

JURISDICTIONAL CLARITY: THE LAW ON THE GROUND.

Where Does the Work Start and Stop?

Analyzing federal law's struggle to define boundaries in modern operational settings.

Legal Compliance · Operations Management · Governance · Jurisdiction

The newsletter for leaders who prefer clear lines of accountability over comfortable jurisdictional ambiguity.



The Core Problem: Who Owns This Process?

In my years on the plant floor, I've seen what happens when two different supervisors think they have final authority over the same machine during a breakdown. One wants to keep it running by bypassing a sensor; the other insists on a full shutdown for safety recalibration. They aren't arguing about the best way to fix the machine—they are arguing because neither of them knows who actually "owns" the process in that moment.

This is the operational reality behind complex legal disputes like *Osage v. Taylor*. While the headlines focus on federal law and tribal land rights, the core issue for an operator is much simpler: a lack of defined boundaries. When jurisdiction—whether it's over a piece of land or a production line—is hazy, ownership becomes impossible to establish.

We must recognize that **ownership is not a shared feeling; it is a documented fact**. If you have to ask who has the final say on an issue, the answer is already "no one." This creates what I call *The Authority Gap*. It's the space where work stalls because of fear of overstepping or risk of liability. In manufacturing, this looks like three different departments all trying to manage a single piece of

equipment, resulting in conflicting instructions and stalled progress. When boundaries are blurred by legal complexity or historical layers, the result is always the same: paralysis.

Why Boundaries Keep Blurring

Boundaries don't just disappear; they erode through "convenient" shortcuts. Over time, it becomes easier to let a process slide into a gray area than it is to do the hard work of drawing a line in the dirt. In legal systems and manufacturing alike, we often see layers of history—prior agreements, old contracts, or previous shift-work habits—stacking on top of each other until the original intent is buried.

We often tell ourselves that these ambiguities are just "room for collaboration." But there is a difference between cooperation and an absence of structure. One allows people to work together toward a common goal; the other leaves them wandering in circles because they don't know where their responsibility ends and someone else's begins.

The Comfortable Rationalization	The Operational Reality
"We are just trying to be flexible with our boundaries."	No one is taking responsibility for the final decision.
"The situation is too complex for a simple rule."	We are avoiding the hard work of defining ownership.
"It's better to have both teams involved in everything."	We are creating a bottleneck where everyone has input but no one has authority.

When we allow these ambiguities to persist, we aren't being flexible; we are allowing **The Erosion of Clarity**. Just as a machine that isn't regularly calibrated starts to drift out of tolerance, an organization without firm boundaries begins to lose its ability to execute basic tasks because the "rules" have become too muddy to follow.

The Cost of Unclear Jurisdiction

When you don't know where your authority ends and someone else's begins, it creates a friction that bleeds time and money from the operation. This isn't just an administrative headache; it is a direct hit to your bottom line.

In my experience, these costs manifest in three specific ways:

- 1. Decision Latency:** A technician on the floor finds a problem but cannot fix it because they are waiting for "higher-up" approval from a department that doesn't know they were even asked. The machine sits idle while emails fly back and forth.
- 2. Overlapping Effort (Waste):** Two teams spend hours preparing for the same task, only to find out at the last minute that one of them wasn't actually authorized to perform it. This is a classic "non-value-added" activity—doing work twice because the first time was done in a vacuum.

3. **The Safety Risk:** The most dangerous cost is when two sets of rules apply simultaneously, and an operator follows the wrong one. If you have conflicting safety protocols for a single piece of equipment, someone eventually gets hurt or a machine is destroyed.

A lack of clarity is not "inclusive"; it is just inefficient. You aren't giving everyone a seat at the table; you are ensuring that nobody knows how to move the chair when something breaks. The cost of avoiding a hard conversation today about ownership is almost always paid tomorrow in lost production, wasted labor, and frustrated employees who feel like they are spinning their wheels.

Three Things to Define Today (Operationalizing Law)

We cannot solve every legal complexity with one stroke of a pen, but we can demand clarity on the ground where work actually happens. To move past *The Authority Gap*, you must take an abstract problem and make it concrete for your people. You need to identify exactly where the "hand-off" occurs.

Stop trying to manage by general consensus and start managing by defined boundaries. Here are three things every leader should define immediately:

1. **Point of Final Authority:** For any given process, there must be one—and only one—person who has the final word on a specific decision point (e.g., "Who can authorize an emergency override?").
2. **The Boundary Line:** Physically or procedurally mark where one area's responsibility ends and another's begins. This isn't about being mean; it's about ensuring that when an operator looks at a piece of equipment, they know exactly which manual, supervisor, or set of rules applies to them.
3. **The Escalation Path:** When something falls into the "gray zone" where ownership is unclear, there must be a pre-defined path for resolution. If the line between two departments is blurry, don't let the workers argue about it on the floor; have a clear protocol that moves the decision to a manager who can make the call in minutes, not days.

Immediate Actions for the Leader

You don't need to wait for a legal team or a corporate restructuring to start fixing these gaps. You can begin making your operations more robust by implementing "hard" boundaries today. The goal is to move from ambiguity to certainty so that your people know exactly what they are supposed to do when things go wrong.

Do this on your next Gemba walk:

- **Identify the Friction Points:** Stop and talk to the operators at the transition points between departments or shifts. Ask them: "If this machine stops right now, who is the first person you call? And does that person have the authority to tell you how to fix it?" If they hesitate, you've found a gap.

- **Draft an Ownership Matrix:** Create a simple table for your most critical pieces of equipment or processes. List the task, the primary owner, and the "emergency" contact. Post this physically near the work area.
- **Standardize the Hand-off:** If you have two teams working on one project, create a physical checklist that must be signed off by both leaders before the next phase begins. This removes the "we thought they were doing it" excuse from your vocabulary.
- **Purge the Gray Area:** Look at your current SOPs (Standard Operating Procedures). If you find any language like "as needed," "in coordination with others," or "depending on circumstances," strike it out and replace it with a specific name, role, or condition.

A plan that is not enforced is just an idea. Don't let your team wander through the fog of "shared responsibility." Give them the clarity of defined ownership so they can do their jobs without having to guess who's in charge.

Call to Action

Which structural boundary (legal, organizational, physical) is currently causing friction on your shop floor? Share your thoughts with us or tag a colleague who needs this diagnosis: @kaizen_6sigma

Newsletter replies: newsletter@sixsigmakaizen.com · X: @kaizen_6sigma

Stay curious, stay improving,

David Rodgers

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References: Tribe asks 10th Circuit to reconsider Osage Reservation disestablishment decision (2026)