**MERCHANDISE MANAGER**

**POLICY: A Policies and Procedures Manual, subject to the approval of the Council, will be maintained and will contain adequate instructions to insure consistent compliance with both the letter and the intent of the Society’s Bylaws.**

**REFERENCE based on the current ACGS Bylaws (2024) state:**

**Article IV: Organization, Indemnification**

Section A: Organization:

Subsection 2: Members of the Society will comply with these Bylaws and perform their duties in accordance with the Society’s governing documents and applicable laws. No member of the Society will receive any salary or compensation from the Society other than reimbursement for out-of-pocket expenses.

Section B: Indemnification

Subsection 1: The Society will, to the fullest extent permitted by law, indemnify each person who serves at any time as a Council member, officer, trustee or other official of the Society against all expenses and liabilities, including, without limitation, counsel fees, judgments, fines, excise taxes, penalties and settlement payments, incurred or imposed upon such person in connection with any threatened, pending or completed action, suit or proceeding in which he or she may become involved by reason of his or her service in such capacity; provided that no indemnification will be provided for any such person with respect to any proceeding initiated by such person against the Society, a Council member, an officer, a trustee or another official of the Society or any matter as to which he or she will have been finally adjudicated in any proceeding not to have acted in good faith in the reasonable belief that such action was in the best interests of the Society; and further provided that any compromise or settlement payment will be approved by a majority vote of the Council members at a meeting at which a quorum is present. The indemnification provided hereunder will inure to the benefit of the heirs, executors and administrators of persons entitled to indemnification hereunder. The right of indemnification under this Article IV, Section B will be in addition to and not exclusive of all other rights to which any person may be entitled.

Subsection 2: This Article IV, Section B constitutes a contract between the Society and the indemnified Council members, officers, trustees and other officials of the Society. No amendment or repeal of the provisions of this Article IV, Section B that adversely affects the right of an indemnified Council member, officer, trustee or other official under this Article IV, Section B will apply to such Council member, officer, trustee or other official with respect to those acts or omissions that occurred at any time prior to such amendment or repeal, unless such amendment or repeal was voted by or was made with the written consent of such indemnified person.

**Article X: Standing Committees**

Section I: Other committees will be established from time to time as deemed necessary or appropriate by the Chieftain or the Council.

**PROCEDURES:**

The position of Merchandise Manager exists to support the work of the American Clan Gregor Society through sales of Clan Gregor related gift and souvenir merchandise, which take place at games and festivals, and at the annual Gathering. Gift merchandise has been a good revenue stream for the Society and a good way to meet other Society members and potential members.

*Appointment***:** The Chieftain may desire to take the following into consideration for making the appointment; the Merchandise Manager will have:

* Space to store inventory of merchandise (present inventory about 36 cubic feet)
* Familiarity with, or ability to learn, mechanics of shipping and filling orders.
* Ability to communicate via e-mail, telephone, and mail.
* Timeliness in accomplishing tasks.
* Familiarity with Microsoft Excel or comparable spread sheet application.

*The Merchandise Manager has responsibility to:*

* Furnish all files relative to sources, cost, filled orders, merchandise-related correspondence, etc., to the successor merchandise manager along with current inventories or goods.
* Complete their own inventory upon receipt of the above and report their findings to the Assistant Chieftain.
* Ship orders from area deputies or other clan tent representatives on a consignment basis (7-8 shipments annually, presently).
  + Following the relevant event, the deputy or representative ships the remaining merchandise back to the Merchandise Manager at the ADC’s expense, with a check for the merchandise sold.
* The Merchandise Manager will inventory the returned merchandise and prepare a sales report allocating the sold merchandise by item, which they will send to the Treasurer with remittance.
* The sales of each item must be reported, as the revenues for certain items are earmarked for different funds within the Society.
* The Merchandise Manager will be encouraged to explore potential new items and procure them in consultation with the Treasurer. There are strict rules as to the use of the Society’s Corporate Coat of Arms use on merchandise which will have to be closely monitored
* The Merchandise Manager will submit an annual report to the Treasurer each year prior to Gathering as to the quantities of each merchandise item in their custody, and the cost thereof, as well as those items that are currently on consignment to ADCs or other Society members for which payment has not been received.
* A report will be given to the annual Council meeting and the annual General Meeting as well as a copy of the report submitted to the Assistant Chieftain.
* The Merchandise Manager will attempt to be personally present at the Annual Gathering, or arrange for a reliable deputy to do so. This is typically the largest sales event in terms of $$ each year. It is possible to ship merchandise to a Gathering hotel for handling by others.
* Orders from individuals are normally received by mail with payment accompanying. It has been our policy to include normal ground shipping in the price of each item except glassware, which requires extra packaging. Higher-priority shipping is at the expense of the customer (15-20 shipments annually).
* Most parcel shipping services (US Mail, United Parcel Service, Federal Express, etc.) have down-loadable shipment software for ordering pick-ups, preparing labels, etc. It is not normally necessary to take prepared shipments to a terminal or post office, as they can be picked up at the home or other point of origin.

*Society Support for the Merchandise Manager:*

* Carry out timely communication of Society business that requires action by the Merchandise Manager
* The Assistant Chieftain will provide the Merchandise Manager with a written list of items that can depict the Society’s Corporate Coat of Arms and who are entitled to purchase and/or display those items.
* The Order forms, sales reports, inventory lists, and packing lists are currently maintained in MS Excel format. These files will be provided to the Merchandise Manager, although they will have flexibility to modify them or use any other format which they find convenient and that contains the necessary information
* The Society will reimburse the Merchandise Manager for shipping costs associated with shipping our merchandise to various ADCs for use at their clan tents and to the Society annual Gathering.

**APPROVED**

**Approved by ACGS Council and AGM October 2024**

**Periodic Review by ACGS Council: 2027**