

AWARD OF ARBITRATOR

GRIEVANCE NO. 13 D-5

INLAND STEEL COMPANY
AND
UNITED STEEL WORKERS OF AMERICA
LOCAL 1010

CARL T. DUNN, ARBITRATOR

BEFORE CARL T. DUNN, ARBITRATOR
INDIANA HARBOR
MARCH 13, 1953

Appearances

For the company - W. T. Hensey, Jr., Assistant Superintendent Labor Relations; T. G. Cure, Assistant Superintendent Labor Relations; R. L. Smith, Assistant Superintendent Industrial Engineering; W. H. Mulflur, Assistant Superintendent 76" Hot Strip Mill; A. W. Gundstrom, Senior Wage Analyst; Industrial Engineering; D. Dillman Job Analyst, Industrial Engineering; E. Schwenk, General Foreman, 76" Hot Strip Mill.

For the union - Joseph B. Jeneske, International Representative; Fred A. Gardner, Vice-Chairman, Grievance Committee; Frank E. Negrete, Griever 76" Hot Strip Mill.

History of the Case

During January, 1952, the company started to produce a special plate requiring a coating of oil prior to shipment. This was a new operation. Equipment was set up in the 76" Hot Strip Mill Department, and a crew of four men established to operate this oiler, consisting of an operator, a helper, and two pilers.

In accordance with the Wage Rate Inequity Agreement of June 30, 1947, between the Inland Steel Company and the United Steelworkers Union (CIO) Local Union Numbers 1010 and 64, the company developed job descriptions and classifications for these occupations and submitted them to the union on August 14, 1952. These descriptions and classifications were not accepted within the 30 day limit prescribed by Article V, Section 6 of the Collective Bargaining Agreement, and the company, in accordance with Article V, Section 6 (D) installed the job descriptions and classifications and made them effective as of January 14, 1952, when the unit went into

operation.

On October 3, 1952, the Union filed a grievance on the Helpers in this group stated as follows:

"The aggrieved employees allege that their job is improperly classified under the procedures of the Wage Rate Inequity Agreement."

"Relief Sought: Request new and higher classification."

This grievance was processed in the first, second, and third steps with no agreement and comes before the arbitrator in accordance with contractual provisions for the selection of an arbitrator (Article VIII, Section 2, Step 4.).

The Arbitrator is limited in jurisdiction by Article V, Section 9, "only to interpret, apply, or determine compliance with provisions of this agreement, and he shall have no power to add to, detract from, or alter in any way the provisions of this Agreement".

Full opportunity was afforded both parties for their presentations and rebuttals. During the afternoon the arbitrator in the company of representatives of the Company and the Union, observed at length the duties and conditions surrounding the job in question, and also several other jobs which the company contends have factor values similar to the job involved in this grievance.

Position of the Union

In a concisely stated brief, the Union now accepts the Job Description for the 76" Hot Strip - Plate Oiler - Helper (76-1622) as presented by the company, and eighteen (18) out of twenty (20) of the Job Factor Point Values for this job as developed by the company. The area of contention is thus limited to the factor values for: Environment - Part 3 Dirt - Fumes, and Accident Exposure.

In the development of its case for increases for these two factors, the Union draws direct comparisons (on these two factors only) with the descriptions and values assigned to the Operator of the same unit.

It is requested by the Union for Environment Part 3, that the point value be changed from 3-B-1 (point) which has as its definition "Exposure to dust, grease, dirt, and fumes--Unexceptional working conditions in comparison with other occupations for which the usual applicants might as readily qualify. Conditions of this sort neither attract nor repel the worker in accepting employment.", to 3-D-4 (points) which has as its definition "Exposure to dust, grease, dirt and fumes -- Exceptionally repellant conditions of work creating distinct distaste for the job".

The Union accepts 3-B-1 (point) as correct for the Operator of this unit.

It is requested by the union for the factor of Accident Exposure that the point value be changed from 3-B-4 (points) which has as its definition "Frequent exposure requiring exceptional alertness and caution by the operator at all times if injury is to be avoided. Exposure not entirely obviated by ordinary safety measures observed in the plant--Accident not calculated to be sufficiently serious to cause incapacitation for more than short periods (two or three weeks at the most) for recuperation. Not likely to be followed by consequence endangering the workers' ability to return to employment at the same grade as before", to 3-C-7 (points) which has as its definition, "Frequent exposure requiring exceptional alertness and caution by the operator at all times if injury is to be avoided. Exposure not entirely obviated by ordinary safety measures observed in the plant. Accident likely to cause injury sufficiently serious to require hospitalization for extended periods and possibly causing change of occupation upon recovery".

The Union accepts 3-C-7 (points) as correct for this factor for the operator of the unit.

Position of the Company

The company denies the union's allegation that the 76" Hot Strip Plate Oiler Helper occupation has been improperly classified under the procedures of the Wage Rate Inequity Agreement.

Since no complaint on job description was indicated in the grievance, the company has documented in detail its reasons for the selection of each one of the 20 factor values used in the classification of the job in question, and also supplied for each factor several other jobs accepted by the union and having the same code value (Company exhibit D).

