



MOTAC POLICY AND PROCEDURE HANDBOOK

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INTRODUCTION

Mission

MOTAC's mission is to prevent/reduce tobacco use and the associated health and economic consequences in the Omaha area via prevention through public policy and education. The coalition uses many different strategies to accomplish its mission. MOTAC is in the forefront of fighting tobacco through community action!

Changes

- Changing the MOTAC Policy and Procedure Handbook requires (30) days previous notice to the sustaining membership and a majority vote, or a two-thirds (2/3) vote without previous notice.
- No policy and/or procedure is in order that is in conflict with the bylaws.
- The handbook will be amended automatically to conform to MOTAC bylaws.

Adopted

Date: October 6, 2015

GENERAL COMMITMENT OF SUSTAINING MEMBERS

1. Maintain a signed annual membership form to be kept on file with the Secretary.
2. Abide by MOTAC basic policies.
3. Be familiar with MOTAC bylaws and Handbook of Policies and Procedures.
4. Keep informed on MOTAC positions, policies, programs, and activities.
5. Be an active member.
6. Attend at least 2 scheduled meetings a year.
7. Assist in working with community members as needed.
8. Consider participation in tobacco related advocacy.

MOTAC POLICIES

1. Meetings and events will not be scheduled on any major holiday, religious or otherwise.
2. MOTAC sustaining membership will approve investment policies, position statements, legislative directives, and projects.
3. MOTAC encourages the use of MOTAC's name and logo according to the bylaws.
4. Legal documents will be stored by the President or President Designee and be subject to periodic, thorough examination by the Executive Committee. Documentation will include, but is not exclusive to, the incorporation document, IRS 501(c)3 determination letter, etc.
5. Agendas and minutes of the MOTAC General & Executive meetings will be stored with the Secretary or Secretary Designee; including past minutes. Minutes will be stored according to IRS requirements (currently 4 years). All other committee minutes will be stored for one (1) fiscal year.
6. Paid staff may be present at MOTAC meetings at the request of the President, but will be excluded from meetings at which personnel or salary schedules are to be considered.
7. Paid staff of MOTAC will not be related to any sustaining member.

FINANCES

Budget

1. This is an Ad Hoc Committee, which will study the current budget and recommend changes to the Executive Committee at the meeting two (2) months prior to the annual meeting.
2. The Treasurer will conduct a briefing on the proposed annual budget at the coalition meeting held prior to the annual meeting.
3. After the budget is approved, funds may be reallocated. **See Article VI*
4. The Treasurer will keep the President, sustaining membership, and committees informed of budget items near depletion or over budget.
5. Restricted funds in the budget will be expended in accordance with the designated purpose of the funds. The status and activity of the restricted funds will be included in budget plans or reports as appropriate. The Budget Committee will keep the sustaining membership apprised of the status of restricted funds.

Grants

1. Funds accepted by MOTAC through grants are received and disbursed by MOTAC according to the fiscal agent and/or grant specifications. MOTAC accepts no grants with any restriction other than the purpose for which the grant will be used.
2. The Executive Committee approves all project assignments that are financed by a grant.

Financial Procedures

1. The Treasurer will issue checks, pay via debit card, or through electronic means for payment approved by MOTAC.
2. Checks will be signed by one (1) person, either the President, Treasurer or Executive Committee designee.
3. Expense vouchers, warrants, and checks will be filed with the Treasurer.
4. The Executive Committee will review monthly documentation on all bank statements and transactions on a quarterly basis.

EXECUTIVE COMMITTEE

The Executive Committee will consist of President, Vice-President, Secretary, Treasurer, Immediate Past President, Chairpersons of Standing Committees, and Advisors. Advisors will be appointed by the President to bring expertise to the Committee (MOTAC bylaws, Article IV, Section 12).

In addition to the bylaws, the Executive Committee will:

1. Approve annual committee work plans.
2. Approve investment policies, position statements, legislative directives, and projects.
3. Have authority to develop position statements on issues in light of the mission and policies of the organization.
4. Receive from the Budget Committee a proposed annual budget at least two (2) months prior to the annual meeting.
5. Be informed of budget items near depletion or over budget.
6. Approve amendments, reallocation, or reprogramming of funds after the budget is approved.
7. Be apprised of the status of restricted funds by the Budget Committee.
8. Have authority to adopt amendments to the budget for expenses in excess of the budget.
9. May approve consultants/advisors nominated by the President at any of its meetings.
10. Be authorized to hold meetings by telephone conference calls and/or electronic means.
11. Be responsible, with the President, for periodic, thorough examination of legal documents.
12. Have authority with the President to appoint sustaining members to serve as representatives to another organization.
13. Have authority with the President to authorize MOTAC members to use their MOTAC title on stationery (or in any manner) of another organization.
14. Have authority to appoint sustaining members to serve in more than one capacity.
15. Notify the President in advance when unable to attend a meeting and/or fulfill responsibilities.
16. Serve as an official representative of MOTAC to another organization only with the approval of the President or Executive Committee.
17. Executive Meeting Reports will be given by the President or President Designee at the monthly General Meetings.

OFFICERS

President

In addition to the bylaws, the President will:

1. Send letters of introduction to cooperating organizations upon assuming office.
2. Plan and conduct the orientation of new sustaining members twice a year or as needed.
3. Receive letters of resignation of officers within 30 days of vacating office and provide for election at the next meeting of the Coalition.
4. Send letter of resignation to the Vice-President within 30 days of vacating office when unable to serve full term.
5. Ensure that required financial documentation is prepared for the annual report and necessary materials for audit and preparation of IRS Form 990 for the auditor at the end of the fiscal year.
6. Not be eligible to serve on the Nominating Committee.
7. Discuss agenda for General Meeting at Executive Meeting.
8. Set agenda for Executive and General Meetings.
9. In conjunction with the Coordinator and/or Marketing and Public Relations Chair, will coordinate media requests following media tree.
10. Creates the Nominating Committee each year (3-4 members including Vice President).

