

SUPERVISOR TIPS

DEFINING INSUBORDINATION

You may have heard the term “insubordination” bandied about. But what does it really mean? How do you determine whether insubordination has occurred in the workplace, and what should you do about it? For additional information on this topic, don’t hesitate to contact HR:

- **What’s the definition of insubordination?**
Simply put, insubordination occurs when an employee fails or refuses to obey a lawful and direct order given by a supervisor. Insubordination can also mean disrespectful or abusive conduct or language directed towards a supervisor.

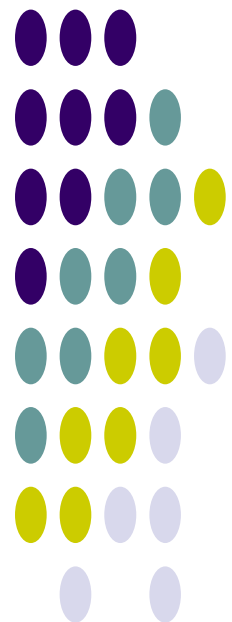
- **Does that mean that if I tell one of my staff members to do something, and they don’t, that they are guilty of insubordination?**
It’s not quite that simple. To prove insubordination, you have to establish some important facts:

Was the order given clear, and recognizable by a “reasonable person standard” as direct order?

You can’t “suggest” that an employee do something, then if they don’t follow through, consider that an act of insubordination. It has to be recognized as a direct order. As a supervisor, be very clear in your communications.

Was the order related to an operational need of the employer’s business?

To establish insubordination, the order you gave has to relate to the work being performed and the operational need of the District. Failing to abide by an order to conduct a personal errand for a supervisor does NOT constitute insubordination. It goes without saying – be sure your orders relate to District business! Also – an employee has the right to refuse an order if they are being asked to do something illegal or dangerous (in violation of a published safety rule).





Did the supervisor inform the employee of the consequences of failing to follow the order?

Believe it or not, to establish a strong case for insubordination, you have to tell the employee that failure to perform this task or assignment could be grounds for disciplinary action on the basis of insubordination. If an order you give is challenged or refused, be sure to state that you are directing the employee to perform the task, and failure to do so will be considered insubordination and may lead to discipline. An arbitrator is going to want to see that the employee clearly understood he/she had been given an order, the order was valid (business-related), and he/she was aware that not following the order would lead to consequences.

Was the employee given adequate time to comply with the order before discipline was imposed?

Be sure you give a reasonable amount of time for the employee to comply. You can't order someone to complete a two-hour job in 30 minutes, and then discipline them for insubordination when they fail.

- **What about conduct by an employee that undermines me as a supervisor?**

Insubordination can also involve conduct by an employee that undermines a supervisor's authority, or involves disrespectful language and conduct. Examples of such conduct would include:

- Use of vulgar language/profanity towards a supervisor
- Ignoring a supervisor (not giving any response at all to the supervisor's instructions and directives)
- Physically threatening a supervisor
- Lying about a supervisor or spreading false rumors that harm a supervisor's reputation

If you feel this is occurring, immediately contact Human Resources

- **What action should I take if I believe insubordination has occurred?**

It's important, for all District employees, that we maintain a respectful work environment. Instances of insubordination are grounds for disciplinary action. Document what has occurred, be sure you address all the points listed above, and contact HR/Risk at ext. 8002 for assistance.