PAMOJA WE CAN !!! HARAMBEE USA (PHU) RULES AND REGULATIONS



Approved on February 27, 2016

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PAMOJA WE CAN !!! HARAMBEE USA (PHU).

Internal Rules / Regulations of Harambee

ARTICLE 1- PREAMBLE

The name of this organization is Pamoja We Can !!! Harambee USA LLC, established and registered with Secretary of State in the state of Texas.

Harambee, in Swahili [ha'rambe] is a tradition of community self-help events, e.g. fundraising for a mutual goal or development activities. While **Pamoja** in swahili means "together", Harambee in Swahili literally means "we all pull together". These two words reflects the objective of our organization calling all Tanzanians to come and all pull together. Swahili is an African language widely spoken in East Africa (Tanzania, Kenya and Uganda).

- The objectives of the internal rules/regulations of Pamoja We Can !!! Harambee USA (PHU) is to specify the status for the proper functioning of the general assembly, which meets up to 3 times a year by dates to be determined by the Pamoja We Can!!! Harambee national office.
- The internal rules and regulations are given to all members of PHU, delegates of states, board of directors and founding members. The internal rules clarify the status of PHU. The rules can be easily modified, unlike the statutes.

ARTICLE 2: VISION, OBJECTIVE & MISSION

2.1 - VISION

The vision of Pamoja We Can!!! Harambee USA is to become the leader in championing traditional self-help events (such as pre-funeral planning) for members of the Tanzanian diaspora in the United States.

2.2 - OBJECTIVES

- Unite Tanzanians, and state associations organizations that currently exist in the United States for specific identified causes (such as pre-funeral planning) without distinction of race, tribe, political affiliation, or religion.
- Collaborate with members of the Tanzanian Diaspora for the purpose of effectively resolving specific agreed upon initiatives.
- Promote the Tanzanian culture in the USA, and serve as a networking organization.
- Serve as a resource for people interested in information regarding aspects of the Tanzanian culture.

2.3 - MISSION

- Background: Tanzanians in the diaspora have been faced with the death of fellow members in the recent past. When such deaths occur, they have had to regroup in order to raise money for the cost of a funeral. This has been a rather frustrating process because in many cases, there have been no funds to withdraw from, to cover the cost of transporting the deceased back home. Thus members have had to organize instant meetings to raise enough money for that purpose.
- Pamoja We Can!!!Harambee USA's mission is to reinvent the process in the front end, such that members will plan ahead for their funerals in order to alleviate all the costs associated with a funeral (i.e., transportation, embalming, funeral arrangements, etc) so that the deceased can be handled with respect and dignity at the burial of their choice. The mission therefore is to:
 - Create a financial account for the costs of embalming, cremating and or repatriation of the deceased member who dies while in the United States.
 - Regroup all Tanzanians and their delegates from all 50 states in order to have a united front.

ARTICLE 3: PAMOJA WE CAN!!! HARAMBEE USA MEMBERSHIP.

3.1 - MEMBERSHIP QUALIFICATIONS:

- 1. Membership to Pamoja We Can!!! Harambee USA (PHU) is at free will and voluntary. (please note: free will does NOT mean one is exempt from paying the membership fee)
- 2. All members 16 years or older, can apply for individual membership. Membership is open to all Tanzanian by birth, marriage and all children of Tanzanians who reside in USA.
- 3. Children under 16 years of age who reside in the USA at the time of incident, will be covered under their parents. If both parents are members from the same household, parents will not

- pay extra premiums for children 16+ years old. In addition, the reimbursement will not be duplicated.
- 4. Member parents with children under 16 years of age are required to register their children and follow all membership guidelines (with the exception of paying fees for their under aged children).

3.2 - MEMBERSHIP REQUIREMENTS:

- i) Registration and Fees
 - Register online at <u>www.pamojawecan.org</u>.
 - Email or fax all required documents to PHU National office located in Richmond Texas.
 - email:info@pamojawecan.org; OR via fax # (281)-239-3455
 - Make your one time membership initial deposit of \$90.00.
 - Annual administrative fee of \$ 20.00 due January 25 of each year and any time you submit new application. No partial payment will be accepted for joining any time between the 12 month calendar year.
 - Membership renewal start November 1 and end January 25 of each year.
 - Update your application form online @ pamojawecan.org and make your \$20 administrative fee.
 - Make your payment online @pamojawecan.org (accepted methods of payment;
 Credit/debit card or bank transfer) to acct # XXXX XXXXX

i) Registration and Fees (cont.)