Finances

1. Be informed by the Treasurer of budget items near depletion or over budget. Review bank statements on a regular basis.
2. Approve vouchers and reimbursement forms.

Appointments

1. May appoint sustaining members to serve as representatives to another organization.
2. May appoint sustaining members to attend meetings of cooperating organizations in response to invitation.
3. May nominate consultants/members to be elected at any of its meetings.

Vice President

In addition to the bylaws, the Vice President will:

1. Send letter of resignation to the President within 30 days of vacating office when unable to serve a full term.
2. Receive the letter of resignation of the President within 30 days of vacating office.
3. Serve on Committees as needed.
4. Chair the Nominating committee.

Secretary

In addition to the bylaws, the Secretary will:

1. Send meeting reminder, minutes of previous meeting and agenda of General meeting via the MOTAC listserv one week prior to meeting.
2. Send Executive Committee meeting minutes to Executive Committee membership one week after meeting to be reviewed and approved at next meeting.
3. Have available at each meeting a copy of the current Bylaws and Policies and Procedures Handbook, motion forms, list of current members, agenda, minutes of previous fiscal year, list of all committee chairs and members.
4. In conjunction with Coordinator, responsible for general correspondence.
5. Send a letter of resignation to the President within 30 days of vacating office when unable to serve a full term.

Treasurer

In addition to the bylaws, the Treasurer will:

1. Prepare a monthly financial report.
2. Conduct a briefing on the proposed annual budget at the General MOTAC meeting held prior to the annual meeting.
3. Keep President and Executive Committee informed of budget items near depletion and those over budget.
4. Receive and review monthly documentation on all transactions.
5. Prepare the annual report and necessary materials for audit and the preparation of IRS Form 990 to be delivered to the auditor at the end of the fiscal year.
6. Send a letter of resignation to the President within 30 days of vacating office when unable to serve a full term.
7. Arrange for transfer of bank signatures for new officers.

Vacancies in Office

In addition to the bylaws:

When an officer is unable to serve a full term:

1. Will resign in writing to the President within 30 days of vacating office.
2. If the President resigns, the letter of resignation will be sent to the Vice President within 30 days of vacating office.
3. The date of resignation will be included in the minutes.
4. The office, except the office of President, will remain vacant until the Coalition holds an election to fulfill the remainder of term.

STANDING AND AD HOC/SPECIAL COMMITTEES

Budget Committee

1. This is an Ad Hoc Committee, which will study the current budget and recommend changes to the Executive Committee at the meeting two (2) months prior to the annual meeting.
2. The Vice President will serve on this committee.

Bylaws Committee

1. This is an Ad Hoc Committee, which will study the current bylaws and handbook and recommend changes to the Executive Committee at the meeting prior to the general membership meeting.

Nominating Committee

1. This is an Ad Hoc Committee, which will meet to nominate officers for the Executive Committee.
2. This Committee will meet in April bi-annually prior to the end of the Executive Committee officers' term. The Committee will bring forward the nominations in May to the General Meeting for an election to be held in June of that year.
3. The Vice President will chair this committee.

COMMITTEES PROVIDED FOR IN THE BYLAWS

Clean Air Committee

See MOTAC Bylaws, Article IV, Section 14.

Executive Committee

See MOTAC Bylaws, Article IV, Section 12, 13.

Marketing and Public Relations Committee

See MOTAC Bylaws, Article IV, Section 14.

MOTAC SUSTAINABILITY GUIDELINES

Coordination services are those actions guided by a coalition centered on the efficient use of available resources (people, information and funding) employed by a coalition to carry out its mission. Effective coordination will ensure that coalition members are equipped to plan, implement, evaluate, and modify evidenced-based strategies and activities to change individual and environmental conditions that contribute to alcohol, tobacco and other drug use, abuse and addiction. Accurate record-keeping of all coalition activities should also be maintained as part of coordination services.

Coordination: Coordination involves those activities, which sustain a coalition's leadership, capacity, and processes in order to effectively implement evidence-based strategies that render positive outcomes over time. Specific deliverables related to coordination include the following:

- A community plan that includes an assessment, evidence-based, comprehensive strategies and/or activities, policies and programs designed to fill gaps and address priority needs. The plan also includes evaluation to assess progress on logical steps that produce specific, measurable, achievable, realistic, and time-limited (SMART) outcomes.
- A plan to evaluate and improve internal processes, expand capacity and cultivate leadership.
- A plan to collect, interpret and utilize relevant data for assessment, planning and decision-making purposes.

Communication: Effective written and verbal communication is essential to all aspects of coordination activities. Effective communication is spoken and written with clarity, simplicity and persuasively. The deliverables are as follows:

- Clearly written operating procedures and protocols governing coalition business and guiding correspondence prior to, during and following scheduled coalition meetings.
- Plan to correspond (verbal/written) regularly with members, key stakeholders and the community impacted by coalition activities.

Volunteer Management: Ideally coalitions are comprised of community members that have agreed to volunteer time, energy and resources to address common concerns impacting a larger community. The deliverables include the following:

- A plan to recruit and organize volunteers; motivate and retain a volunteer workforce.
- An accurate record of total number of volunteers, skill level and training needs.

Record Keeping: Accurate records detailing coalition decisions, activities and progress are essential to sustainability. Vital information should be collected for both internal and external use.

- A current and accurate record of all coalition business including but not limited to membership, strategic plans, financial records, reports, organizational structure, meeting minutes, etc.

A plan for organizing and reporting information upon request to coalition members, funders, key stakeholders and the community at-large.

MOTAC PLATFORM

INTRODUCTION

The mission of the Metropolitan Omaha Tobacco Action Coalition is to prevent/reduce tobacco use and the associated health and economic consequences in the Omaha area via prevention through public policy and education by an effective community coalition. Because of this mission, MOTAC supports the following platform agenda.

ADVERTISING AND PROMOTION

- **Counter-Advertising**

MOTAC supports funding for effective counter-advertising strategies.

