INLAND STEEL COMPANY)
) Grievance No. 8-E-51
- and -) Docket No. IH-182-177-5/17/57
) Arbitration No. 229
UNITED STEELWORKERS OF AMERICA)
Local Union No. 1010) Opinion and Award

Appearances:

For the Union:

Cecil Clifton, International Representative
Fred Gardner, Chairman, Wage Rate & Incentive Review Committee
William Young, Grievance Committeeman

For the Company:

L. E. Davidson, Assistant Superintendent, Labor Relations
J. Stanton, Divisional Supervisor, Labor Relations
W. Grundstrom, Supervisor, Wage Administration
D. Gott, Job Analyst, Wage Administration
E. Gaston, Job Analyst, Wage Administration
G. Fiegle, General Foreman, 28" Finishing End

The Union contends that the occupation of Expeditor in the #2 Finishing End of the 28" Finishing Department is improperly classified and described. The grievance requests that the Company develop a new description and a higher classification.

The Company's first step answer constitutes only a formal denial of the grievance. The Company's second step answer states that no evidence or information was brought out at the second step meeting which would change the findings made at the first step. In the third step answer it is pointed out that the grievance was filed on May 10, 1956; that following the Company's first step answer the Union requested a one month time limit extension to enable it to study the occupation prior to the second step; that "no verbal or written material to substantiate the contention of this grievance" was submitted in the second step; that three days later the grievance was appealed to the third step; that the Union has since made thirteen requests for extensions in order to obtain time to complete its studies, which were granted by the Company; that Union representatives requested permission to visit the work area on two occasions and that, although

the first visit was made, the second was not; that at the third step hearing the Union "presented nothing further except to state that they wanted the same base rate for this occupation as an occupation with a similar job title in the old Finishing End."

The Union stated at the hearing that, on its second visit, it was denied access to the plant and work area because of the unavailability of a Company representative to accompany its representative.

The progress of this case through the grievance procedure is referred to here because it was delineated at considerable length and with much emphasis at the arbitration hearing. Apparently, this was not done for the purpose of limiting the scope of the inquiry at the hearing, because no specific objection was voiced to the introduction of matter which was not discussed at the grievance steps. The purpose of the Company, apparently was to focus attention on the fact that the character of the grievance processing was such as to make it difficult, if not impossible, for it to anticipate what factual material it would have to meet at the hearing.

The Company's observations apropos the insufficient exchange of information in the grievance steps are sound. The rules under which arbitration is to be conducted by these parties, contemplate such exchange. This advance information of the factual background and theory of the case of each of the parties is not only of importance to them, but to the Arbitrator, as well. Indeed, it is indispensable to the conduct of a full and fair hearing with opportunity to each party to comment adequately on the matter or arguments advanced by the other.

In the instant case, however, although the Company claimed to be ill-informed as to what the Union would present at the hearing and may have been inconvenienced somewhat thereby, the disadvantage it suffered was not vital to its cause. This is so because, in the development of its case, the Union did not depart substantially from the position which the Company asserts the Union had advanced at the third step hearing. Basically, the Union did little more at the hearing, in the presentation of its own affirmative case than to refer to the job descriptions and job classifications of comparable occupations at the #1 and #2 Finishing Ends and argue that on the basis of this written material the job classification of Expeditor at the #2 Finishing End should be increased in point values. The record does not disclose any substantial factual showing or argument thereon to the effect that the job description of Expeditor in the #2 Finishing End is improperly described. In fact, the statement of the issue presented by the Union in advance of the hearing does not even allude to this aspect of the grievance claim (although the Company's pre-hearing statement of the Union's position assumes that the

claim persists) and, accordingly, I must assume that it is not pressed in arbitration.

In view of the above this case is to be decided exclusively on the basis of a comparison of the job description and classification of Expeditor - Sawing and Shearman at the #1 Finishing End and Expeditor at the #2 Finishing End. In order to be as fully informed as possible I visited the plant in the company of Company and Union representatives and observed the equipment and operations referred to at the hearing.

The Union requests the following changes in the classification of Expeditor:

	Present Classification	Requested Classification
Experience:	2 D 8	3 B 10
Physical Exertion	3 A 2 C 5	3 B 2 B 6
Mental Exertion	4 A 3 C 9	4 D 12
Accident Exposure	2 D 6	3 C 7

The record of the hearing and the observations I have made do not support findings favorable to the grievants.

a) Physical Exertion: The grievants are coded at the third level (normal exertion) in the A degree (one quarter of the time) for "Normal exertion to climb over beds to expedite steel, etc."; and at the second level (below normal exertion) in the C degree (three quarters of the time) for "Below normal exertion to direct operations, make reports, check gauge settings, measure, etc." The #1 Finishing End Expeditor is coded at the third level (normal exertion) during one half of the time for "Normal exertion to locate correct lifts, expedite steel, assist in positioning gauge, etc." and at the second level (below normal exertion) during one half of the time for "Below normal exertion to direct operations, make reports, check gauge settings, measure, etc." Obviously, conformity of the coding of the #2 Expeditor (grievant) with that of the #1 Expeditor in the degree and point values yield-on the "below normal exertion" level would not be to the interest of the #2 Expeditor because he was granted three points on this level and the #1 Expeditor was granted only two. Hence attention is directed to the "normal exertion" level in which the #2 Expeditor is granted two points and the #1 Expeditor is granted four points.

