

UNITED STEELWORKERS OF AMERICA,)
C. I. O., ON BEHALF OF LOCAL 1010)
)
-vs-) GRIEVANCE NO. 21-D-7
)
INLAND STEEL COMPANY)

Hearing was held on Wednesday, December 9, 1953, at the Inland Steel Company, Indiana Harbor Works, East Chicago, Indiana.

Additional data requested by the arbitrator submitted December 14, 1953.

Decision rendered by arbitrator on January 15, 1954.

In a letter dated October 28, 1953, to the arbitrator, the Company and the Union established the question to be decided in this arbitration as: Did the Company act in violation of Article V, Section 6 (D), of the Collective Bargaining Agreement when it denied the Union's request for a revision of the job description and classification of the occupation of Steel and Pig Iron Chemist in the Research and Development Department and the coding of the following factors in the job classification for this occupation:

1. Initiative
2. Education
3. Experience
4. Mental Exertion

Article V, Section 6, Paragraph D, reads as follows: "The employee or employees affected may at any time within thirty (30) days from the date such classification is installed, file a grievance alleging that the job is improperly classified under the procedures of the aforesaid Wage Rate Inequity Agreement (dated June 30, 1947). Such grievance shall be processed under the grievance procedure set forth in Article VIII of this Agreement and Section 9 of this Article. If the grievance be submitted to arbitration, the arbitrator shall decide the question of conformity to the provisions of the aforesaid Wage Inequity Agreement, and the decision of the arbitrator shall be effective as of the date when the disputed job description and classification was put into effect."

The testimony during the hearing established that the Company combined two occupations into one; the occupations of Steel Chemist (Index No. 46-0315) and Pig Iron Chemist (Index No. 46-0317) in the Research and Development Department were combined into one occupation of Steel and Pig Iron Chemist (Index No. 46-0315). Since October, 1946, prior to the conclusion of the Wage Rate Inequity Program, the two original occupations remained in their respective Job Classes: The Pig Iron Chemist was in Job Class 11, and the Steel Chemist was in Job Class 13. Upon combining the jobs, the Company, on June 22, 1953, placed the Steel and Pig Iron Chemist occupation into Job Class 13. On July 3, 1953, the Union filed Grievance Number 21-D-7, the subject of this arbitration, alleging that the job description and classification was improper under the procedures of the Wage Rate Inequity Agreement. The Company presented the new description and classification on May 15, 1953, to the affected employees; the classification was installed on June 22, 1953; and the grievance was filed on July 13, 1953.

The Union's contention is that the Company, in describing and classifying the combined occupation as it did, violated Article V, Section 6, of the Collective Bargaining Agreement. Further, the Union specifically contended that the four factors, Initiative, Education, Experience, and Mental Exertion were improperly evaluated; and the Union requested that these four factors be re-evaluated to correspond exactly to these same four factors in the occupation, Miscellaneous Iron and Steel Chemist, as shown in table form below.

<u>Factors</u>	<u>Company Coding</u>	<u>Union's Coding</u>	<u>Misc. Iron & Steel Chemist Coding</u>
Initiative	C-2	D-3	D-3
Education	3-D-9	4-D-12	4-D-12
Experience	3-B-10	4-D-20	4-D-20
Mental Exertion	3-D-8	4-C 3-A-11	4-C 3-A-11

The Union argued that for all intents and purposes the newly created occupation, Steel and Pig Iron Chemist, was equal to the existing job, Miscellaneous Iron and Steel Chemist. Actually, although this was not clearly brought out in the testimony, increasing the coding for the four factors according to the Union's request would give the Steel and Pig Iron Chemist a total point value of 88 as compared to a total point value of 85 for the Miscellaneous Iron and Steel Chemist. According to the Standard Base Rate Wage Scale, 85 to 88 points place an occupation in Job Class 17 with a Base Rate of \$2.320 per hour.

During the hearing, the Union read into the record paragraphs from the Job Descriptions for the Steel and Pig Iron Chemist and the Miscellaneous Iron and Steel Chemist to prove the similarity which it claimed existed between these two occupations. Among the paragraphs read into the record are the following:

For the Steel and Pig Iron Chemist: "Makes analysis by prescribed methods of steel drillings from ladle tests from each heat of steel and of samples of iron from each blast furnace cast for silicon, manganese, phosphorous, sulphur, and copper."

For the Miscellaneous Iron and Steel Chemist: "Analyzes by prescribed methods iron and steel samples for carbon, manganese, phosphorous, sulphur, silicon, or other elements."

The Company denies that it violated Article V, Section 6, of the Collective Bargaining Agreement and that it conformed to the provisions of the Wage Rate Inequity Agreement when it described and classified the occupation in dispute.