- **Media Literacy**

MOTAC supports funding of efforts to educate the public on analyzing media messages so that they are less susceptible to advertising efforts aimed at them by tobacco companies.

- **Tobacco Advertising/Marketing and Promotions**

MOTAC supports efforts to curb tobacco advertising, marketing, and promotions. This includes advertising promotions in retail stores as well as advertising in magazines, on clothing, internet-based advertising, and other venues. MOTAC believes that storefronts should be free from tobacco advertisements and supports legislation to restrict such advertising.

MOTAC opposes any form of free dispensing of tobacco products and supports any legislation that restricts the free distribution of samples.

MOTAC opposes events held for the primary purpose or secondary purpose of promoting tobacco products including but not limited to “bar nights,” “club nights,” “hip hop” parties, concerts, and rodeos. MOTAC supports legislation to restrict such activities.

MOTAC encourages all schools to adopt policies prohibiting the use of magazines which include tobacco advertising.

- **Tobacco Sponsorship**

MOTAC encourages all businesses, community organizations, and other groups not to accept sponsorships from the tobacco industry or its affiliates and to find alternative means of sponsorship for events, programs, and festivals.

Tobacco Products

- **Cigarettes**

The term cigarette, as commonly used, refers to a tobacco cigarette but can apply to similar devices containing other herbs, such as cloves or cannabis. A cigarette is distinguished from a cigar by its smaller size, use of processed leaf, and paper wrapping, which is normally white, though other colors are occasionally available. Cigars are typically composed entirely of whole-leaf tobacco.

- **Cigars** (from

http://www.cdc.gov/tobacco/data_statistics/fact_sheets/tobacco_industry/cigars/index.htm)

A cigar is defined as a roll of tobacco wrapped in leaf tobacco or in a substance that contains tobacco (as opposed to a cigarette, which is defined as a roll of tobacco wrapped in paper or in a substance that does not contain tobacco).

The three major types of cigars sold in the United States are large cigars, cigarillos, and little cigars.

- **Smokeless Tobacco** (from BeTobaccoFree.gov)

Smokeless tobacco is tobacco that is not burned. It comes in many forms, including:

- Chewing tobacco, which is placed between the cheek and gums
- Snuff, which can be sniffed if dried
- Dip, moist snuff used like chewing tobacco
- Snus, a small pouch of moist snuff
- Dissolvable products, including lozenges, orbs, sticks, and strips

In the United States, smokeless tobacco has traditionally been available in the form of chewing tobacco and snuff. However, a new generation of products is widely available in a number of flavors and forms, including snus and dissolvable products—such as lozenges, orbs, sticks, and strips. Because these products do not require spitting, they can be used discreetly, making them more attractive to young people.

Alternative Tobacco Products

MOTAC believes alternative tobacco products should not be marketed as safe.

- **Bidis and Kreteks** (from http://www.cdc.gov/tobacco/data_statistics/fact_sheets/tobacco_industry/bidis_kreteks/index.htm)

Bidis are small, thin, hand-rolled cigarettes imported to the United States, primarily from India and other Southeast Asian countries. They comprise tobacco wrapped in a tendu or temburni leaf (plants native to Asia) and may be secured with a colorful string at one or both ends. Bidis can be flavored (e.g., chocolate, cherry, mango) or unflavored.

Kreteks—sometimes referred to as clove cigarettes—are imported from Indonesia and typically contain a mixture of tobacco, cloves, and other additives.

MOTAC affirms the position of the American Medical Association that concluded that “clove cigarettes are tobacco products flavored with cloves. Therefore, they possess all the hazards associated with smoking.”

MOTAC supports restrictions on alternative tobacco products, which include but are not limited to bidis, clove, and herbal cigarettes.

- **Hookah**

Hookah smoking is just as dangerous as cigarette smoking. Hookah smoke contains significant quantities of the same chemicals that make cigarette smoke harmful. In addition, hookah smoke contains the same cancer-causing particulates found in secondhand smoke, and 100 times the amount of lead as in regular cigarettes.

MOTAC supports legislation to ban Hookah cafes from our community.

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- **Electronic Cigarettes (from**
<http://www.fda.gov/NewsEvents/PublicHealthFocus/ucm172906.htm>)

Electronic cigarettes, also known as e-cigarettes, are battery-operated products designed to deliver nicotine, flavor and other chemicals. They turn nicotine, which is highly addictive, and other chemicals into a vapor that is inhaled by the user. Most e-cigarettes are manufactured to look like conventional cigarettes, cigars, or pipes. Some resemble everyday items such as pens and USB memory sticks.

As the safety and efficacy of e-cigarettes have not been fully studied, consumers of e-cigarette products currently have no way of knowing:

- whether e-cigarettes are safe for their intended use,
- how much nicotine or other potentially harmful chemicals are being inhaled during use, or
- if there are any benefits associated with using these products.

Additionally, it is not known if e-cigarettes may lead young people to try other tobacco products, including conventional cigarettes, which are known to cause disease and lead to premature death.

CESSATION

- **Insurance Coverage for Cessation Services**

MOTAC supports inclusion of evidence-based counseling and medications for tobacco cessation in benefits provided to all federal and state beneficiaries and in all federally-funded healthcare programs.

MOTAC challenges all insurers, employers, and purchasers that pay for or provide health coverage to include barrier-free coverage for evidence-based tobacco dependence treatment (counseling and pharmacology) as part of the basic benefits package offered to all individuals and groups seeking insurance coverage.

- **Quitline**

MOTAC supports sustaining a state Quitline that provides universal access to evidence-based counseling and medications for tobacco cessation. 1-800-QUIT-NOW

CLEAN AIR

MOTAC believes that everyone has the right to breathe clean, smoke-free air. Therefore, MOTAC supports comprehensive smoke-free policies that significantly improve public health of employees, service workers and patron by providing maximum protection from secondhand smoke in all places open to the public and in places of employment including all educational and healthcare settings. These policies treat all businesses fairly by creating a level playing field.

