

INLAND STEEL COMPANY

and

UNITED STEELWORKERS OF AMERICA
Local Union No. 1010

)
) Grievance No. 15-F-8
) Docket No. IH-92-12/27/56
) Arbitration No. 200
) Opinion and Award

Appearances:

For the Company:

W. L. Ryan, Assistant Superintendent, Labor Relations
Thomas Tikalsky, Divisional Supervisor,
Labor Relations

For the Union:

Cecil Clifton, International Staff Representative

G. Boyd, a Rougher Helper in the 44" Hot Strip Mill, was disciplined with the loss of one scheduled turn for failure of duty. The grievance notice contends that the Company action was unwarranted and the Union seeks withdrawal of the Discipline Statement from the Personnel File and reimbursement for the lost turn.

On October 29, 1956, a roll change was required on the #10 Mill. Boyd as Rougher Helper proceeded from the #4 Mill to the #10 Mill to perform his required functions there. He testified that when he last observed the #4 Mill, it was turning over at full speed with the water flowing and "ready to go", but not rolling. The roll change, it was stated, takes approximately five minutes to complete. The #10 Mill where Boyd was working was approximately 225 feet away from the #4 Mill.

Apparently, during the course of the roll change on the #10 Mill, the Roller undertook to check the #4 Mill for a spall. He turned off the flow of water in order to do so and did not turn it on again when his inspection was completed. The established procedure calls for a blast on the mill horn when a mill starts rolling. This blast is a signal for all employees, including the Rougher Helper, to be at their appointed stations and to perform such duties as might be required in connection with the starting up of the mill. The Assistant Superintendent of the 44" Hot Strip Mill testified that approximately one minute elapses between the blast on the horn and the time the slab reaches the #4 Mill. In this instance after hearing the blast Boyd completed his duties at the #10 Mill and returned to the #4 Mill. When asked how long he remained at #10 Mill after the blast he responded " * * * a few seconds, minute, a couple of minutes; I am not sure on that." He also testified that it took him a "couple of minutes"

"to get back from the #10 to the #4 Mill" and that he did not stop on the way.

The water flow in the #4 Mill, having been shut off by the Roller, was not turned on again before the Mill began rolling. In consequence of this failure, a roll was broken; there was a loss of 12.2 tons of steel and a 38 minute production delay was suffered.

Because checking and adjusting the flow and angle of water on the rolls before steel is rolled is a duty of the Rougher Helper, the Company regards Boyd as having been responsible for the damage and delay. His job description provides in the first paragraph of "Work Procedure":

"Before roughing mills are started, checks and adjusts the following: Flow and angle of water on rolls, position and condition of top and bottom stripper guides, condition of mill entry and delivery guides, steam and hydraulic sprays, keeper clamps, oil and grease connections, vertical edgers, and all other equipment on #3 and #4 mills."

Boyd conceded knowledge of this work procedure and duty and of the probable consequences of operating the #4 Mill without a flow of water. The Union's position in the case, however, is that there was no "cause" for the discipline because he had no knowledge or information and no reason to believe that the water had been shut off by the Roller; and that if he knew or suspected that it had been turned off he would not have lingered at the #10 Mill to finish his task after hearing the blast but would have returned forthwith to the #4 Mill to perform his duties. It is evident that this case turns on the question of whether Boyd was unreasonable in assuming that the water was still flowing in the #4 Mill, and, therefore, justified in completing his task at the #10 Mill after the warning blast.

It was generally agreed at the hearing that a considerable number of individuals in the department are authorized to turn off the water to check for spalls, mechanical defects, grease line connections and for other reasons. Thus, the flow of water might be discontinued by any of the members of the supervision in the Mill, the Roller, Assistant Roller, Rougher, or maintenance employees, in connection with inspection or work on the mill. It is customary for the person turning off the water either to turn it on again himself or to notify the Rougher Helper, whose duty it is to see to the flow of water during rolling.

Boyd was not charged by the Company with idling on his job or with indifference to the performance of his duties. If he is culpable for the damage that was suffered, under the case presented by the Company, it could only be for the exercise of poor judgment in having remained for a short period of

time at the #10 Mill to complete his duties there rather than returning to the #4 Mill without delay, after hearing the signal.

The facts in this case are sharply distinguishable from those in Arbitration No. 190 in which the employee disciplined showed disregard for his responsibilities first by placing himself in a position where he might not have seen an approaching weld. In that case it was found that there was cause for the discipline imposed even though, fortunately, no damage resulted from the negligence.

Was Boyd reasonable and justified in assuming that, because the water had been flowing in the #4 Mill when he last saw it, that it was still flowing five minutes or more later when the signal was given? Was the completion of his task at the #10 Mill so pressing and important that, in a balance of imperatives, he was justified in taking the chance that none of the persons authorized to do so had turned off the water and either neglected to turn it on again or neglected to inform him of the fact?

The answer to this question is complicated by several facts. The first is that it was his duty to be at his station at the #4 Mill promptly after the warning blast was given. Yet, he was working with, and under the general direction of, the Rougher on the #10 Mill at the time, and was not instructed to drop what he was doing there the instant the blast was heard. This in turn was probably due to the fact that the Roller who had shut off the water had neglected to follow the usual practice of informing the Rougher Helper of this.

Grievant alone was held by the Company to have been derelict in his duty. Certainly, however, his culpability must be tempered by the facts cited; otherwise, it is difficult to escape the feeling that Boyd is being singled out while the fault of others is being overlooked.

This is the type of situation where official notice of the employee's fault should be taken but no more. This suggests that the penalty of loss of pay was unwarranted under the circumstances. A reprimand would have sufficed.

AWARD

The Company was justified in issuing a reprimand to the grievant for not being at his assigned station at the #4 Mill promptly after the warning blast, but, under the circumstances of the incident, did not have sufficient cause to discipline him to the extent of depriving him of his pay for a turn. The grievance is therefore in part denied and in part sustained.

Approved:

Peter Seitz,
Assistant Permanent Arbitrator

David L. Cole,
Permanent Arbitrator

Dated: September 16, 1957