- Every member must pay an administration fee of \$20 per year, due once on January 25th of each year. A penalty of 50% applies after 30 days of non-payment of the administration fee. If payment is not received 15 days after the 30 day non payment period, a member will be automatically withdrawn from PHU. All contributions made to Harambee USA (if any) are non-refundable.
- If for some reasons you fall out of the program, the \$90 initial deposit will be used until you have \$0 balance. There will be no refund of any portion of unused or used funds.

ii)Rules to observe

1. Any association that becomes a member of Pamoja We Can!!! Harambee USA (PHU) has to accept, respect and adhere to the status and internal regulations of PHU.

- 2. Pamoja We Can!!! Harambee USA will accept members of associations or groups with a minimum of 100 people; Associations must maintain a member count of 90 members to maintain their association membership status.
- 3. One becomes an official member of Pamoja We Can!!! Harambee USA as soon as a membership ID and number is assigned and published.
- 4. Identification numbers are attributed and published after receipt and verification of all the application documents requested (Including all the fees). The verification and application processing may take approximately 90 days.
- 5. You will not be paying any fee per incident or receive any benefit from PHU during the 90 days waiting period.
- 6. Every member of each PHU association <u>must absolutely</u> reside in the United States. Members who relocate permanently to any other country will not be covered.
- 7. No member shall have 2 identification numbers. It is the responsibility of each member and their associations to ensure that their not registered twice.
- 8. Submitted names MUST match the names of official documents (i.e, Passport or Birth certificate, or Driver's License) that were originally submitted with the membership application. Name changes (if any) during the membership duration, MUST be reported prior to the death of a member. No justification or name change is accepted after the death of a member (NO EXCEPTION).
- 9. Pamoja We Can!!! Harambee USA does not accept the modification of any member list immediately after a death announcement. Withdrawal for new members will NOT be accepted immediately after the death announcement.
- 10. Pamoja We Can!!! Harambee USA has the authority to EXCLUDE and REMOVE any member or association whose behavior is determined as disruptive to PHU and its members.
- 11. Any new member whose application is not completed and received by the National office by january 25 of each year, or 21st day from the date of entry to USA must observe a mandatory 6 month waiting period.

iii) Returning members

● Former members of PHU associations can come back, after paying \$300 Reinstatement fee, \$90 new initial membership fee and \$20 annual administrative fee. Returning members will also observe a mandatory 6 month waiting period without receiving \$15,000 benefit should anything happened to them during that waiting period. This time will start after the application, and all required fees are

completed. The national office will inform the returning PHU member in writing when that waiting period start and when will that time end.

iv) Visiting members

- 1. Any Tanzanian who is visiting USA and register with PHU within 21 days of their arrival, will receive funeral benefit \$15,000 (In case of their death here in USA) without observing a mandatory 6 month waiting period.
- 2. Every new member must observe mandatory 90 days waiting period.
- 3. The visiting membership will terminate once you leave USA unless you can prove that you are able to re enter USA within 3 month of leaving.

v) Withdrawing from PHU

Any member or association that wants to withdraw from PHU MUST do so in writing, to the National Office of PHU located in Richmond, TX. A member can reinstitute a membership to PHU provided that he/she follows the guidelines (i.e., submit a new application in writing, pay the penalty fee of \$300.00 and observe the mandatory waiting period of 6 months.

ARTICLE 4: ORGANIZATION

This organization will be managed by the founding members who will select board of directors and delegates from each state to represent and support the vision, mission and objective of Pamoja We Can!!!Harambee USA (PHU).

I) EXECUTIVE OFFICE

The National Office is composed of:

- President
- Vice president
- Secretary General
- Deputy Secretary General
- Treasurer
- Auditor (CPA)*
- Communication director.

II) GENERAL ASSEMBLY

- Founding members
- Board of directors (5).
- Delegates of states (2 x50).

^{**}Any time you request replacement of your ID you will be pay \$10 fee plus shipping and handling costs. **

All current eligible registered members of PHU.

All members of the national office are co-opted by the founding members.

