligations to the association, and must also be an active member of an existing chapter or organization registered with the ABM-D

Section II: Affiliate Members

Affiliate members shall include all children and/or relatives of members of ABM-D who are 17 years of age and under, and any Liberian or non-Liberian, organization or group who expresses the desire to affiliate with the Association of Bong Miners in the Diaspora (ABM-D).

Section III: Honorary Member

The title of Honorary Member shall be bestowed upon any distinguished individual(s) who the Association determines is deserving of such an honor.

Section IV: Council of Elders

The Council of Elders shall play an advisory role, and shall comprise of distinguished and respectable elders and retired employees or former residents of Bong Mines; as well as all other individuals as the Association may deem necessary.

The leadership of ABM-D shall seek the wisdom of the Council of Elders in situations beyond its control, and for which counsel deserves.

Section V: Membership Dues

Membership dues shall be on a monthly basis, and determined or established by two-third of the general assembly of the membership of ABM-D

Section VI: Expulsions /Suspension

The General Assembly, by 2/3 majority vote can expel any officer or member of the Association for the following reasons:

- a) Conduct unbecoming as an officer and member
- b) Malfeasance as a member and officer

Where it is determined that a member may potentially be problematic to the Association, the Membership Committee shall exercise the power to recommend the rejection, suspension, or expulsion of such individual.

ARTICLE VII

STRUCTURE OF THE ORGANIZATION

Section I: General Assembly

The General Assembly shall be the highest decision making body of the Association.

- A. The General Assembly sessions shall be opened to all members of the Association. When sitting in Plenary, the General Assembly shall compose of and represent the registered voting membership only.

Anyone may attend the General Assembly in observer status and participate in discussions and deliberations, but shall not have voting rights; shall not participate in debates; and shall not be voted into office for any position within the Association.

- B. The General Assembly shall meet at least once every calendar year – at the National Convention. The President shall convene and preside over such meetings. The President may also call emergency meetings of the Association. Fifty percent (50%) plus one of the registered members attending the meeting shall constitute quorum at all general meetings, whether regular or emergency. Decisions at General Assemblies shall be reached by a simple majority of the voting members present.

Section II: Board of Advisors

The Board of Advisors shall serve as a policy-advisory body to the Association and shall consist of a minimum of 5 and no more than 7 members, nominated by the Executive Committee and approved by a 2/3 majority of the General Assembly. It shall be comprised of patrons, elders, respected personalities and professionals in the society.

- A. Responsibilities of the Board of Advisors shall be as follows:
1. They shall provide strategic guidance to the organization;
 2. They shall offer support in terms of planning developmental programs;
 3. Ensure that the Association has acceptable management systems and policies; and financial system to support the objectives of the Association;
 4. To make sure that the Executive Committee functions in accordance with the Constitution and By-laws;
 5. Shall raise funds and assist with soliciting material support for the Association
- B Meeting of the Board

Regular business meeting of the Board of Advisors shall be held quarterly, and shall convene during the last week of the quarter. The Board of Advisors shall, however, call special meeting as the need arises. A quorum of three (3) members shall be necessary to conduct the business of the Board. The President of the Association may attend all Board of Advisors' meetings but shall be a non-voting member.

Section II: The Executive Officers

The Executive Officers shall be responsible for the management of the day to day affairs of the Association. All positions of the Association are voluntary and therefore non paid positions. This body shall consist of the following officers:

1. President
2. Vice President
3. General Secretary
4. Treasurer
5. Financial Secretary
6. Chaplain

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The Executive Officers shall be elected by popular vote and shall hold office for a two-year term. However, any officer can be re-elected to office not to exceed two consecutive terms, a total of four (4) years.

Section III: Executive Committee

The Executive Committee shall comprise of elected officers and all appointed officers of Standing Committees. The Executive Committee shall execute the basic functions of the organization, including: identifying resources, building a viable structure of governance, putting into place a recognized system of accountability and resolving operational issues.

ARTICLE VIII

DUTIES OF THE EXECUTIVE OFFICERS

Section I: President

The President is the Chief Executive Officer and the Chief Spokesperson of the Association. He/she shall preside over all general meetings and shall represent the interest of the Association in all matters. He/she shall have the power to create and dissolve non-elected positions which may be necessary for the operation of the Association, with the advice and consent of the Board of Advisors.

Other functions of the office of the President shall include:

- a) Overseeing all administrative functions;
- b) Power to appoint heads of various committees;
- c) Required to make an annual report to the General Assembly at every convention.
- d) A signatory to the Association's account in Class A

Section II: Vice President

The Vice President is the principle deputy to the President and shall assist him/her in the discharge of his/her duties. He/she may preside over meetings and perform all other functions in the absence of the President.

Other functions of the office of Vice President include:

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- a) To coordinate the functions of various committees within the Association;
- b) Ensure that the various committees' reports are completed and submitted to the Executive Committee through the Office of the President;
- c) End the tenure of the President, in the event the President is incapacitated and unable to perform his/her duties;
- d) He or She shall be a signatory to the Association's Account in Class B Category

Section III: The General Secretary

The General Secretary shall be responsible for all correspondences and shall maintain all official records and documents of the Association.

Other specific functions of the General Secretary include:

- a) Preparation and distribution of citations for general and special meetings;
- b) Recording and reading the minutes of previous meetings;
- c) Preside over meetings in the absence of the President and Vice President;
- d) Maintaining an accurate information on membership;
- e) Shall cast a vote to dissolve all still mate in the absence of the President or Vice President;

Section IV: Treasurer

The Treasurer is the chief financial custodian of the Association. He/she shall have charge and custody of and be responsible for all funds and securities of the Association. He/she shall be responsible for ensuring an adequate and workable internal control structure.

Other functions of the Treasurer shall include

- a) To serve as liaison between the Association and any banking and other institutions designated to save ABM-D funds;
- b) Provide periodic update of the financial status of the Association;
- c) Present an Annual Financial Reports;

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- d) Comply with the State's statutory reporting requirements, including but not limited to filing of timely tax returns and payment of all applicable taxes;
- e) Shall maintain an accurate account of all funds received and disbursed and a full management of financial transactions thereof;
- f) Shall be a signatory to the Association's account as a Class A Category

:

Section V: Financial Secretary

The Financial Secretary shall be responsible for collecting, receiving and recording all funds and dues. He/she shall remit funds to the Treasurer and shall submit reports on dues, funds collected, and receivables. He/she shall be a signatory to the Association's account as a Class B.

Section VI: Chaplain

The Chaplain shall be responsible for the spiritual welfare of the Association and its members.

ARTICLE IX

ELECTIONS OF OFFICERS

Section I: Elections Date

Elections shall take place every two years and shall be held at the seat of the General Assembly in the year of elections. Elected officers shall be subsequently inducted into office at the official dinner/coronation ball during the National Convention.

Section II: Qualification of Officers

In order to seek an elected position, the candidate must be a bona fide member, and in good standing with the Association.

Good Standing is defined as:

- a) Good moral conduct within the community;

- b) Regular attendance at association's meetings;
- c) Regular and up-to-date payment of association's dues;
- d) Demonstration of interest in the association as manifested by commitment to supporting and promoting the objectives of the association as set forth in the Constitution

Section III: Elections Commission

The President shall appoint an Election Commission with the advice and consent of the Board of Advisors. Thereafter, the Commission shall be autonomous and answerable to the Board of Advisors. The Commission shall draw up specific guidelines and regulations to govern the elections proceedings.

The Commission shall cease to exist as a body immediately after the induction of the elected officers, and all documents relating to its function shall be turned over to the Association's Secretary to become record of the Association.

Section IV: Credibility of Election

In the event where there may arise questions regarding the credibility of the elections, the matter shall be reviewed by the Board of Advisors, and decision rendered shall be binding

ARTICLE X

STANDING COMMITTEES

There shall be subsidiary organs of ABM-D to be known as Standing Committees. The President shall appoint the heads of Standing and Ad Hoc Committees in consultation with the Executive Officers and with the advice and consent of the Board of Advisors.

Section I: Responsibilities of Standing Committees

The Standing Committees shall help the President in executing the works of the Association and shall include: Planning; Ways and Means; Social; Membership; and Publicity.

They shall present a detail report following the completion of all functions as specified by their assignments and in keeping with the constitution.

Section II: Planning Committee

The Planning Committee shall have the responsibility of planning the short and long terms activities of the Association in consultation with the Executive Officers, and shall ensure the successful implementation of the plans in accordance with the association's annual calendar of activities. It shall also propose projects and other programs to be carried out by the Association.

Section III: Ways and Means Committee

The Ways & Means Committee shall have the responsibility to organize and coordinate all fundraising activities; and shall design strategies and propose other means for raising and soliciting funds for the organization.

Section IV: Social Committee

The Social Committee shall be charged with the responsibility to coordinate and carry out special events aimed at fostering social interaction, and shall include but not limited to entertainment, sports and other recreational activities.

Section V: Membership Committee

The Membership Committee shall have the function to recruit members into the Association.

The Committee shall serve to encourage the active participation of members in the activities of the Association, and ensure that said individuals meet the membership criteria. It shall provide periodic status report about the membership.

Section VI: Publicity Committee

The Publicity Committee shall be responsible for maintaining and disseminating news and information about the Association to both its memberships and the public in general via various media platforms, including, but not limited to, print, radio, television, and electronic. It, also, shall maintain

the Association's website, control contents of the Association's social media accounts, and publish the Association's print or electronic newsletter. Where applicable and necessary, the Committee shall collaborate with the Association's General Secretary in fulfillment of its objectives.

Section VII: Ad Hoc Committee(s)

Ad Hoc Committees shall be interim bodies set up by the President for specific purposes and to address urgent matters. It may be dissolved after the completion of its mandate.

ARTICLE XII

LOCAL CHAPTERS

Section I: Formation

A local chapter of the ABM-D may be formed in any convenient geographical area in the Diaspora, where there are five (5) or more members, and provided such a chapter and its organizers subscribe to and are in agreement with the mission of ABM-D as provided for in Article II.

Section II: Purpose

The purposes of the Association chapter shall be to:

- a) Assist the National Association in promoting its programs under its direction and guidance; and
- b) Recruit former residents, employees and associates of the Bong Mine community, residing in those areas.
- c) The local chapter shall assist the National Association by contributing to the approved budget of the General Assembly

Section III: Organization

Applications for new Chapter Charters must be made to the Association by filing an application with the National Association via its National General Secretary or any member of the Executive Committee for timely consideration by the National Executive Leadership.

- a) Chapters, unlike the National, shall be governed by a leadership team headed by a Chairperson, and include the following positions: Co-Chairperson, Secretary and Financial Secretary, Chaplain. The leadership will be elected by members of the local chapter;
- b) A Charter entitles the Chapter to obtain advice, counsel, and assistance from the National for such services as membership growth activities, programs, events, etc.
- c) In order to retain its charter, a Chapter must fulfill the following obligations:
 1. Hold at least one general meeting each year at which business is transacted
 2. Comply with the provisions of this Constitution and its own bylaws
 3. Complete an annual report to be presented at the National Convention.

ARTICLE XI

IMPEACHMENT AND REMOVAL FROM OFFICE

In the event where an officer (Board Member, Elected or Appointed Officer) is accused of an impeachable offense, the matter shall be referred to the Board of Advisors for hearing, and its findings shall be submitted to the General Assembly for final proceedings and appropriate constitutional actions.

Sections I: Impeachable offences shall include but not limited to:

- 1) Corrupt practices such as misappropriation of Association's funds and/or resources
- 2) Misuse of power
- 3) Gross negligence of duties
- 4) Violation of the Constitution
- 5) Misfeasance, malfeasance and nonfeasance

Section II: Action to Impeach or Remove

All decisions to impeach or remove an officer shall be effected by a two-third (2/3) vote of the membership in good standing at the General Assembly; or at a meeting called for the purpose of effecting the decision.

In the event when the President is impeached, the Vice President shall complete the term of the President.

Section III: Legal Action

The Association may pursue legal actions against Individuals impeached and removed from office for misapplication of funds/resources.

ARTICLE XIII

MISCALLENEOUS

Section I: Charter

The Charter of the association shall be situated in any designated city within the boundaries of the United State of America and shall retain sub-offices in various localities (cities and states) in which ABM-D members are residing. The headquarters shall serve as the official home and physical location of the organization, and shall also bear its postal address and telephone contact(s).

Section II: Fiscal Year

The fiscal year of the Association and Chapters shall begin on January 1st of each calendar year and terminate on December 31st of that calendar year.

Section III: Logo & Seal

ABM-D shall identify, exhibit, and use slogans bearing its Motto, Seal or Logo, Maps, Colors and Flags, as they may be decided by a simple majority vote of elected officials of the Association present.

