

Employee Insubordination & Insolence Policy



1. POLICY

The management of ABC Company is committed to ensuring a work environment in which all individuals are treated with respect and dignity. While employees are expected to think for themselves and express their judgments, they are also expected to behave professionally and show due respect to both their subordinates and their supervisors and managers. Acts of insolence and insubordination will not be tolerated and may result in severe disciplinary consequences as set forth in this Policy.

2. DEFINITIONS

Insolence means derisive, abusive or contemptuous language by an employee directed at a superior or other person in authority.

Insubordination means an employee's intentional refusal to obey an employer's lawful and reasonable order.

Acts of insolence and insubordination may be committed directly, such as by verbally refusing an order, as well as constructively, such as by displaying a negative attitude in response to an order and then not performing competently.

3. EMPLOYEE'S DUTY TO FOLLOW ORDERS

All employees shall follow the instructions and orders issued by supervisory personnel unless compliance is not feasible. Compliance is not feasible when it would jeopardize health and safety, violate any laws or constitute a breach of Company ABC policies, rules and/or procedures.

4. PROHIBITED ACTIONS

Conduct that would be deemed a contravention of this Policy includes but is not limited to:

- Deliberate defiance of management's legitimate exercise of its rights.
- Inciting others to react negatively to a lawful management directive.
- Making critical comments or insinuations directed at lawful management decisions that cause disruption of the work force or create a substantial risk of disrupting the work of another or affecting other's morale.
- Refusal to accept (directly or constructively) and/or comply with management's lawful directives or decisions.
- Refusal to perform assigned work duties or tasks for the position being held.
- Refusal to perform the assigned work duties or tasks performed by the typical member in like or similar positions.
- Refusal to report to a place of duty at the designated time and location.
- Refusal to sign a performance evaluation review.
- Refusal to submit to a lawful examination of body fluids or a chemical test when directed to do so by a supervisor.
- Refusal to subordinate personal preferences to a supervisor's lawful directives or work instructions.
- Refusal to turn in a report as specifically directed to do so by a supervisor or superior.
- Repeatedly being unable to be contacted for call-out when given standby notice.
- Using the tactic of habitually asking for specific clarification of rules or directives that has the effect of slowing down work or frustrating supervisors or other members of the work unit.
- Failure to address a supervisor or superior by his or her title after being instructed to do so.
- Use of profane or obscene language toward supervisors.
- Threats of physical violence against supervisors.

5. DISCIPLINE FOR VIOLATIONS

Acts of insubordination and insolence will be grounds for discipline up to and including termination in accordance with the ABC Company progressive discipline policy.

6. DEFENCES & MITIGATION

While claims of provocation by supervisors will not ordinarily excuse an act of insubordination, provocation will be a mitigating factor in assessing appropriate discipline where the employee can prove that the supervisor's provocation was severe, e.g., threats or acts of violence or use of profanity.