THE NATIONAL OFFICE (Founding members):

- Executive office will be arranged by founding members. This office will provide leadership, development, improvement and management of Pamoja We Can!!! Harambee USA.
- Founding members are the owner of pamoja we can!!! Harambee USA and will working on behalf of all PHU members to insure that the vision, objectives and mission of PHU is realized.
- Executive office of Pamoja We Can!!! Harambee USA National office is located 20606
 Bandrock Terrace Richmond Texas 77407.
- Executive office is required to report current financial status to members quarterly, and immediately (x<7 days) after payout of the incident (Death of a member).
- Founding members are David Mrema, and 6 others whom he consider to be the key components of this program. The other founding members are also member of Pamoja We Can!!! Harambee USA.
- Executive office is required to notify Board of directors, delegates and all members 30 days before they made any changes of address, phone number, web address, and email.
- Founding members will elect 5 members of PHU board of directors (Interim board of directors) who will serve a term of 2 years from the time organization is officially operating.
- At the end of 2 years of initial interim Board of Directors term, General assembly will elect 2
 PHU Board of Directors, and Founding members will elect 3 PHU Board of Directors.

BOARD OF DIRECTORS

- Board of Directors will be a group of 5 members who will be serving a term of 4 years.
- Board must be very independent and can make decision that represent pamoja we can members while fulfilling the vision, objectives and mission of PHU- Organization.
- He/she must providing check and balance for the benefit of members and PHU-organization.
- Board member will provide the organization with great minds, improve networking and resource in both governing and strategic planning.
- Board members will be responsible in hiring/ firing Pamoja We Can!!! Harambee CPA. They are also required to show how did they reach a conclusion of hiring a particular CPA and report back to all members and national executive office.
- Board members are responsible in reporting to the member the current financial status of the organization quarterly.
- 2 Board members will be elected by General assembly and 3 will be elected by Founding members.

DELEGATES OF STATES

- Each state has 2 delegates (Pamoja We Can !!! Harambee USA Representative), who
 represents PHU members of their states and reports to the headquarters office in Richmond,
 TY
- Delegates will be a person who will bring value to the organization. He/She must be a good communicator and has ability to bring people together.
- Delegates of states are elected for a term of two years renewable by an absolute majority of 51% of the general assembly of members from the delegate state.
- Delegates of states will assist in promoting the vision, objectives and mission of Pamoja We Can!!! Harambee USA(PHU-Organization).
- For 2016, we will have interim delegates elected Founding members for a term of 2 years from the time PHU started to officially operating.

ELECTIONS

Board of Directors will act as election committee and will be responsible in receiving and reviewing the names of delegates of states candidates. They will also overseas delegates of states elections.

Delegates will form 7 members election committee that will be responsible in receiving and reviewing names of Board of Directors candidates. They will also overseas board of directors elected by General Assembly.

Founding members will elect 3 board members and they are required to have at least one of their member on the Board of Directors all the time.

Elections will be held saturday of the last week of November of the election year. Founding members will arrange for the meeting place and if possible, the location will be decided in a rotating manner.

All candidates for the PHU office shall have been members of the organization and in good standing for 12 consecutive month prior to the election.

All candidates must demonstrate sound knowledge of the rules and regulations and functioning of pamoja we can!!! Harambee USA (PHU).

All PHU members who have been a registered member for at least 90 days are eligible to vote.

III) NATIONAL GENERAL ASSEMBLY (NGA)

- The National General Assembly meets every 2 years when summoned by the National President.
- This meeting will be attended by all delegates from each state, all board members, members of the national office and Pamoja We Can!!! Harambee USA members from all over USA.
- Founding members will arrange for the meeting place and if possible, the location will be decided in a rotating manner.
- The National General Assembly can also be done online or via teleconference. This will be determine by Founding members, Board of Directors and Delegates of states.
- If a member has to travel to participate to this National General Assembly meeting, he/she will do so at their own cost.

- Any changes to the rules and regulations by NGA must be approved by Founding members before their presented to NGA for a vote.
- Any changes to the rules and regulations by Founding members must be presented to the Board of Directors first and NGA for a vote before any implementation.
- Founding members will make final determination on what is the best cause of action in conforming to vision, mission and objectives of Pamoja We Can !!! Harambee USA.

