

**CITY OF OCONOMOWOC POLICE DEPARTMENT
POLICIES & PROCEDURES**

DATE: September 7, 2020

HISTORY: September 25, 2019
October 1, 1999

SUBJECT: Insubordination

POLICY NUMBER: 99-059

I. POLICY

The organizational/rank structure of this department lists the Chief of Police as the leading authority within the chain of command. This authority is delegated downward to the next level of authority and continues throughout the entire chain to the lowest level. It is mandatory that employees of this department understand the rank structure and carry out their duties and responsibilities as directed by their supervisors. Any form of insubordination, unless otherwise justified, will not be tolerated and will be subject to disciplinary action up to and including dismissal.

II. PURPOSE

To provide guidelines for employees of this agency to follow concerning alleged acts of insubordination.

III. DEFINITION

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

IV. PROCEDURES

- 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 instructions; 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. Should a situation occur as stated in PROCEDURES paragraph (D) of this policy, the employee receiving the order will respectfully request an opportunity to discuss the situation, in private, with the supervisor issuing the order. The employee will explain to the supervisor the reason for concern violation of the law, health or safety concern, etc.
- F. In the event the discussion between the supervisor and the employee fails to resolve the conflict, the employee issued the order will be allowed to make contact with a higher-ranking supervisor (next level of authority within the chain of command) for clarification purposes.

- G. This procedure does not propose nor does it suggest that subordinate officers have the authority to challenge all orders issued by a superior officer. Any abuse of this procedural provision will subject an employee to disciplinary action.
- H. Conflict between a subordinate employee and a supervisor does not relinquish the responsibility the subordinate has to be respectful of the supervisor. The subordinate will always be reminded of PROCEDURES paragraph (c) of this policy and refrain from any of the listed behaviors which would be considered as insubordinate.
- I. Any instance of insubordination will be fully documented by the supervisor involved. Documentation will consist of a "matter of" which will be submitted to the Chief of Police, via the chain of command, at the earliest opportunity.
- J. Any employee accused of insubordination will follow the supervisor's instructions for contacting the Chief of Police or subject them to disciplinary action, up to and including dismissal.

V. EXCEPTIONS TO THIS POLICY MAY BE AUTHORIZED ONLY BY THE CHIEF OF POLICE

This policy is effective immediately
and will supersede any directives or understandings in conflict