To begin, the Company argues that combining the two original occupations into the one now in dispute is in accordance with Section 2 of the Wage Rate Inequity Agreement which provides that jobs may be described and classified in their proper relationship and the number of job classifications may be reduced to the smallest practical number.

In its Exhibit D, the Company shows the iron and steel sequence before and after the combining of the two occupations into one. The Company argues that if the Steel and Pig Iron Chemist occupation were classified in Job Class 17, as the Union requests, this occupation would then be above the Chemist Combustion (Job Class 16) and the Control Chemist (Job Class 15). Such revision of the iron and steel sequence, the Company further states, would be unfair to the persons in the occupations involved and not in compliance with the Wage Rate Inequity Agreement.

In its Exhibit D, the Company also attempts to point out the significant differences in the occupations in the iron and steel sequence. One such difference is the determination of the carbon content. Another difference is the way that the samples to be analyzed are prepared and the amount of the material being available. Still another difference is the availability of known ranges of the maximums and minimums of the elements in a sample.

The Company further contends that it was manifestly just in that when it combined the two occupations, Pig Iron Chemist (Job Class 11) and Steel Chemist (Job Class 13), it raised the lower job to the higher level.

At the close of the hearing, the arbitrator visited the laboratory where the occupations involved in this case are employed. He was glad to avail himself of the opportunity to see the physical surroundings, to further discuss the occupations with Union and Company representatives, and to talk to two or three of the men on the job.

In studying the case, the arbitrator separated one major area of dispute wherein the Union contends that the Steel and Pig Iron Chemist occupation is parallel and equal to the Miscellaneous Iron and Steel Chemist occupation. *The Company contends that these occupations are unlike.* The other major area of dispute is whether or not the Steel and Pig Iron Chemist occupation, which resulted from the Company's combining of the Pig Iron Chemist and the Steel Chemist occupations, was properly placed in relation to the other occupations.

During the hearing and in subsequent study of the data presented by the parties in exhibits and statements, it became clear that very definite differences exist between the Steel and Pig Iron Chemist occupation and the other occupations. These differences are in these areas: (1) The determination of the carbon content of the sample analyzed; (2) the preparation or lack of preparation of the sample analyzed; and (3) the known ranges of maximums to which the chemist may make reference.

The Company's argument, that there is no question whether or not the resulting combined job was properly evaluated because it was given the number of points carried by the higher of the two occupations combined, does not stand on sound ground. In combining two or more jobs, the resulting one job may have to be given a greater number of points than any of the individual jobs involved. Every example is lame; however, in an attempt to illustrate this point, the following example is given: A test pilot occupation which requires flying an aircraft of unknown characteristics and reporting these characteristics as they are discovered may require a weekly salary equal to 100 units; an aeronautical engineer who is able to create original aircraft designs may require a weekly salary equal to 115 units per week; but an occupation which requires both the skill of piloting and the knowledge of designing aircraft may require a salary of 125 units per week. Of course, in job evaluation, it is the requirement of the job not the capabilities of the individuals who are employed in the occupation that determine the relative worth of this occupation.

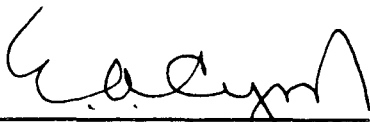
The job descriptions for the two occupations of Miscellaneous Iron and Steel Chemist and Steel and Pig Iron Chemist show sufficient difference

in the matter of determination of carbon content to indicate different point values for the challenged factors. The variation of sample sizes and the necessity of taking this into account when calculations are made appeared significant in the study of this case. The same is true of the ranges of maximums to which the chemist may or may not have access.

From his visit to the laboratory, the arbitrator would judge that making the Steel and Pig Iron Chemist occupation equal to, or even higher than, the Miscellaneous Iron and Steel Chemist would strike some of the employees in the group as unfair. It has been pointed out elsewhere in this award that acceding to the Union's request that the four factors of Initiative, Education, Experience, and Mental Exertion be made equal in both jobs would give the Steel and Pig Iron Chemist a total of 88 points while the Miscellaneous Iron and Steel Chemist would have a total of 85 points because of the difference in the factor, Maintenance of Operating Pace. Although these point values of 88 and 85 would keep both occupations in the same Job Class (Job Class 17), a point increase in the Steel and Pig Iron Chemist occupation for some valid reason would place that occupation in the next Job Class and make it the top job in the sequence.

From every angle of study, it appears clear that the Steel and Pig Iron Chemist should not be lifted higher in the evaluation rating than it now stands. Therefore, it is the finding of this arbitrator that the Company developed the description and classification for the Steel and Pig Iron Chemist in conformity with the provisions of the Wage Rate Inequity Agreement and in accordance with the procedure outlined in Article V, Section 6, of the Collective Bargaining Agreement. It is so ruled.

Respectfully submitted,


E. A. Cyrol, Arbitrator