IV) ORDINARY GENERAL ASSEMBLY (OGA)

The Ordinary General Assembly meets up to three times a year when summoned by the president of the national office. Members of the national office, delegates of states, PHU members and non members (by invitation) are welcome to participate.

The meeting is summoned by the President of the National office through the following channels:

- 1. Email
- 2. Voicemail
- 3. Text Messages (via messaging or whatsap)
- 4. Telephone Calls

V) MEETING QUORUM

Pamoja We Can !!! Harambee meetings will be conducted mostly online and a quorum of 40% of all registered members who responded to the invitation must be met. Other committee will establish their own quorum.

ARTICLE 5: EXTRAORDINARY GENERAL ASSEMBLY (EGA)

In conformity with the statutes of Pamoja We Can!!! Harambee USA, the National Office will meet not more than 48 hrs following the announcement of the death of a PHU- member.

The National Office will communicate with all PHU members regarding the amount of funds used from each member deposit, and will inform on how much they will need to replaced back to the account within 30 days following the PHU member funeral benefit payout.

Each member will redeposit X = (\$15000.00/Number of members at the time of incident).

**For 2016 until we reach 500 members goal, all member will only receive \$30 x Number of Members at the time of incident.

 x^{**} = (\$30 x Number of members at the time of incident). This will help this organization to start immediately.

ARTICLE 6: PHU-SERVICES

Pamoja We Can!!! Harambee USA has the right to publish, participate and accept invitations from other Tanzanian associations and groups within the United States to increase its member count by:

- Conduct regular mandatory meetings to discuss daily operations and performance metrics of the organization.
- Conduct mandatory urgent meetings in case of the death of a member.
- To insure that all members understand that this is not an insurance plan.
- Each Pamoja We Can !!! Harambee USA member is promising the other member that he/she
 will contribute money to assist for the funeral expenses associated with the death of the
 member.
- This contribution will be done in advance in order to simplify and manage this funeral expenses effectively.
- We will register, maintain and recruit members on continual basis to reach our goal of 1000 members each year for the next 5 years. (January, 2017 to December, 2021).

ARTICLE 7: FRAUD

- I) It is considered as fraud when:
 - Having a PHU membership ID while not residing in the United States.
 - Presenting to PHU any falsified document.
 - Presenting to PHU any false statement .
 - Having and maintaining more than one membership ID.
- II) All membership ID remains the sole proprietorship of Pamoja We Can !!! Harambee USA, and in any case cannot be used outside the scope of PHU. The use of names and membership ID, as well as emails and phone numbers from PHU for political or economic purposes are liable to prosecution.
- III) The headquarter of PHU is located in Fort Bend County, TX; therefore the courts of Texas (Fort Bend County) have jurisdiction in case of dispute.
- **(In case of fraud detected, the association/member concerned is excluded immediately from Pamoja We Can !!!! Harambee USA (PHU))**.

ARTICLE 8: REQUIRED DOCUMENTS WHEN REPORTING DEATH OF THE MEMBER.

(I). The case of the death of a member in the United States

If a Harambee USA member dies in United States, the association/Next of kin of the deceased member must submit the following justifying documents:

- 1. Death Certificate
- 2. Picture
- 3. Membership ID
- (II). In case of the death of a member out of the United States but not in Tanzania.

NB: Harambee USA will not be responsible for members who die in Tanzania (Exceptions).

*** Prior traveling out of country:

- 1. Notify Pamoja We Can!!! Harambee USA by writing with evidence that shows how long you will be out of country and for what purpose. You must show a proof that your are able to re enter USA for your membership to continue and be covered while outside USA.
- 2. If you are going to be out of country for more than 3 month your membership will stop. Your membership will resume when you notify Pamoja We Can!!! Harambee USA after returning to USA.
- 3. Harambee USA executive office in accordance with statues and advice from the Board of Directors will have the final determination on what is sufficient evidence in case of death outside USA.

(III). For a PHU member residing in the United States but who dies in a place other than the United States, the association to which the deceased member belonged or next of kin has to provide Harambee with the following documents:

- Death Certificate
- Picture
- Membership ID
- Identity Card such as (Green Card, Work Permit, School ID, Report cards (in case of child in school/students)
- Social Security Card
- Passport
- Air Ticket
- Most current 3 months pay stub or its equivalent.
- Form 4506-T (Income tax verification processing request form) for the security of everyone and also for the sake of transparency, it is advisable for PHU members to fill this form before they go abroad (outside the United States).

