

INLAND STEEL COMPANY

- and -

UNITED STEELWORKERS OF AMERICA
Local Union No. 1010

)
) : Grievance No. 2-F-15
) : Docket No. IH 217-212-9/30/57
) : Arbitration No. 254

) : Opinion and Award

Appearances:

For the Company:

L. E. Davidson, Assistant Superintendent, Labor Relations
R. J. Stanton, Assistant Superintendent, Labor Relations
R. L. Smith, Superintendent, Wage and Salary Administration
C. L. Corban, Manager, Coke Production
D. Gott, Job Analyst
G. Applegate, Job Analyst

For the Union:

Cecil Clifton, International Representative
Sylvester Logan, Acting Vice President, Grievance Committee

Joseph Kryszak, a Loader in the Tar Plant Unit of the Coke Plant Department alleged, in a grievance notice filed on May 24, 1957 on behalf of the Loaders in that Unit, that "the job is improperly described and classified under the procedures of the Wage Rate Inequity Agreement. The relief requested was "an upward adjustment in their classification and a correction in the listing of typical duties."

At the hearing the Union introduced as exhibits the job description and classification for Pumpman (Index No. 1011) in the Tar Plant Unit of the Coke Plant Department and for Loader (69-1017) in the Tar Plant Unit of the Coke Plant Department. (It would appear that the Unit designation for the Loader occupation is either in error or a misleading reference because it is not controverted that the operation of the Tar Plant had been discontinued on March 1, 1957 prior to the effective date of the job description and classification of Loader). The Union's case was based upon a comparison of the duties of the two jobs as performed and as expressed in the job descriptions and classifications. It requested certain additions to the Loader's job description and changes in the point values in the Loader's job classification for the following factors: Judgment, Experience, Physical Exertion, Mental Exertion, Accident Exposure, Material.

The intended discontinuance of operations of the Tar Plant for the distillation of tar, the Unit where the Pumpman worked, was formally announced to employees in that Unit on January 9, 1957. After March 1, 1957, tar produced at the Coke Plant continued to be handled as theretofore insofar as storage was concerned; but instead of further processing it was pumped directly from storage tanks into tank trucks and cars. As a result of alleged change in the occupational requirements, an interim rate of pay for two of the established occupations was installed. On April 25, 1957 descriptions and classifications of Loader and another new occupation, not relevant here, were presented to the Union. It is the propriety of this description and classification which is in dispute. The question is whether there has been a violation, as claimed, of Article V, Section 6 of the 1956 Agreement and the Wage Rate Inequity Agreement. As stated by the Union "the classification of the Loader job when compared with the Pumpman's job is not adequate".

The Union through its sole witness, Mr. Kryszak, sought to show that the present Loader's description was inadequate in several respects, principally in that it did not continue reference to several items of "work procedure" mentioned in the Pumpman's description. For example, it was testified that in making records of various sorts, the Loader's description, unlike that of the Pumpman's did not refer to his preparation "for billing purposes"; that it does not provide for "Hook up steam lines to phenolate cars" to parallel the work procedure referred to in the Pumpman's description of "hooks up steam and unloading lines to residue cars etc."; and that the Loader's description should refer to trucks as well as cars in the reference to record keeping as a work procedure. It was also stated that there was inadequate reference to sampling procedures.

In general, the Union's case, both as to the description and the classification of the Loader was on the theory that the new occupation did "as much as" the former occupation of Pumpman and, accordingly, is entitled to the same point evaluation and job class. This comparison of duties, functions and procedures rested entirely and exclusively on the testimony of Mr. Kryszak, a Loader, who represented himself throughout the hearing as a former Pumpman.

The Company took sharp issue with the testimony of the Union witness as to what a Pumpman did or was required to do and claimed that in writing the new job description of Loader it used as guides and comparisons various other Loader occupations which bore a closer relationship to the new occupation of Loader than did the former occupation of Pumpman in the Tar Plant Unit. In this connection it stressed the point that ~~whereas the~~ Pumpman handled creosote, pitch, naphthalene tar, et cetera, the Loader now, because of the "straight flow" of materials, only handles two products and the requirements of the job in numerous respects have been lessened. There was a direct conflict in the testimony of the Union witness and Company's Manager of the Coke Production Department as to what the Pumpman's duties had been, each testifying on the basis of personal knowledge and experience.

At the conclusion of the hearing it developed that from 1949 until the operations of the Tar Plant were discontinued in 1957 the Union witness actually had not been a Pumpman and had filled the occupations of Stillman and Napthalene Operator -- facts which, until that time, had not been disclosed to or known by the Union representative. He had been a Pumpman, apparently, for some period of time prior to 1949, but the Pumpman job description and classification were developed and issued in November, 1950 subsequent to the witness' incumbency of that occupation.

Under the circumstances, whatever conflict in evidence exists as to the Pumpman's duties under the job description must be resolved in the Company's favor. In view of the extent to which the Union's case rested upon the testimony of the witness as to the Pumpman's duties it is regarded as unnecessary to explore other matters discussed at the hearing and the decision is for the Company.

AWARD

This grievance is denied.

Peter Seitz,
Assistant Permanent Arbitrator

Approved:

David L. Cole,
Permanent Arbitrator

Dated: May 6, 1958