

Arbitration No. 66  
Grievance No. 13-D-6

IN THE MATTER OF THE ARBITRATION BETWEEN

UNITED STATES STEELWORKERS OF AMERICA  
CONGRESS OF INDUSTRIAL ORGANIZATION  
LOCAL #1010,  
EAST CHICAGO, INDIANA

AND

INLAND STEEL COMPANY  
INDIANA HARBOR WORKS  
EAST CHICAGO, INDIANA

REPORT OF THE IMPARTIAL ARBITRATOR

PLEASE NOTE:

(This report shall be written as if it includes the reporter's record of the hearing, and all written evidence presented at the hearing. All such data will be enumerated at the end of the report.)

GRIEVANCE - NUMBER 13-D-6

HISTORY

Pursuant to the provisions of the Union-Company Collective-Bargaining Agreement (hereinafter referred to as the Contract), dated July 30, 1952, this proceeding originated by notice, being given to the arbitrator on January 23, 1953 by the parties, requesting arbitration of the question hereinafter set out. The case was heard on March 3, 1953 at the Number One Clock House, Inland Steel Company, East Chicago, Indiana.

QUESTION

"Whether or not the Company was in violation of Article V, Section 6 of the Collective-Bargaining Agreement, when it denied the revision of the job description and the classification for the occupation of Plate Oiler Operator in

the Hot Strip Mill."

FACTS

This occupation is a new one that was created in January, 1952. The Company completed its work on the description and classification of the occupation on August 14, 1952. The Company then presented its determinations to the Union but no agreement was reached. In accordance with Article V, Section 6(C), the Company installed the aforementioned job description and classification and made them effective as of January 14, 1952, the date the occupation was created.

The Union and the Company continued to differ on the adequacy of the job classification. The Union processed the grievance through the three steps of the grievance procedure. The grievance is now to be determined as per Article VIII, Section 2, Step 4, and Article V, Section 9 of the Contract. The Union disputed and still disputes only the classification of the occupation, and that only as to rating of the two factors, judgment and education.

UNION CONTENTION

The occupation should be evaluated (rated) or classified higher, as to the two factors:

<u>Factor</u>	<u>Present Rating</u>	<u>Desired Rating</u>
Judgment	5 C 2	5 D 3
Education	2 C 5	3 C 8

This contention is based on the comparison of the job descriptions and classifications of this occupation under dispute and the occupation entitled "Inspector, 1st Class, Cold Strip Mill (#77-0706)":

(1) Plate Oiler Operator - 76" Hot Strip Mill - #76-1620

a) Description (pertinent parts) -

Primary Function - Inspects steel plates and feeds them into oiling machine, and directs crew to properly oil steel plates.

- a. Receive instructions\*\*\*.
- b. Directs operations and ascertains that plates are properly oiled and piled as directed.
- c. Inspects plates for surface defects as they are fed into the oiling unit. Checks size and gauge of plates piled.
- d., e., f. Directs and assists crew\*\*\*
- g. Makes reports and tickets; puts tickets on lifts; identifies top plate of each lift\*\*\*.
- h. Tilts plates with feeder aid\*\*\*.

UNION CONTENTION (Continued)

b) Classification (pertinent parts) -

Quickness of Comprehension - \*\*\* observe irregularities in oiling\*\*\*. Observe defective plates.

Judgment - Directs crew. Decides proper oiling of plates. Inspects plates for defects.

Education - Make production reports and lift tickets. Instruct crew. Read Micrometer and tape.

Physical Exertion - \*\*\*make production reports and tags for lifts.

Material - Considerable discretion in inspecting plates to prevent shipment of defective plates. Cost to degrade under \$1000.00.

(2) Inspector 1st Class - Cold Strip Mill - #77-0706

a) Description (pertinent parts) -

Primary Function - Make final inspection for proper size, gauge and surface of steel sheets; supervising oiling of sheets.

Checks formal order for customer's specification as to gauge, size, finish, process, etc.

Check top sheets for gauge and size. Observes surface of sheets for defects as they are picked off pile by Feeders and determines if sheet will meet customer's specifications. Periodically checks gauge and size and keeps count of sheets.

Directs and assists in removing rejected sheets and assists in feeding operation. Stamps identification mark\*\*\*.

Observes oil surfacing\*\*\*.

\*\*\*

Writes results and destination on tickets\*\*\*.

UNION CONTENTION (Continued)

Directs and Assists\*\*\*.

b) Classification (pertinent parts) -

Quickness of Comprehension - \*\*\*recognize defective sheets, or oiling irregularities.