PROCEDURE:

- PHU- National Executive office in Richmond Texas will receive death announcement within 7days of death,
- Contact the family /next of keen
- Death announcement and the picture and members ID will be publishe on the Pamojawecan.org webiste. This will help other member to remove this member from their database and also for verification.
- Call extraordinary meeting within 48 hrs
- After receiving and very all required documents NEO will forward documents to Board of Directors.
- Board of directors will review all the documents and make a final determination to make a payment.
- All payments will be done by check. Designated Board of Directors member, NEO and Treasures signatures will be required.
- For bank fund transfer less than \$ 5.000, a written documentation with all required signatures must be provided prior the transaction is made.
- For smooth transaction, treasurer, designated signatory member from Board of Director and president of organization must be located from the same state.

- CPA of organization must also be notified by writing before any funds are transferred or check is presented to the family.
- If any of the rules and regulation was not observed before the incident, NEO will report the findings to the member, delegates of states and Board of Directors.

NB: For privacy purpose PHU will take responsibility to hide the cause of the death that is usually mentioned on the death certificate.

ARTICLE 9: ADMINISTRATIVE FORMALITIES.

- 1. Harambee USA does not deal with paperwork needed to transport the body of the member back to Tanzania or burial of choice. This task falls to the family concerned with the death.
- 2. Any death must be reported to Harambee within 7 days after the event; after this period, the death is no longer considered by Pamoja We Can!!! Harambee USA (no contributions); however, it will be published in order to help everyone remove the membership ID from the database.

ARTICLE 10: CONTRIBUTIONS.

Each member of Pamoja We Can!!! Harambee USA agrees to deposit \$90 to PHU Members bank account in advance. The amount of \$15.000 (fifteen thousands) will be divided equally among participant.

Each member will contribute equal amount within 30 days to bring the account back to \$90 at all time. Periodically each member contributions per incident will change depend on the total number of its members. Our goal at PHU is to make member's contribution as reasonable as possible by making sure all Tanzanians residing in USA are aware of this program and encourage them to participate.

PHU is not guaranteeing the payment, it is only depend on the number of members and their willingness to contribute. Each member is promising and guaranteeing each other to contribute the money and help each other in case of a member death.

- 1. The official announcement of a death is only made after the National Office receives the required documents as outlined in article 8.
- 2. The national office will calculate the amount of money each member need to redeposit to the account. All contributions must be received 30 days after the official announcement of the death. PHU members will have 30 days to deposit their contribution in order to bring their Original deposit to \$90.
- 3. For non payment after 30 days please refer to Article 13 penalties.

Contributions are made in any of the following way:

- 1. All regular members contributions and initial deposit will deposited to PHU Members Bank account.
- 2. All membership fees and penalties will be deposited to PHU Management Bank account,

- 3. For your convenience you can make your payments through PHU website: pamojawecan.org There will be nominal \$X fee to cover transaction cost . You can pay by credit card, check card or PayPal,
- 4. You must provide your name corresponding to the ID code of each member state when making Bank deposits.
- 5. The amount of 15000 will be divided equally among the participating member of Pamoja We Can!!! Harambee USA. PHU is not guaranteeing the payment. Each member is promising and guaranteeing each other to contribute the money and help each other in case of a member death.

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Each member will redeposit X = (\$15000.00/Number of members at the time of incident).

**For 2016 until we reach 500 members goal, all member will only receive \$30 x Number of Members at the time of incident.

 x^{**} = (\$30 x Number of members at the time of incident). This will help this organization to start immediately.

NB: This \$ 15.000 will be reviewed by Board of Directors, Delegates of states and Founding members every 2 years and their recommendation will be forwarded to the National General Assembly and will need 40% of all eligible registered members who responded to the NGA invitation meeting.

ARTICLE 11: PAYMENTS AND PHU-ACCOUNTS.

On behalf of all current members of Pamoja We Can!!! Harambee USA (PHU), we shall pay out a sum of fifteen thousand dollars (\$15000) from Members Bank account to assist in the repatriation of the corpse of a deceased member of PHU. This fixed amount payment will be made regardless of the members resting place of choice.