Furthermore, MOTAC supports the State in creating and enforcing the Clean Indoor Air Act and all local communities in passing and enforcing local ordinances and other policies that prohibit smoking in all public places.

- **Smoke-Free Apartments and Condominiums**
MOTAC encourages all property owners, property managers, and homeowners' associations to adopt smoke-free policies.
- **Smoke-Free Daycares**
MOTAC supports legislation requiring all licensed childcare providers to provide a smoke-free environment indoors, on their grounds and in their vehicles. MOTAC encourages all non-licensed daycare providers to adopt the same policies.
- **Smoke-Free Foster Homes**
MOTAC supports prohibiting smoking in a family foster home where a foster child is living and prohibiting foster parents from smoking in their private vehicles.
- **Smoke-Free Meeting Facilities**
MOTAC encourages all groups to adopt resolutions that all meetings and official events be held or attended only in smoke-free facilities.
- **Tobacco-Free School Campuses**
MOTAC supports policies prohibiting the use of any tobacco product by any student, staff, parent, or community member on all school grounds, in any school buildings, or any school vehicles. This includes all pre-kindergarten through grade 12 public, private, and parochial schools.
- **Smoke Free Airports**
MOTAC supports 100% smoke free airports.
- **Tobacco-Free Parks and Recreational Areas**
MOTAC supports policies that prohibit using any tobacco products in public parks and recreational areas.
- **Tobacco-Free Outdoor Business Campus**
MOTAC supports 100% tobacco-free outdoor business campus.

COMPREHENSIVE PROGRAMS

- **Components of Comprehensive Programs**

MOTAC supports that the funding for the state comprehensive program follow the CDC's Practices For Comprehensive Tobacco Control Programs which provides states with recommended components and funding levels for effective state-based programs to prevent and reduce tobacco use, eliminate the public's exposure to secondhand smoke, and identify and eliminate disparities related to tobacco use and its effects among different population groups. Components should follow the evidence-based guide to plan and establish effective tobacco control programs to prevent and reduce tobacco use.

The nine evidence-based components of an effective comprehensive program includes: community programs, chronic disease programs (e.g., heart disease prevention, cancer registries) to reduce the burden of tobacco-related disease, school programs, enforcement of existing policies, statewide programs, counter-marketing, cessation programs, surveillance and evaluation, and administration and management.

- **Funding**

The U.S. Centers for Disease Control and Prevention (CDC) has recommended that Nebraska spend \$21.5 million each year on tobacco prevention and control programs (http://www.cdc.gov/tobacco/stateandcommunity/best_practices/pdfs/2007/BestPractices_SectionB_TotalFunding.pdf). MOTAC believes that the state legislature should appropriate the CDC recommended level of funding to comprehensive tobacco control programming.

EDUCATION

- **Assessment**

MOTAC supports using “Healthy People 2020” to establish priorities. MOTAC encourages the use of data to set specific targets and goals, encourages use of State surveys like BRFSS, YRBSS, PedNSS, PNSS, etc., to set State and local baseline estimates, and recommends the collection of more data on all disparities including ethnic/racial groups, low SES groups, LGBT communities, and women. In addition, MOTAC promotes methods to compare State data to national data.

Tobacco Education/Prevention Curriculum

MOTAC advocates for mandatory evidence based tobacco control education.

ENFORCEMENT

- **Enforcement of Existing Laws**

MOTAC supports enforcement of the Nebraska Clean Indoor Air Act (NCIAA).

FINANCIAL

- **Priority Populations**

MOTAC supports federal, state, and local policies that lead to systematic changes using data and/or other sources to identify and prioritize groups with significantly higher tobacco use, exposure to secondhand smoke, and those that suffer the most health consequences of tobacco. Populations identified with tobacco disparities in the United States includes those age 18-24; low socio economic status; women; lesbians, gays, bisexual/transgender groups; Latinos; African Americans; Asian and Pacific Islanders, and Native Americans. These groups are identified as “priority” populations.

MOTAC supports strategic investments to eliminate disparities amongst “priority” populations by planning and decision-making, capacity and infrastructure building, funding precedents, services, and comprehensive initiatives.

- **Divestment**

MOTAC encourages all businesses and other organizations to divest from tobacco funds. MOTAC also supports socially responsible investing.

- **Insurance**

MOTAC supports reduced insurance premiums for non-smokers.

- **Tobacco Taxes**
MOTAC supports a significant increase in Nebraska’s cigarette tax and taxes on other forms of tobacco.
- **Use of Tobacco Revenue**
MOTAC asserts that a portion of tobacco revenue from both taxes and the Master Settlement Agreement should be used to enhance a comprehensive tobacco prevention plan, including funding of tobacco prevention, education, enforcement, and cessation programs.

LEGAL ISSUES

- **International Trade Agreements**
MOTAC opposes international trade agreements that include opening up markets for tobacco products and consumption.
- **Food and Drug Administration (FDA) Regulation**
MOTAC supports a strong FDA tobacco regulation bill that protects public health.
- **Framework Convention for Tobacco Control (FCTC)**
The FCTC is a legally binding treaty, which was negotiated by the 192 member states of the World Health Organization (WHO).

Key provisions in the treaty encourage countries to enact comprehensive bans on tobacco advertising, promotion and sponsorship; obligate the placement of rotating health warnings on tobacco packaging that cover at least 30 percent (but ideally 50 percent or more) of the principal display areas and can include pictures or pictograms; ban the use of misleading and deceptive terms such as "light" and "mild"; protect citizens from exposure to tobacco smoke in workplaces, public transport and indoor public places; combat smuggling, including the placing of final destination markings on packs; and increase tobacco taxes.

MOTAC encourages that the United States’ Senate ratify this treaty.

- **Preemption**
Preemption is legislative language that removes local control of tobacco prevention laws by stating that no local community can pass legislation stronger than that of the state. This principle also applies to federal versus state. MOTAC strongly opposes any type of preemption on tobacco issues.

