

5/6/58

D

INLAND STEEL COMPANY

- and -

UNITED STEELWORKERS OF AMERICA

Local Union No. 1010

)  
) Grievance No. 16-F-134  
) Docket No. IH 243-236-11/19/57  
) Arbitration No. 259  
)  
) Opinion and Award

Appearances:

For the Union:

Cecil Clifton, International Representative  
Fred Gardner, Chairman, Wage Rate & Incentive Review  
Joseph Wolanin, