

INLAND STEEL COMPANY)

and)

UNITED STEELWORKERS OF AMERICA)

Local Union No. 1010)

Grievance No. 16-F-7

Docket No. IH-81-81-11/20/56

Arbitration No. 198

Opinion and Award

Appearances:

For the Company:

T. G. Cure, Assistant Superintendent, Labor Relations
W. A. Dillon, Divisional Supervisor, Labor Relations
A. T. Anderson, Divisional Supervisor, Labor Relations

For the Union:

Cecil Clifton, International Staff Representative
Fred A. Gardner, Chairman, Grievance Committee
John Sargent, Grievance Committeeman

In this case Charles Huff, the grievant, a 1st Class Millwright, claimed that by reason of a local condition and practice (Article XIV Section 5) senior employees were entitled to fill vacancies on steady day turns if they desired to do so. He claimed that he had been denied the privileges inherent in such practice.

The specific practice contended for by the Union at the hearing afforded senior employees the privilege of filling vacancies, but not to bump incumbents of jobs. It was denied by the Company, at the hearing, that any vacancy existed immediately prior to the filing of the grievance with respect to which such a privilege could have been exercised. The Company also denied the existence of the practice alleged by the Union.

The Union did not prove that there was a vacancy on steady day turns to which Huff could have been assigned. In view of this, it is not necessary to inquire into the question of the disputed practice. The basic fact is lacking in this case which is essential for the grievant to prevail under the theory advanced by the Union.

AWARD

The grievance is denied.

Approved:

Peter Seitz,
Assistant Permanent Arbitrator

David L. Colo,
Permanent Arbitrator

Dated: September 16, 1957