YOUTH ACCESS

- **Minimum Age**
MOTAC supports raising the minimum age for purchase of tobacco products to age 21.
- **Product Placement**
MOTAC supports legislation banning minors’ direct access to tobacco products. Direct access should be limited by banning “self-service” and countertop access of tobacco products. Purchasers would have to request tobacco products from a clerk who would then get the products for the purchaser.

- **Sales to Minors**
MOTAC supports utilizing penalties to license holders for tobacco sales to minors including fines, temporary suspension, and ultimate revocation of the right to sell tobacco for retailers who are repeat violators.
- **Tobacco Licenses**
Local control of tobacco licenses is limited in Nebraska. MOTAC supports local efforts to create new city and/or countywide ordinances and regulations for a new locally issued and controlled license to sell tobacco.

Counties and communities are preempted from suspending licenses of tobacco retailers. MOTAC supports statewide legislation that would allow counties and municipalities the discretion of control over licenses. MOTAC also supports statewide legislation to raise the statewide license cost to fund ongoing enforcement efforts.

MOTAC supports the establishment of a statewide registry to report all tobacco licenses.
- **Tobacco Internet and Mail Order Sales**
MOTAC supports state policy to eliminate internet and mail order sales of tobacco to minors and assure collection of state excise taxes of internet or mail order sales.

OTHER RELATED ISSUES

- **Voter Registration**
MOTAC supports increased voter registration and “get out the vote” efforts.
- **Fire-Safe Cigarettes**
MOTAC supports legislation to require cigarette manufactures to use paper that is much less likely to burn if left unattended.

Approved by MOTAC on June 5, 2012

BY-LAWS OF METRO OMAHA TOBACCO ACTION COALITION

Revised October 6, 2015

ARTICLE I. NAME

Section 1. The name of the Coalition will be the Metro Omaha Tobacco Action Coalition, hereby known as MOTAC or the Coalition.

ARTICLE II. OFFICES

Section 1. The principal office of the Coalition is located within the Metropolitan Omaha area in the state of Nebraska.

ARTICLE III. MISSION AND GOALS

Section 1. The mission of the Metro Omaha Tobacco Action Coalition is to prevent/reduce tobacco use and the associated health and economic consequences in the Omaha area via prevention through public policy and education by an effective community coalition.

Section 2. The goals for which this coalition is established are as follows:

1. Increase capacity from diverse groups and stakeholders.
2. Reduce tobacco use among diverse groups (including, but not limited to, racial and ethnic groups, lower-socio-economic groups, gay lesbian bisexual and transsexual communities, and elderly).
3. Reduce exposure to secondhand smoke.
4. Reduce tobacco use.

ARTICLE IV. MEMBERSHIP

Section 1. The Coalition will consist of members who support the mission and goals of the Coalition, and complete a statement verifying this commitment.

Section 2. Members will not accept funding from nor have an affiliation or contractual relationship with a tobacco company or its subsidiaries.

Section 3. Membership is renewed annually. A new membership form is required at the beginning of each fiscal year to maintain membership in MOTAC. Members who complete the MOTAC membership form will have three (3) categories of membership: New Members, Sustaining Members, Advocate Members and Volunteers. Renewal of annual membership can be done electronically by notifying the MOTAC Secretary. The current membership form is attached and is listed under Addendum A.

- **A New Member:**

1. Supports the mission of MOTAC, and
2. Is new to MOTAC, or
3. Is a former member whose membership has lapsed for more than one (1) year, and
4. Becomes a sustaining member with ongoing voting privileges at the second regular MOTAC meeting he/she attends.

- **A Sustaining Member:**

1. Supports the mission of MOTAC, and
2. Maintains an ongoing membership with MOTAC by renewing the membership form annually, and

3. Has sustaining and ongoing voting privileges by attending a minimum of two (2) regular MOTAC coalition meetings each year.

- **An Advocate Member:**

1. Supports the mission of MOTAC, and
2. Has completed a membership form, and
3. Is a supportive member who does not have voting privileges at MOTAC meetings.

Section 4. Membership “Qualifications” Clause

- a. MOTAC reserves the right to construct its membership in accordance with the following standards:
 - i. Assist in MOTAC’s strategic goals, initiatives;
 - ii. Comport with representative guidelines of SAMHSA’s twelve (12) Sectors;
 - iii. Intentionally engaged and pursues non-competitive community partner(s);
 - iv. Meaningfully contribute time and talent to the shared mission and vision of the Coalition, in order to advance the initiatives, access, visibility, reputation and association of the Coalition with anti-tobacco work.
 - v. Membership practices shall never be in violation of any state or federal guidelines, including those in place for protected classes.

Section 5. Membership Denial, Suspension, Separation

- b. **Denial.** As a registered 501(c)3, MOTAC’s Executive Committee reserves the right to deny membership to applicants deemed unfit to serve as a member of the Coalition. MOTAC is an organization and Coalition that offers equal opportunity membership, and observes both state and federal law, and does not discriminate on the basis of any protected class, in addition to real or perceived sexual orientation, gender identity and/or expression, economic status, appearance, and/or any other distinguishing immutable characteristic. MOTAC will respond with a “statement of denial” within 14 days of an application’s receipt.
- c. **Denial.** Membership may be denied to an individual and/or group as a whole, including its Board, staff and/or representatives, provided it does not violate state or federal protected classes. MOTAC will respond with a “statement of denial” within 14 days of an application’s receipt.
- d. **Suspension.** MOTAC’s Executive Committee reserves the right to suspend any person of general membership, to include “New,” “Sustaining,” or “Advocate,” and excluding paid staff and/or subgrantees of the Coalition, for any of the following reasons a) violation of MOTAC bylaws and/or policy & procedure; b) disseminating/communicating confidential information (including but not limited to strategy, salary information, personal contact

information and/or personal health information); c) refusal to comply with Executive Committee or Coalition directives. The Executive Committee will require a 2/3 majority to impose any suspension imposed on a member/organization.