Judgment - Inspects Sheets for defects, fulfillment of specification and make disposition.

Education - Read, write, compute and understand and apply knowledge of customer's use of sheets to attain specifications.

Material - Considerable discretion in inspecting to prevent defective material from reaching customer. Cost of price adjustment to customer over \$1000.00.

(Please note: The above data on the two occupations will be referred to in the subsequent parts of this report.)

\* \* \* \* \*

COMPANY CONTENTION

This occupation in dispute is in job Class #10.

The evaluation (rating) of, or classification of, this occupation is adequate for the following reasons:

a) Judgment Factor (page 25, Notes) -- It is equal to that of the occupations of two more complex machines; slitter operator (#76-1401 - Job Class #14); and shearman (#76-1001 - Job Class #16).

COMPANY CONTENTION (Continued)

b) Education Factor (Page 25, Notes) -- It is equal to that of the occupation of two other jobs, resquare shear operator (#76-1201- Job Class #12) and piler inspector (#77-2012 - Job Class #6).

"The main inspection and responsibility of the operator is to make certain that the plates are properly oiled so that maximum corrosion protection is assured. (Page 40, Notes; the same Page 30, Notes.)"

The following jobs are in Class #9, and this job of operator (plate oiler - Job Class #10) is higher than these jobs which are engaged in operating equipment or processing material of considerable complexity (Page 48, Notes).

Tin Machine Operator (Poole) Tin Mill - #78-1107  
Decoiler Operator - 76" Hot Strip Mill- #76-0701  
Shearman - Continuous Pickler - #77-0242

The following jobs are in Job Class #10 and this job of operator (plate oiler) is equal to them in class (Page 48, Notes):

Magazine Operator - 76" Hot Strip Mill- #76-0408  
1st Hooker - 100" Plate Mill - #57-0210  
Roll Crane Operator - 76" Hot Strip - #76-0546  
Roll Hand - 76" Hot Strip - #76-4118

DISCUSSION

At the outset, both parties agreed that the description of this occupation is acceptable (Pages 5, 9,

20, 21, Notes; Union Exhibit #1). Hence, this determination shall be made only as to the two classification factors of Judgment and Education.

Inasmuch as this grievance was initiated and sponsored by the Union, it must assume the burden of proof and substantiate its contention by the preponderance of the evidence if it is to prevail.

This case presents the following questions:

1) What is the relationship between the word 'inspection' or the act of inspecting and the word 'judgment' or the act of judging as found in the description and classification of this occupation; and as used in the hearing of this case?

The 1951 Webster's New Collegiate Dictionary includes the following definitions for the two words:

a) Judgment - 'The mental act of judging; the operation of the mind, involving comparison and discrimination, by which knowledge of values and relations is mentally formulated.' 'The power of arriving at a wise decision, discretion; discernment.'

Judge - 'One who has knowledge sufficient to decide on the merits of a question,\*\*\*, a critic.'

b) Inspection - 'An inspecting: critical,\*\*\*, examination; scrutiny.'  
(to) Inspect - 'To look upon; to view closely and critically; scrutinize.'

Upon consideration of the above and the language of the description and classification of this occupation in dispute, it would appear that inspecting is the act of looking at the plates and judging is the act of deciding which plates



are and which plates are not acceptable according to predetermined standards. Then, the act of judging, as such, merges with the act of inspecting. In view of this, the ensuing discussion of the act of inspecting and/or the act of judging in this report shall be with reference to the above definitions of the two words and this relationship between the two words.

2) What is the basic criterion to be used in the determination of this case? Should it be based on the comparison of occupations according to their written descriptions and classifications; the written job description and classification of the occupation in dispute; the contract; the Wage Rate Inequity Agreement of June, 1947 (hereinafter referred to as the Inequity Agreement); and/or the work the operator of this occupation in dispute appeared to perform as an actual fact, and as compared with the work other employees appeared to perform on other occupations inspected on March 3, 1953?

