

INLAND STEEL COMPANY

and

UNITED STEELWORKERS OF AMERICA  
Local Union 1010

Grievance No. 16-F-58  
Docket No. IH-211-206-8/20/57  
Arbitration No. 245

Opinion and Award

Appearances:

For the Company:

W. A. Dillon, Assistant Superintendent, Labor Relations  
J. Borbely, Divisional Supervisor, Labor Relations  
R. L. Williams, General Foreman, Mechanical Division,  
Cold Strip Department

For the Union:

Cecil Clifton, International Staff Representative  
J. Sargent, Grievance Committee  
Al Garza, Vice Chairman, Grievance Committee

This case is similar to that resulting from Grievance No. 16-F-50. Again, the Union complains that the Company failed to fill a vacancy caused by the absence of a First Class Crane Machinist, in violation of Article VI, Section 8. The First Class Machinist was Z. Pupaza, who was out because of illness from March 15 to April 23, 1957. He had been scheduled on the steady day turn for the period March 17 to March 23, but thereafter was unscheduled.

The Company contends that during the week of March 17, when Pupaza was scheduled, it modified the work of the Crane Machinist day crew so that it was within the capacity of the short crew, and that during the remainder of his absence, which was anticipated, the forces scheduled were adequate to perform the work to be done.

"In the exercise of its rights to determine the size and duties of its crews, it shall be Company policy to schedule forces adequate for the performance of the work to be done. When a force has been scheduled and a scheduled employee is absent from a scheduled turn for any reason, the Company shall fill such a vacancy in the schedule in accordance with the provisions of Article VII, and if the schedule cannot be so filled, the Company shall call out a replacement or hold over another employee, unless the work to be accomplished by or assigned to the short crew can be modified so that it will be within the capacity of such short crew." (Article VI, Section 8)

The steady day crew has a Leader and a First Class Machinist, together with several Second Class Machinists, and a rotating shift crew of one First Class and one Second Class Machinist also work on the day turn.

As mentioned in the award in Grievance 16-F-50, the number of employees in the Crane Machinist occupations has grown considerably since 1951. This was partly caused by the desire to have full-time coverage and by the need of rehabilitating the cranes. Since 1952 Pupaza has been away from his job for a variety of reasons a number of times (vacations, illness, filling in for other employees on the rotating shift, days off) but only once, in 1955, did the Company replace him during such absences. This was so because there is always at least one other First Class Machinist on duty during the day turn and because the nature of the work done on the day turn is such that the work of less pressing nature may be readily deferred whenever necessary. The bulk of Pupaza's work has been of a kind which also falls within the job description of Second Class Machinists, in part because he is an older man and partly because this is generally true of First Class Machinists on the day turn.

There are two different questions raised by this grievance. The first relates to the first week of Pupaza's illness, for which period he had been scheduled. The second relates to the subsequent weeks, when he was not scheduled. The Company's obligations are somewhat different at these two times.

When an employee has been scheduled as part of a force, if he is absent the Company is directed by Article VI, Section 8 to fill the vacancy in a designated manner "unless the work ... can be modified so that it will be within the capacity of the short crew." The Company states that this is precisely what it did during the week of March 17th by having less of the preparatory kind of work done. It was able to do this because it is well ahead on such work, and it was not necessary to assign or direct any Second Class Machinists to do Pupaza's First Class Machinist work. As a matter of fact, two Second Class Machinists originally filed grievances alleging that during Pupaza's absence they performed his work and requesting First Class Machinist pay for doing such work but after discussion with Management representatives these grievances were withdrawn or not processed to completion.

The second question is related. Did the Company follow a policy of scheduling forces adequate for the performance of the work to be done? The Company described in detail the types of work that were deferred because this could be done without impairing the operations or functions of the cranes. The employees did not seriously dispute Management's statement of what was done during the period when the crew was short, nor did they offer any evidence that Second Class Machinists were directed to perform work of First Class Machinists or that the crew was overburdened with work because the smaller crew was required to do what the full crew had previously done. In other words, in the exercise of their right to challenge Management's policy to schedule adequate forces they could not show that this policy had not been observed.

AWARD

This grievance is denied.

Dated: March 25, 1958

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David L. Cole  
Permanent Arbitrator