- e. **Suspension.** Membership may be suspended for an individual and/or group as a whole, including its Board, staff and/or representatives, provided it does not violate state or federal protected classes.
- f. **Suspension.** Suspension of a member/organization will be kept confidential from the general Coalition. During such time, any suspended member/organization/organizational affiliates will be removed from the ability to send, receive or participate in MOTAC related communication or events, including but not limited to: listservs, newsletters, social media, email correspondence, public events, etc.
- g. **Suspension.** The member/organization will receive documented notice of suspension within 24 hours of the decision, detailing the violation, and terms of suspension.
- h. **Suspension.** The member/organization will receive the opportunity to appeal the suspension to the Executive Committee. The Executive Committee will require a 2/3 majority to lift any suspension imposed on a member/organization.
- i. **Separation.** MOTAC's Executive Committee reserves the right to separate any person of general membership, to include "New," "Sustaining," or "Advocate," and excluding paid staff and/or subgrantees of the Coalition, from MOTAC for any of the following reasons a) violation of MOTAC bylaws and/or policy & procedure; b) disseminating/communicating confidential information (including but not limited to strategy, salary information, personal contact information and/or personal health information); c) refusal to comply with Executive Committee or Coalition directives.
- j. **Separation.** Separation of a member/organization will prohibit any suspended member/organization/organizational affiliates from the ability to send, receive or participate in MOTAC related communication or events, including but not limited to: listservs, newsletters, social media, email correspondence, public events, etc.
- k. **Separation.** Separation of a member/organization will be announced to the general membership within 24 hours of the decision by the Executive Committee. During such time, any suspended member will be removed from the ability to send, receive or participate in MOTAC related communication or events, including but not limited to: listservs, newsletters, social media, email correspondence, public events, etc. The Executive Committee will require a 2/3 majority to lift any suspension imposed on a member/organization.
- l. **Separation.** The member/organization will receive the opportunity to appeal the separation to the Executive Committee. The Executive Committee

will require a 2/3 majority to lift any suspension imposed on a member/organization.

Section 6. For voting purposes, no more than two (2) voting members from the same organization can vote at any MOTAC meeting. A member's organization is defined as the group that provides more than one-half (1/2) of that person's salary. No proxy votes will be allowed. The General membership will have the option of deciding on an urgent matter via electronic vote.

Section 7. Dues. All organizations/subcontractors receiving funding from the MOTAC Tobacco Free Nebraska grant are asked (required) to contribute a \$100 fee per fiscal year. Other agencies are encouraged to donate talent or resources equivalent to or greater than \$100 per fiscal year. Payment is due by the end of the first week of September and payable to MOTAC . **PROVISO:** Beginning in the 2013-2014 fiscal year.

Section 8. Officers. The Officers of the Coalition will be the President, Vice-President, Secretary and Treasurer, each of whom will be elected by the membership at the annual meeting. Such other officers and assistant officers as may be deemed necessary may be appointed by the membership.

Section 9. Removal from Office. Removal of any elected or appointed position of the Coalition will require a two-thirds (2/3) vote of the membership present. Such removal will require thirty (30) days advanced written notification to all Sustaining Members.

Section 10. Annual Meeting. An annual meeting of the Coalition will be held at a date set by the Executive Committee.

Section 11. Regular Meetings. Regular meetings of the Coalition will be held at least quarterly.

Section 12. Executive Committee. The Executive Committee will consist of President, Vice-President, Secretary, Treasurer, two at large voting members, Chairpersons of Standing Committees, Advisors and non-voting MOTAC Coordinator. Past President will serve as a non-voting ex officio member. Advisors will be appointed by the President to bring expertise to the Committee. The Executive Committee will be comprised of no more than two persons from each organization. Any persons receiving funding from TFN grants or any future coalition funding are ineligible to serve on the Executive Committee.

Section 13. Powers of the Executive Committee. The Executive Committee may meet prior to monthly meetings to set the agenda. The Executive Committee will have the authority to act on behalf of the coalition only on urgent matters of business between regular meetings.

Meetings of the Executive Committee may be called by any member of the Executive Committee. All members of the Executive Committee must be notified at least two (2) business days in advance by telephone, fax, e-mail or written notice regarding the time, place and reason for the meeting. A majority of the Executive Committee, more than half of the voting committee, must be present for business to be conducted. The Executive Committee also has the option of deciding upon urgent matters via electronic vote.

An Executive Committee report will be included as an agenda item at all Coalition meetings. The Executive Committee will bring forward to the Coalition recommendations on non-urgent matters for approval at the next Coalition meeting.

Section 14. Committees. Standing Committees will be formed as determined by the coalition. Ad-Hoc committees will be appointed as needed by the Executive Committee. Committee Chairs will be chosen from within the committee. The following are the MOTAC Standing Committees:

1. Clean Air
2. Marketing and Public Relations

Section 15. Quorum. An official meeting will consist of one (1) elected officer plus a minimum of five (5) Sustaining Members. For voting purposes, a majority of the Sustaining Members present will constitute a quorum for the transaction of business at any meeting of the Coalition.

Section 16. Compensation. Members will not receive any stated salaries for their services.

Section 17. Election of Executive Committee Officers. Nominating Committee will bring forward nominees for Officers bi-annually at the May General Meeting prior to the end of the sitting Officers term. Elections will be held at the June General Meeting.

Section 18. Terms of Office. Officers will be elected for a two (2) year term, and the term will begin at the beginning of the fiscal year or immediately following the election of MOTAC officers if the election is held after the start of the fiscal year. There will be no term limits.

Section 19. Calendar. The MOTAC fiscal year begins July 1 of each year.