Ordinarily, all such aspects should be considered. But here, there is a new occupation in dispute. Neither side is aided or hampered by past difficulties, job content, or job content changes, for neither side introduced, argued, supported or denied any of these considerations. When this occupation was created, the Company took the initiative in describing and classifying it. Its industrial engineering department presented the description and classification of

the occupation about seven months after its creation. This industrial engineering department had before it all the data pertaining to the other occupations brought out by it for comparison purposes on Page 48 of the Notes and on the inspection tour of March 3, 1953 because all of them are several years old. As shown at the hearing, this industrial engineering department is headed up and staffed by very capable and experienced engineers. With no extenuating circumstances presented, it is most unlikely that the Company made any mistakes in describing and classifying this occupation. It must be assumed that those engineers deliberately and knowingly described and classified this occupation in the manner shown on Company Exhibit "C". It is determined that the Company is bound by and will not be heard to complain about the written language of the description and classification of this occupation whether or not they are substantiated by actual operator work performance. In view of these facts, the other aspects mentioned above can be considered only to explain or interpret the description and classification of this occupation in dispute and not to discredit or dispute them.

3) Has the operator a single or double duty of inspection? Contrary to the implication of the allegations on Page 40 of the Notes (and same, Page 30, Notes; p. 7 Report), the description and classification of this occupation differ-

entiate, separate and distinguish surface defects from surface oiling:

a) Description -

Under the headings of "Primary Function", "b" and "c" (Page 4 Report), this is brought out very clearly. Inasmuch as these defects are described as "surface defects" under "c", it is only logical to assume that the unmodified word "defects" means the same wherever found in the description or classification of the occupation.

b) Classification -

Under the heading of "Quickness of Comprehension", and "Judgment" (Page 5, Report), this is also noted. Under the heading of "Material" (Page 5, Report) the importance of these defects is emphasized.

The only conclusion that can be drawn from the above is that the written job content includes a substantial amount of inspection for surface defects of the plates as well as for adequacy of surface oiling of these plates. This is noticeably emphasized by the fact that the primary function of inspection of the description is not modified, decreased, or limited in any manner that would indicate the contrary.

In this light, it is determined the written job content includes a two-fold duty of inspecting, i.e.,

for surface defects and for adequacy of surface oiling (as well as the duties of directing and assisting his crew).

4) What duties are actually included in the two classification factors in dispute?

Primarily, the operator has a four-phase occupation, i.e., inspecting for surface defects; inspecting for adequacy of surface oiling; assisting crew; and directing crew.

4a) Judgment Factor -

On page 36 of the Inequity Agreement, the breakdown of four ranges of judgment shows that the first three ranges include nothing about working with others in any capacity. By the very nature of the occupation, the first range (5-A-0) is out of the question. If only a simple inspection had been desired, the second range (5-B-1) would have been selected. The third range (5-C-2) includes nothing about the condition of the product or extent of judgment relating thereto. But, the fourth range (5-D-3) includes laying out work for self or others, (and) exercising large discretion as to details. Pursuant to this occupation in dispute, the operator does not plan and lay out work for others, but he does inspect the sheets for defects, he does assist and direct the work of his crew (Page 4, Page 5, Report) and he does exercise large discretion under the classification heading of 'material'

(Page 5, Report). According to the 1951 edition of 'Webster's New Collegiate Dictionary', the word 'discretion' is defined as a noun meaning 'free decision, individual judgment, undirected choice.'

This is strikingly paralleled by the definition of the classification judgment factor for Inspector 1st Class (#77-0706; 5-D-3 Rating, Page 6, Report), which reads, 'Inspects sheets for defects, fulfillment of specification and make disposition'; and by the definition of the classification material factor for Inspector 1st Class, which reads, 'Considerable discretion in inspecting to prevent defective material from reaching customer.'

From this comparison, it is determined the written job content includes a considerable range of judgment for inspection according to the written description and classification language; and that its classification rating is properly represented by 5-D-3.

4b) Education Factor -

The Education Factor is determined to have the rating of 2-C-5 because of the agreement among the following:

(a) Inequity Agreement (Page 38; Rating of 2-C-5) - Ability to read and understand simple shop instructions and explain them to others. To prepare reports involving the recording of written information and simple statistical tabulations. To read and understand simple drawings and specifications.

(b) The Job Description (Paragraphs a,d,e,f,g, Page 4, Report).

Receive instructions\*\*\*. Directs and assists crew\*\*\*. Make\*\*\*reports\*\*\*and tickets for lifts showing necessary information.\*\*\*Marks necessary identification on top plate of each lift.

(c) The Job Classification (Education; Physical Exertion -- Page 5, Report).

Make production reports and lift tickets. Instruct crew. Read micrometer and tape.\*\*\*, make production reports and tage for lifts.

The requirements of the rating of 3-C-8 (Inequity Agreement, Page 38) sought by the Union are not met because there is nothing in the description or the classification of the occupation in dispute that would indicate the use of or the need for the equivalent of complicated instructions or drawing; or the accurate taking off of quantitative data. Further, the tickets and report form submitted (Company Exhibit "F") are quite simple and easy to understand. This is verified by the language of the more complicated classification education factor for Inspector 1st Class, Cold Strip Mill (#77-0706; 3-C-8 Rating; Page 6, Report), which reads, "Read, write, compute and understand and apply knowledge of customer's use of sheets to attain specifications."

It is determined that the written job content is properly classified by the Rating of 2-C-5.

5) Will the fact that this inspection is not classified as a final inspection have any effect here?

It is not stated in the description or the classification what kind of inspection is required, although the undisputed statement was made (Page 30, Notes) that the operator makes no final disposition on plates and makes out no turn inspection report on defects. With the exception of the counting of sheets (which is minor) the description requirements under "c" of this occupation in dispute (Page 4, Report) are practically the same as the description requirements under the second paragraph of the Inspector 1st Class, Cold Strip Mill (#77-0706; Page 5, Report).

However, as to classification, the two occupations compare as follows:

5a) Judgment Factor - The operator of the occupation in dispute has three duties (Page 5, Report); the Inspector 1st Class (#77-0706; Page 6, Report) also has three duties:

Operator, Plate Oiler 76" Hot Strip - Duties:

Directs Crew.

Decides proper oiling of plates.

Inspects plates for defects.

Inspector, 1st Class, Cold Strip Mill (5-D-3) - Duties:

Inspects sheets for defects,

fulfillment of specifications,

and makes disposition.

All such duties require judgment in one form or another.

Hence, it is determined that the written job contents of the two occupations require judgment for inspection that is the same for all practical purposes.

5b) Education Factor - Under the rating of 2-C-5 (Page 38, Inequity Agreement), the operator is required to explain instructions to others, to make reports involving recording of written information and simple statistical tabulations, and to read and understand simple drawings and specifications.

In the job classification rating of 2-C-5 of the occupation in dispute (Page 5, Report), the operator is required to make production reports and lift tickets, to instruct and to read micrometer and tape. The job description (Paragraph g. - Page 4, Report) reads very much the same. In contrast, the job description and classification for Inspector 1st Class, Cold Strip Mill (#77-0706 - 3-C-8 Rating; Page 5, Report) the education requirements include writing results of inspection and destination on the top inspection tickets, and considerable comprehension and utilization of "customer's use of sheets to attain specifications", which are in the nature of "accurate taking of quantitative data" (3-C-8 Rating, Page 38; Inequity Agreement) and which are far in excess of the requirements of the occupation in dispute. It appears, then, that the rating of 2-C-5 is adequate for the education requirements.

6) Does the rating of either factor vary numerically in



the same manner as Job Classes?

From the Company's Exhibit "E", the following are found:

6a) Judgment Factor - It is noted that the judgment factor rating of 5-C-2 is used in job classes #6,8,9,10,12,14,15,16 17.

6b) Education Factor - It is noted that the education factor of 2-C-5 is used in job classes 6,8,10,12. It is also noted that the following education factorial ratings are used for job class #10: 1-D-3; 1-C-2; 2-C-5.

If the above has any meaning at all, it can be concluded that the rating of neither factor varies numerically in the same manner as the job classes.

#### F I N D I N G S

From the consideration of all of the aforementioned facts:

1) The Union has sustained the burden of proof as to its contention that the classification rating for the judgment factor of the occupation of Operator, Plate Oiler, Hot Strip (#76-1620) should be raised from 5-C-2 to 5-D-3.

2) The Union has failed to sustain the burden of proof as to its contention that the classification rating of the education factor of the occupation of Operator, Plate Oiler, Hot Strip (#76-1620) should be raised from 2-C-5 to 3-C-8.

IT IS THE FINDING OF THE ARBITRATOR, that the Union's contention as to the classification judgment factor be sustained and that the rating of this factor be raised from 5-C-2 to 5-D-3; and that the Union's contention as to the classification education factor be denied and that the rating of this factor remain unchanged, i.e., 2-C-5.

The following constitute the written evidence included in this Report, by reference:

Reporter's Notes of the Hearing --  
E. J. Walton, 30 N. LaSalle Street,  
Chicago, Illinois

Union Brief

Union Exhibits Nos. 1, 2, 3 and 4

Company Brief

Company's Exhibits A, B, C, D, E, F, G

Job Classification Manual

Union-Company Collective Bargaining Agreement  
of July 30, 1952

*A. Slater Walker*

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April 4, 1953

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