The company also has furnished a file of Job Description and Classifications of jobs having comparable factor values to the job in question (Exhibits D, E, and F) for the use of the arbitrator in determining whether or not the Inland Steel Company Job Classification Manual has been correctly applied to the 76" Hot Strip Oiler Helper job.

Discussion

The position of the union simplifies the problem for the arbitrator, limiting the scope of his investigation to only two attributes or factors of the job. Accordingly, during the visit to observe the Plate Oiling operation, especial attention was paid to details of the job which could have a bearing on environmental deterrents and accident exposure.

Building Conditions. The oiling unit is in a side bay of the 76" Mill Building, largely used for storage purposes. There exists no bad atmospheric conditions such as smoke or oil vapor or acid fumes. The floor area is

relatively clean. There exists a dull background noise from the 76" Mill, and the Plate Oiler produces a sharp noise as each plate is dropped from a vertical position to the horizontal feed rolls through the oiler.

Operating Procedure. A crane magnet deposits a lift of about 20 plates 30" wide by (76"-111") long on a feed rack about 30" above the floor, then upends the rack and lift to about 85° on the long edge of the plates. Standing at the end of the plates a piler drives a cold chisel between the outer plate and the next plate a short distance at the top corner. The helper who stands on a platform in back of the rack and inclined plates, inserts a short pinch bar, held in the left hand and about 12" from the end, into the crack, and moves the top of the plate forward enough to insert a wooden wedge held in the right hand about 10" from the end. The operator, standing on the floor reaches with his right hand for the outer plate at the upper right hand corner, the helper exerts pressure on the pinch bar and the plate crosses the 90° position and falls to the oiler feed rollers in front of the operator. The operator squares up the plate as needed and shoves it forward with both hands until it starts into the oiling rolls. While the operator is starting a plate, the helpers are preparing the next plate, and it is possible that the helper could tip a plate over with the operator in the danger area. This is particularly true with the 76" length plates. At the rear of the machine, the piler levels the edges of the pile against stops with a wooden bar. After the lift has been oiled, the helper helps the piler apply the safety bands to the lift with a portable banding machine. Some oil is transferred from the plates to the bander which may require occasional wiping of the levers. At infrequent intervals during the day while waiting for a crane lift, the

helper will replenish the parafin oil in the oiling machine hopper (or tank) using an ordinary 5 gallon can which is filled at a drum about 100 feet from the machine. At the direction of the operator, the helper may adjust the flow of oil to the roll with several small valves.

Whenever the crane is overhead, general safety regulations require the oiler crew to cease work and step out of the way.

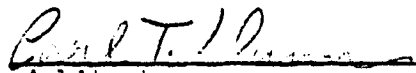
Award

Environment-Part 3. The Union accepts as correct 3-B-1 as the factor value for the 76" Hot Strip Mill Plate Oiler operator, defined in the Manual as "3-Exposure to dust, grease, dirt, and fumes - B-Unexceptional working conditions in comparison with other occupations for which the usual applicants might as readily qualify. Conditions of this sort neither attract or repel the worker in accepting employment." The operator regularly shoves dirty steel plates and may occasionally adjust oil valves. The helper regularly handles a pinch bar and a wooden wedge, and about every twenty plates handles a small machine which may have some oil on the handle or levers. Transferring oil from the drum to the machine should not involve distinctly unfavorable working conditions.

The arbitrator, after careful consideration of the evidence submitted and the actual conditions surrounding the job, cannot accept the position of the union that factor code 3-D-4 fits the condition of the helper on this job, which is defined as "3-Exposure to dust, grease, dirt and fumes-D-Exceptionally repellent conditions of work creating distinct distaste for the job". The arbitrator is unable to detect any measurable differences for this factor between the operator and the helper and awards 3-B-1 for the Environment Factor Part 3 for the helper on the 76" Hot Strip Mill

Plate Oiler.

Accident Exposure. The union accepts as correct the Factor value 3-C-7 for the Plate Oiler Operator, and asks for the same value for the helper. For the operator, there exists the possibility of serious injury to hands or arms should a plate be released before he is ready to receive it. For the helper, it is very difficult to conceive how he could do more than trap his fingers between two plates, and the probability of this is remote. His greatest hazard may well be a fall from the 30" platform. After careful consideration of the evidence submitted, and the observed conditions under which both the operator and helper work, the arbitrator cannot accept the position of the union that the accident exposure risk is as great for the helper as for the operator. The arbitrator awards accident exposure factor 3-B-4 for the helper defined by the Manual as "3 - Frequent exposure requiring exceptional alertness and caution by the operator at all times if injury is to be avoided. Exposure not entirely obviated by ordinary safety measures observed in the plant, - B Accident not calculated to be sufficiently serious to cause incapacitation for more than short periods (two or three weeks at the most) for recuperation. Not likely to be followed by consequence endangering the worker's ability to return to employment at the same grade as before."


Arbitrator

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