Section IV: Crisis Resolution

- A. If an aggrieved registered and active member has a grievance against a member of the national leadership, said grievance shall be submitted to the Board of Advisors.
- The Board of Advisors shall set up a committee within 5 days of receiving the complaint, to review and investigate the hearing;
 - The committee shall submit its findings and recommendations to the Board within 15 days of receiving commission to hear the grievance;
 - The Board will communicate the findings and recommendations of the Hearing Committee to the aggrieved parties and all others involved in the grievance;
- B. If an aggrieved registered and active member has a grievance against another member or a member of the Board of Advisors, said grievance shall be submitted to the National President.
- The National President shall setup an Ad Hoc Committee to conduct hearing within 10 business day of receiving said complaint;
 - The Committee shall report their findings and recommendation to the National President within 15 days following its commission to hear the grievance;
 - The National President shall communicate the findings of the Hearing Committee to the aggrieved member within 5 days business days of receiving the results, and act on the recommendations of the Committee
 - If the aggrieved member is not satisfied with the findings, the member may submit a former complaint to the Board of Advisors. The Board of Advisors shall hold additional hearing(s), if necessary, and render a FINAL decision by majority vote of Board Members.

Section V: Annual Report

- a) The National leadership shall submit an annual report, including both financial and non-financial data to the General Assembly at the National Convention. The financial report shall include statements of the Association's financial position and condition, operating activities, cash flows, and changes in net assets. Non-financial data shall include operating data, including, but not limited to changes in output data (numbers) for memberships, awards, trips, events, programs, projects, and update on interactions with community at home.

- b) Each Chapter shall present an annual report of its Chapter's activities to the General Assembly. This annual report shall be in a form prescribed by the Association and shall contain both financial and non-financial data as is requested from time to time by the Association.

Section VI: Non-Profit Status

ABM-D shall be registered with the Department of State of Pennsylvania and the Internal Revenue Service as a Non-Governmental Organization (NGO) or a Non-Profit Organization (NPO).

- a) The ORGANIZATION shall be a 501(c) (3) NPO and shall be governed by its Constitution and By-laws and in accordance with the Laws of the United States of America, and the State of Pennsylvania.
- b) All activities of ABM-D will be charitable and humanitarian services including health, educational, cultural awareness and support to social institutions affecting and influencing the quality of life of the Bong Mines communities, which will be consistent with those activities permitted for an organization exempt from Federal Income Tax under section 501(c)(3) of the Internal Revenue Code (as may be amended); or by an organization that may receive contributions that are deductible to their donors under Section 170 (c)(2) of the Internal Revenue code (as may be amended).

Section VII: Disclaimer

It shall be understood by all Member-Chapters of ABM-D that the ASSOCIATION shall not be held liable for any action or actions done in its name without written or expressed authorization. This shall encompass, but not limited to, the release of written or verbal information.

ARTICLE XIX

DISSOLUTION AND LIQUIDATION

The Association shall continue to function until it is officially voted out of existence by a two-thirds (2/3) majority of the membership.

- a) In an event of such dissolution, the National President and/or the Board of Advisors shall, after paying or making provisions for payment of all liabilities of the Association, dispose of all assets to such organization or organizations organized and operated exclusively for charitable, educational, religious or scientific purposes, and in a manner consistent

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with federal and state regulations.

- b) Any such assets disposed of, shall be disposed of by the Court of Common Pleas of Philadelphia County, Pennsylvania, USA, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for the aims and objective stated in these By-Laws and Constitution of the Association.

ARTICLE XV

AMENDMENT AND RATIFICATION

This Constitution shall be subject to amendment after two years of adoption. The full document, or part of it, shall be altered, amended, or repealed, and a new constitution adopted by a 2/3 majority of the General Body of the Association.

- a) Proposed Constitutional amendments shall be presented in writing to ABM-D and signed by $\frac{1}{4}$ of the body.
- b) Approval of 2/3 majority of the body present at a regular meeting or a special meeting shall be required to pass a resolution authorizing an amendment.

Said amendment shall take immediate effect, unless otherwise stified by an existing provision of the constitution.

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THIS DOCUMENT IS SUBJECT TO REVIEW AND ADOPTION BY THE ASSOCIATION OF BONG MINERS IN THE DIASPORA (ABM-D), BEFORE IT BECOMES A BINDING INSTRUMENT TO GOVERN THE ORGANIZATION.

SUBMITTED THIS 31st DAY OF JANUARY, A.D. 2019; IN THE CITY OF PHILADELPHIA, IN THE STATE OF PENNSYLVANIA, U.S.A.

CONSTITUTION COMMITTEE MEMBERS

NAME	SIGNATURE	DATE
_____ Joshua Peal	_____	_____
_____ Amos Kollie	_____	_____
_____ Gyebo Vinton	_____	_____
_____ Mahnsan J. Nyanatee, Sr.	_____	_____
_____ I. Ezax Smith	_____	_____