Section 20. Conflict Resolution and Revocation of Membership. When managed properly, conflict has the potential to deepen an understanding of an issue and lead to constructive change. Conversely, if not managed well, conflict can be destructive. MOTAC is dedicated to addressing health issues with tobacco through public policy, legislation, education, prevention, cessation, advocacy, and enforcement. In this capacity, we have a major public trust to uphold. Therefore, it is essential that conflict be dealt with in a proactive manner. Otherwise, the capacity to uphold public trust can be compromised. For these reasons, the following conflict resolution policy is adopted:

- Conflict is defined as an impasse in which a quorum of coalition members perceives the inability to resolve a difference.
- When a conflict has been determined, the following options are available for resolution:
 1. A clear statement of all differing positions will be articulated. The pros and cons of each position will be developed. If, after this is accomplished and all members agree, a vote can be taken. If a vote is not deemed appropriate, and if the analysis of pros and cons does not lead to a consensus, the process moves to the next level.
 2. An internal mediator/facilitator will utilize strategies for constructively dealing with the conflict. If the conflict is still not resolved, or if the conflict scenario is of such a nature that there is little support for internal mediation, the next step in the process will be invoked.

3. The Coalition will ask an external mediator/negotiator to assist in resolving the conflict.
 4. The external mediator/negotiator will bring recommendations forward to the Executive Committee.
- Removal of any member of the coalition will require a 2/3 majority vote of the Membership present. Such removal will require 30 days written notification to all Sustaining Members per the MOTAC bylaws Article IV, Section 7.

The MOTAC Code of Conduct is attached and is listed under Addendum B.

Section 21. Conflict of Interest Clause

1. Article I.

a. Purpose

- i. The purpose of the conflict of interest policy is to protect this tax-exempt Organization's (MOTAC) interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or member of the Organization or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

b. Article II. Definitions

i. Interested Person

1. Any perspective member, staff person or Coalition member, who has a direct or indirect financial interest, as defined below, is an interested person.

2. Financial Interest

- A person has a financial interest if the person, directly or indirectly, through business, investment, or family:
 - i. Has an ownership or investment interest in any entity with which the Organization has a transaction or arrangement
 - ii. Has a compensation arrangement with the Organization or with any entity or individual with which the Organization has a transaction or arrangement, or
 - iii. Has a potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Organization is negotiating a transaction or arrangement
 - iv. Applies for grant funds for which the Coalition also applies.
 - v. Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.
 - vi. A financial interest is not necessarily a conflict of interest. Under Article III, Section 2, a person who has a financial interest may have a conflict of interest only if the appropriate Governing Board

or committee decides that a conflict of interest exists.

ii. **Article III. Areas in Which Conflict May Arise**

1. Conflicts of interest may arise in the relations of staff, officers, and management employees with any of the following third parties:

- Persons and firms supplying goods and services to the Coalition.
- Persons and firms from whom the Coalition leases property and equipment.
- Persons and firms with whom the Coalition is dealing or planning to deal with in connection with the gift, purchase or sale of real estate, securities, or other property.
- Competing or affinity organizations.
- Donors and others supporting the Coalition.
- Agencies, organizations, and associations which affect the operations of the Coalition.
- Family members, friends, and other employees.

iii. **Article IV. Procedures for Determining/Disclosing a Conflict**

1. *Duty to Disclose:* In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial or contractual interest and be given the opportunity to disclose all material facts to the Governing Board with delegated powers considering the proposed transaction or arrangement.
2. *Determining Whether a Conflict of Interest Exists:* After disclosure of the financial or contractual interest and all material facts, and after any discussion with the interested person, he/she shall leave the Governing Board meeting while the determination of a conflict of interest is discussed and voted upon. The remaining Board members shall decide if a conflict of interest exists.

iv. **Article V. Procedures for Addressing the Conflict of Interest**

1. An interested person may make a presentation at the Governing Board meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
2. The chairperson of the Governing Board shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
3. After exercising due diligence, the Governing Board shall determine whether the Organization can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
4. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a

conflict of interest, the Governing Board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the Organization's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

v. Violations on the Conflicts of Interest Policy

1. If the governing board has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
2. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

Section 22. Policy Regarding the Use of MOTAC's Name, Logo, and slogans. The goal of this policy is to make the name, logo and slogans for MOTAC more recognizable in Douglas County. All voting MOTAC members are encouraged to use this MOTAC name, logo and slogans on materials deemed appropriate according to the following guidelines:

1. Only sustaining member organizations may use MOTAC's name, logo and/or slogans. The list of sustaining members is maintained by the Secretary of MOTAC.
2. Permission is given to use the MOTAC logo, without alterations for MOTAC approved workplan projects.
3. Any event or activity that any member organization, wants to affix the MOTAC name, logo, and/or slogan to must obtain approval from the Executive Committee before doing so. A written request for permission must be submitted at least two weeks in advance.
4. A sustaining member organization may identify its affiliation with MOTAC by using the following: "[Organization's name] is an affiliated member of MOTAC, the Metro Omaha Tobacco Action Coalition". It is up to the member organizations to decide where that is appropriate.
5. Any slogan MOTAC uses may be used with or without attributing it to MOTAC. An example, "Secondhand Smoke Hurts Kids First" may be used as a header or footer on any sustaining member group's stationary or used in a flyer with or without the MOTAC logo and/or name
6. Those receiving funding from any coalition source are encouraged if funding allows, to work with the coalition's advertising firm on any marketing or media creation and placement.

ARTICLE V. DUTIES OF OFFICERS, COMMITTEE CHAIRPERSONS, AND MOTAC COORDINATOR

Section 1. All officers and committee chairpersons will be sustaining members of MOTAC. The duties of the officers of the Coalition will include, but are not limited to, the following:

1. The President will:

- A. Preside over all Coalition meetings using Robert's Rules of Order to conduct all business.
- B. See to it that all committee chairs report to him/her.
- C. Act as an ex-officio member of all committees.
- D. Sign all contracts and agreements approved by the membership.
- E. Give notice to members of meetings.
- F. Serve as administrator of the MOTAC listserv.
- G. One of the liaisons, along with the Coordinator, between team and other stakeholders (other coalitions, membership).
- H. Assign these responsibilities.

2. The Vice-President will:

- A. Assist the President in his/her assigned duties.
- B. Assume all the duties of the President in the event of the President's absence.
- C. Act as chairperson of the Nominating Committee.