There are two options on how the payments are made:

- During registration, member have choice to delegate who will be handling his/her last wishes.
 This person will be given this \$15000 payment, and will be responsible for the funeral arrangement. Members can change their next of kin at any time by writing to PHU and provide information online @pamojawecan.org of the person responsible(Receive the \$15.000) if they died.
- 2. Member can delegate maximum of 3 next of kin or the persons he/she will want them to receive the \$15.000 for the funeral arrangements. PHU member will allocate what % each person will receive.
- 3. Pamoja We Can!!! Harambee USA (PHU) can make payments directly to the Funeral home and/or airline using the following methods:
 - a. Transfer of funds into the bank account of the funeral home/ Airline.
 - b. Direct payment to the funeral home/ Airline by check.

- c. If there is any balance remaining, it will be payed to the beneficiary of the deceased(Wife, children, parents, immediately relative). According to PHU member request prior his/her death.
- d. President and delegates of the deceased member association will assist in determining the best cause of action in the case that we can not find PHU member next of kin.
- 4. Pamoja We Can !!! Harambee USA is not responsible for any federal, state or local TAX implication resulted to your next of kin receiving this funeral expenses benefits.
- 5. You will not receive any tax exemptions from the contribution you make to members of this organization.
- 6. PHU members have full ownership of the \$90 initial deposit and per incident redeposit. Quarterly statement will be provide by NEO, and Board of Directors accounting for all transaction regarding this fund.
- 7. Annual administrative fee \$20 will be of separate fund and Founding members will be responsible for any tax implication resulted from receiving this \$20 annual administrative fee.
- 8. Founding members will use annual administrative fee to improve the program and maintain the vision, mission, and objectives of PHU.

ARTICLE 12: PENALTIES

- 1. Any returning member must pay a penalty of \$300.00 and observe a waiting period of 6 months before getting a new membership ID.
- 2. Every member must pay an administration fee of \$20 per year, due once on January 25th of each year. A penalty of 50% applies after 30 days of non-payment of the administration fee. If payment is not received 15 days after the 30 day non payment period, a member will be automatically withdrawn from PHU. All contributions made to Harambee USA (if any) are non-refundable.
- 3. If for some reasons you fall out of the program, the \$90 initial deposit will be used until you have \$0 balance. There will be no refund of any portion of unused or used funds.
- 4. All penalties will be part of administrative fee and will be used to improve and maintain the vision, mission and objectives of PHU.
- 5. Membership renewal start November 1 and end January 25 of each year.

ARTICLE 13: MODIFICATION OF THE INTERNAL RULES AND REGULATIONS

 st^* Under no circumstances shall the funds from be given to the beneficiary in the form of cash. st^*

^{**}This year 2016 only the administration fee will beginning in June 1, 2016. A penalty of 50% applies after 30 days of non-payment of the administration fee. If payment is not received 15 days after the 30 day non payment period, a member will be automatically withdrawn from PHU. All contributions made to Pamoja We Can!!! Harambee USA (if any) are non-refundable.

- 1. The internal rules and regulations is established by the members of the National Office and submitted to the General Assembly.
- 2. Under the bylaws, any amendment of the rules must be approved by the founding members.
- 3. The rules of procedure shall be sent to all members of the national office and all delegates of PHU by email or brought to their attention during the ordinary general meeting.

SECTION 14: DISCIPLINARY ACTIONS & TERMINATION OF MEMBERSHIP.

DISCIPLINARY

Members will be disciplined for disorderly conduct

TERMINATION

- Voluntary withdrawal by a member
- Failure to pay membership dues.
- Engagement in actions that misrepresent PHU.
- Failure to abide by our Rules and Regulations.

Delegates of states, board of Directors and NEO must address the issues that lead to suspension, termination of the member prior the reinstatement of the member and their recommendation will be forwarded to Founding members.

Restoration will start only when the Founding members agree that the situation which led to the suspension of membership has been rectified.

**Prior to the termination of membership, NEO, Board of Directors and Delegates of states should work with the member to resolve the issues. Termination of membership should be the last resort.

ARTICLE 15: MEMBERS CONTACT INFORMATION

All PHU leaders, representative and members are prohibited to access and use PHU members contact information such as telephones numbers, Emails address, and/ Home address for purpose other than Pamoja We Can!!! Harambee USA.