The Company explains that this difference in the "normal exertion" level is due to the fact that in the #1 Finishing End the Expeditor assists in manually pushing and pulling a heavy gauge; but in the newer #2 area where the grievants work, the gauge is electrically manipulated and moved. I have observed and compared the equipment and the methods of adjusting the gauges in the two finishing ends and I am satisfied that there is a sufficient difference in the operation of the respective gauges and in the duties of the two expeditors with respect to those gauges to furnish a reasonable basis for this difference. There is practically no requirement of physical exertion expended on the fully automatic gauge at the #2 end. The older type gauge at the #1 end requires a considerable amount of physical exertion by those who adjust and operate it.

b) Mental Exertion: The grievants are given the fourth level (high exertion) in the A degree (only one quarter of the time) for "Very close attention to direct crews, cope with irregularities, etc.", yielding three points; and also the third level (above normal exertion) in the C degree (three quarters of the time) for "Close attention to check and measure material, check gauge settings, make out reports, etc.", yielding six points, or a total of nine. On the other hand the Expeditors at the #1 end are given 12 points for the fourth level (high exertion) in the D degree (exceeding three quarters of the time) for "Very close attention to find correct lifts, check orders and items and see they are cut correctly, direct operations, etc."

My observations at the plant gave me no insight into the relative quantity or quality of mental exertion applied. At the hearing the Company based the difference of treatment principally on the fact that at the #1 end there was processed a considerable assortment of sections, sizes and shapes, requiring that the Expeditor positioned there possess knowledge and skills not called for at the #2 end where only conventional wide flange material is processed. Further, it was argued that, at the #1 end, some material cannot take stamped heat numbers, or if it does, the numbers are sawed off before they reach the gauge and that this places a heavy responsibility upon the Expeditor to identify lots and to prevent confusion in the processing of orders.

The Union conceded that there was a greater variety of sections, shapes and kinds of steel processed through the #1 than the #2 end but argued that the more unconventional sizes and materials were handled so infrequently as not to support the difference in coding. A thorough canvas of this dispute over facts, at the grievance step meetings might have eliminated this aspect of the controversy in arbitration. So far as I could ascertain, the positions of the parties on this factor were not previously discussed with each other sufficiently to prepare them for this difference when it arose before

the Arbitrator. However, in view of the assurances that it would impose no weighty burden upon the Company and in order to satisfy myself that I am not in error on the facts which would furnish the basis for this opinion, the Company was requested to provide a breakdown of the product mix at the #1 end for six months before and following the filing of the grievance. This data satisfies me that there is no basis for changing the coding of Mental Exertion of #2 Expeditor to make it accord with that of #1 Expeditor. There is a greater product mix, as alleged by the Company at the #1 end. The Expeditor at #1 end must be alert to avoid mixing of heats and sections, and actually must be careful to exercise skills to an extent not required of Expeditor at #2 end in this regard.

Accident Exposure: The Expeditor at the #1 end gets one more point value than the grievants at the #2 end. This comes about through coding the grievants at the second level in the "D" degree (Occasional exposure which can be prevented or minimized by alert attention and precautionary devices; accident likely to cause permanent incapacitation or death) and the Expeditor at the #1 end at the third level in the "C" degree (Frequent exposure requiring exceptional alertness if injury is to be avoided; exposure not obviated by ordering safety measures; accident likely to cause injury sufficiently serious to require hospitalization for extended periods, etc.).

The positioning of the equipment and the work procedures observed at the plant bore out the Company's claim that the path of the crane at the #1 end exposed the Expeditor to appreciably greater accident hazards than the grievants at the #2 end. The Expeditor at the #1 end are more frequently exposed to crane lifts overhead. The job classification sheet reflects this condition and indicates that it is the movement of the crane that makes the difference in the two evaluations. This justifies a higher level of accident exposure (3) for the #1 end Expeditors than for the grievants (2).

It was not explained how or why the degree of accident exposure of the #2 end Expeditors exceeded that of the #1 end Expeditors. My observations of the crane movements did not make clear why the grievants with a lower level of accident exposure were likely to suffer accidents in a higher degree of significance or severity. However, the grievants enjoy points for the highest degree of accident exposure obtainable, and this is not a matter at issue requiring disposition here.

Experience: The grievants are coded for 2 D 8 (Experience involving proficiency in some specific skills of limited extent such as may be normally acquired over a period of 24 months; indispensable qualification since applicants would not be selected unless possessing this qualification to an exceptional degree) as against 3 B 10 for Expeditors in the #1 end.

A higher level (longer period) of experience for #1 Expeditors because of the greater variety of sections, shapes and operating problems than for the #2 Expeditors would seem to be justified by the record and by my observation. As in the case of "Accident Exposure", I cannot say that the degrees of significance are properly assessed; however, inasmuch as the degree for #1 end Expeditors is not involved in this proceeding and the #2 end Expeditors get the highest degree obtainable, no findings are called for because they could not affect the result.

AWARD

The grievance is denied.

Peter Seitz,
Assistant Permanent Arbitrator

Approved:

David L. Cole,
Permanent Arbitrator

Dated: December 27, 1957