

PINE BLUFF POLICE DEPARTMENT POLICY & PROCEDURES MANUAL

	SUBJECT:	POLICY NUMBER 1251
	INSUBORDINATION	ISSUE DATE 02/19/2008
	CHAPTER: PROFESSIONAL STANDARDS	EFFECTIVE DATE 02/19/2008
	ISSUED By: Chief of Police John E. Howell	TOTAL PAGES 3

I. POLICY

For the purpose of this manual, insubordination is any act of defiance, disobedience, dissension or resistance to authority.

- A. All employees shall follow the instructions and orders issued by supervisory personnel.
- B. Should an order or directive be issued and an officer has information that may adversely affect the intent of the order, the officer shall discuss the information with the supervisor, so that further evaluation can be considered.
- C. Any employee who uses profane or obscene language toward his/her supervisor or any public official, or threatens physical violence or attempts to carry out any threat shall immediately be relieved of duty and dealt with according to department policy or law.
- D. Policy requires officers to obey instruction; however, when compliance is not feasible, officers are not required to carry out orders that would jeopardize their health and safety, violate any federal, state, county, or municipal laws or involve the breach of any of the rules, regulations, policies, or procedures of this department.
- E. Excluding Office of Professional Standards Investigations, Insubordination cannot occur between two persons of the same rank. i.e. A Field Training Officer (FTO) and a recruit.
 - 1. If, for example, a recruit officer refuses to perform a duty or task as assigned by their FTO, it is not insubordination. The FTO should prepare a written information report and forward it to the FTO Sergeant for determination if any policies or procedures have been violated and disciplinary action warranted.

II. VIOLATIONS: INCLUDING, BUT NOT LIMITED TO:

- A.** Deliberate defiance of management's legitimate exercise of its rights.
- B.** Inciting others to react negatively to a lawful management directive or 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.
- C.** Refusal to accept (directly or constructively) management's lawful directives or decisions (e.g., sign for the mission, code of ethics, oath of office, standards, policies or procedures). Note: This standard does not require that the member agree with management's directives. However, it does require that members comply.
- D.** Refusing to comply positively (directly or constructively) with the lawful rules, policies, procedures, practices or directives of management.
- E.** Refusing to perform assigned work duties or tasks for the position being held.
- F.** Refusing to perform the assigned work duties or tasks performed by the typical member in like or similar positions.
- G.** Refusing to report to a place of duty at the designated time and location.
- H.** Refusing to sign a performance evaluation review.
- I.** Refusing to submit to a lawful examination of body fluids or a chemical test when directed to do so by a supervisor.
- J.** Refusing to subordinate personal preferences to a supervisor's lawful directives or work instructions.
- K.** Refusing to turn in a report as specifically directed to do so by a supervisor or by a member in a superior-ranked position.
- L.** Repeatedly being unable to be contacted for call-out when given standby notice.
- M.** Using the tactic of habitually asking for specific clarification of rules or directives that have the effect of slowing down work or frustrating supervisors or other members of the work unit.
- N.** After being instructed to do so, not addressing a supervisor-ranked member by his or her title, particularly in public.

- O. **DISCIPLINARY ACTIONS:** Acts of insubordination are cardinal offenses and they may be committed directly, by way of verbal refusal, as well as constructively, expressing an attitude about a performance and then not performing competently. Unless the member is a long-time member, has a consistent better-than-average performance record, and has significant mitigating circumstances existing to not warrant a suspension, violations may result in suspension without pay or termination. (NOTE: Absences without leave for more than 3 work days are considered to be voluntary resignations by the member). NOTICE: Claims of supervisory provocation will not ordinarily excuse an act of insubordination. However, severe provocation) e.g., calling a member a profane name, threats of bodily harm, injurious physical assaults, etc.) may mitigate the member's level of discipline and will result in disciplinary action being taken against the supervisor for such actions.