3. The Secretary will:

- A. Take minutes at all MOTAC coalition meetings and distribute copies to the Coalition.
- B. Maintain a copy of all Coalition minutes in permanent file for the Coalition.
- C. Keep a roster of the attendance for voting privileges.
- D. Serve as administrator of the MOTAC listserv.

4. The Treasurer or Fiscal Agent will:

- A. Be responsible for an accounting of all funds of the organization.
- B. Deposit and reimburse funds of the Coalition as may be ordered by the membership
- C. Submit a financial report at each regular meeting.
- D. Make an annual report at the annual meeting of the membership.

5. Committee Chairpersons will:

- A. Facilitate meetings.
- B. Keep or assign minutes.
- C. Give notice of meetings.

D. Keep rosters of meeting attendance.

E. Report out to General MOTAC coalition meetings and the President.

6. MOTAC Coordinator:

A. Reports to: Funded Subgrantee (in partnership with MOTAC President and Executive Committee)

B. *Capacity Building* – Recruit new members and volunteers; provide orientation for new members; and seek and participate in community networking opportunities.

C. *Event Planning* – Coordinate community events as determined by the Marketing and Public Relations, including the following tasks: facilitate the completion of sponsorship requests, incentive logistics, volunteer recruitment, and participation in events; organize and plan Annual Luncheon; and coordinate other events as determined by the executive committee.

D. *Media Initiatives* – Assist with the coordination of news releases and resource items; manage MOTAC website and social media sites in partnership with Marketing and Public Relations Committee; create MOTAC newsletters; in conjunction with Marketing and Public Relations, act as coalition spokesperson as needed; assist in organizing news conferences.

E. *Administrative* – Complete reporting; assist with logistics of MOTAC storage unit, coalition equipment and incentives; provide assistance to executive committee, as needed, in completion of meeting minutes, agendas and activities; and participate in professional and team development activities.

ARTICLE VI. FINANCES

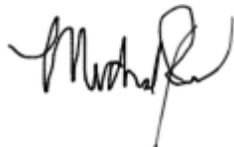
Section 1. All MOTAC grant changes and disbursements of \$500 or less will require the approval of a majority of the Executive Committee. All other disbursements in excess of \$500 will require approval by the membership. The Treasurer, the President and/or Executive Committee designee will sign all non-grant checks and keep an accurate record.

ARTICLE VII. ORDER OF BUSINESS AND RULES OF ORDER

Section 1. Rules of Order. *Robert's Rules of Order Newly Revised* will determine procedure in all meetings of the Coalition.

ARTICLE VIII. AMENDMENTS

Section 1. These articles may be amended at any time by two-thirds (2/3) of the membership present and voting. The amendments are to be presented in writing at least thirty (30) days prior to the scheduled meeting when voting will take place.



Signed by MOTAC President:
Amended: October 6, 2015

Date: 10/6/2015



Membership Application/Renewal Form

Name: _____

Address: _____

—

City: _____ State: _____ Zip: _____

Email: _____

Phone: _____ Date: _____

The Metro Omaha Tobacco Action Coalition (MOTAC) is a dynamic coalition comprised health conscious individuals, organizations and agencies. MOTAC formed in 1992 to strengthen tobacco control and prevention efforts in the metro Omaha area. MOTAC addresses tobacco-related issues through prevention, education, public policy and community action.

Goals

- 1. Increase the capacity from diverse groups and stakeholders
2. Reduce tobacco use among all populations in Douglas County
3. Reduce exposure to secondhand smoke among all populations in Douglas County

- Annual membership is July 1- June 30. Membership dues are voluntary.
MOTAC meets the first Tuesday of each month at UNMC College of Public Health Mauer College of Public Health Building, Room 3009. Monthly Meeting Schedule:

9:15a-10:30a: MOTAC Media & Public Relations Committee (Monthly Meeting). By Invitation/Request

10:30-12:00p: MOTAC Clean Air & Tobacco Free Parks Committee (Monthly Meeting) By Invitation/Request

12:00p-1:00p: MOTAC General Coalition (Bi-Monthly Meeting) Public/General Membership

JOIN US!

I am joining as:

an individual representative for my agency/organization/company (Agency/organization/company)

Membership type:

General Member (no voting privileges, no meeting commitment).

New Member Renewing Membership

Sustaining Member (voting privileges, participated in 1 vote/officer election within past year, attended at least 2 meetings within past year).

Sustaining Member Renewing Membership

Volunteer (assist with community events, no voting privileges).

Advocate (able to speak on policy & advocacy issues, no voting privileges).

I am willing to serve on:

Media Public Relations Committee Clean Air Committee

Policy/Research Committee Tobacco Free Parks Committee

Fundraising/Outreach Committee Leadership team

How did you hear about MOTAC?

Brochure Media ads Newspaper Employer

Other

Other tobacco related topics I am interested in are:

*Membership Renewal is also available online by request: info@motac.org or subscription to Coalition listserv.

Return to: MOTAC, c/o Tobacco Prevention Specialist
Region 6 Behavioral Healthcare
4715 S 132nd St, Omaha, NE, 68137

Code of Conduct

In order for optimum progress and success during all meetings [and correspondence through MOTAC e-mail discussion list-serves that are] sponsored by the Metropolitan Omaha Tobacco Action Coalition, members agree to the following common-sense guidelines and rules of civility and good will:

1. Meetings will begin on time. Members are strongly encouraged to arrive on time and stay until the end.
2. Come prepared to the meeting. Read your material ahead of time.
3. Avoid using judgmental statements.
4. Talk about issues; not people.
5. Avoid speaking at the same time.
6. Avoid criticizing those who are absent.
7. Avoid monopolizing conversations.
8. Ask questions when you do not understand. There are no stupid questions.
9. Keep confidential information confidential. Mark all papers you hand out that are confidential or confidential until a certain date, with that information at the top of the page.
10. Talk about coalition issues during the meeting, not outside of the meeting.
11. Recognize when you have a conflict of interest and disclose it to the group.