

# How to write up an insubordinate employee

Employers depend on their workers to perform the tasks asked of them. When an employee decides to ignore a request from a supervisor, business owner, or another person of authority, problems can result. Productivity can suffer, especially if the employee in question's inaction prohibits colleagues from carrying out their responsibilities or forces them to do more to compensate.

Likewise dangerous is the potential effect on the work environment and employee morale. Co-workers often become uncomfortable when they witness insubordinate conduct. They fear being drawn into the situation or forced to take sides. Some staff members look to see if the offender "gets away with it." Slow or non-existent disciplinary action may lead others to engage in similar behavior. Disregarding management can become the norm, and a chaotic atmosphere can ensue.

Good leaders typically will hear out an employee wishing to discuss the necessity or nature of a request, provided the conversation stays professional and private. Insubordination and the disrespectful behavior often accompanying it, however, necessitates a write-up or other disciplinary action as dictated by company policy.

## What is insubordination?

When people hear the term "insubordination," they often envision someone in the military refusing to carry out the orders of a commanding officer. The concept is similar when applied to a work environment.

The [Society for Human Resource Management](#) (SHRM) defines insubordination in the workplace as "an employee's intentional refusal to obey an employer's lawful and reasonable orders." Understanding what constitutes employee insubordination relies on thinking about elements of this definition.

First, the employee refusal must be intentional. It is not considered insubordination if someone fails to do a task because she did not receive the leader's message. Such cases could result from not being copied on the relevant email, being absent on the day a new procedure was discussed, or a colleague forgetting to relay the boss's request.

Similarly, a manager should not consider it insubordination if the worker in question did not understand the request. Examine your management style and the clarity of your own communication methods. Encourage the employee to ask questions and summarize instructions. Such measures go much further in this case than taking disciplinary action.

The Society for Human Resource Management definition also includes the key words "lawful" and "reasonable." Employers should not expect workers to perform illegal acts, jeopardize their safety, or do something morally questionable.

Sometimes, though, cases are not cut and dry. For instance, an employer may insist all employees report to work for their scheduled shifts on a day with inclement weather. A worker who deems conditions too treacherous may decide to defy orders and not show up. Whether or not to consider this action insubordinate behavior becomes open to debate. Rather than a write-up, the human resources department may opt for an alternative such as docking PTO.

## **Insubordinate behavior vs. insolent behavior**

Despite popular images of an insubordinate employee causing a scene, refusal need not be loud or confrontational. Insubordination simply boils down to an employer giving an instruction, an employee knowing and understanding that a request was made, and the employee not completing the asked task. Nobody else in the workplace may even be aware of the situation. The refuser may be so quiet that even the boss does not know of the insubordinate act until he realizes the assigned action did not get performed.

Insubordinate behavior, however, often goes hand in hand with another workplace problem – insolence. Insolence involves inappropriate conduct toward a manager or other person in charge. Such behavior may include mocking, insulting, swearing, using abusive language, or making disrespectful gestures. An insubordinate employee may resort to insolent behavior out of anger or to publicly embarrass or defy someone in authority. Obviously, companies cannot tolerate this type of employee conduct.

### **The importance of the employee handbook**

Handling matters regarding insubordination, insolence, or both, starts with a clear thorough employee handbook. It should define relevant terms and explain what constitutes improper behavior. Use examples to illustrate, but state that these cases are to assist with understanding and not meant as an exhaustive list of punishable offenses.

During onboarding, each new hire should receive and review the employee handbook. Then, the human resources department should obtain a signature confirming the person understands the document's contents. This action proves vital should a worker down the line claim ignorance of conduct expectations and disciplinary policies.



## How to deal with insubordination

The first thing a manager who believes she has a case of insubordination on her hands may want to do is ensure the request was actually made, received, and understood. It can be quite embarrassing to accuse someone of insubordination when the instructions you meant to send are still sitting in the draft folder of your email.

Company policy dictates subsequent action. Many organizations employ a progressive discipline system. In this arrangement, the severity of the punishment increases based on how many times infractions occur. This setup enables a first-time offender the chance to get back on track and correct the improper behavior.

Progressive discipline often begins with a verbal warning. This reprimand draws the employee's attention to the seriousness of insubordinate behavior. The manager can point out the relevant section of the employee handbook and outline possible future discipline if such an act occurs again.

The manager also may try to gain insight as to why the insubordinate act happened. Perhaps the employee feels a requested task falls outside of her job description. Or, maybe she worries the assigned task increases her risk of contracting COVID. Getting to the root of insubordination can help in figuring out ways to prevent it from happening again.

Smart managers often write a recap following a verbal warning. This follow-up documents what happened at the meeting. It also serves as a reference should an employee refuse to do something asked of her again.

Failure to heed a verbal warning commonly leads to a formal write-up placed in the employee file. Companies usually supply managers with a template for written warnings to ensure consistency and thoroughness.

A write-up generally starts with the basics: The name and position of the employee, the name and title of the person doing the write-up, and the date of the write-up. The template then moves into space to state specifics about the offense, such as details of what happened and how such employee behavior violates company policy. A space may exist for the employee to comment or present her side of the story.

Templates also typically address both the past and the future. Space may exist to summarize prior action regarding insubordination, such as a verbal warning. Future behavioral expectations get outlined along with sanctions for not complying. Probation, suspension, demotion, or termination are likely possibilities.

The manager and the offender need to sign the write-up after talking about it. Other people called into the insubordination meeting—a witness, representative from the human resources department, union rep, or lawyer—should sign the write-up, too

## **Other considerations**

Workers who get disciplined sometimes claim they are being singled out or treated unfairly. To avoid such charges, smart managers stay impartial and legally sound by sticking to the disciplinary measures contained in company policy. This consistency shows employees—and any lawyers or juries who could become involved in a wrongful termination case down the line—evidence of by-the-book conduct.

Acts of insubordination can ruffle a manager's feathers. The leader can feel angry, disrespected, or ineffective. He may fear that other staff members will make similar refusals, leading to chaos and a lack of productivity. Despite the strong feelings stirred, however, a manager in this uncomfortable position needs to stay calm and level-headed. Cool off if necessary before any confrontation or write-up. Doing so encourages accuracy and sticking to facts. Venting could come back to haunt you with charges of overreacting or picking on someone. Stay objective!

Similarly, avoid accusatory language that judges motives. Do not state that someone was out to embarrass you. Don't tell the offender he has an attitude. Rather, let the actions speak for themselves. A well-written account enables readers to draw their own conclusions.

Lastly, keep an eye on employee morale. Insubordinate behavior often results from workers feeling unappreciated and unheard. Step up efforts to recognize employee achievement. Give workers ample opportunity to voice their concerns in a professional manner. The best advice on how to deal with insubordination is to prevent it from occurring in the first place.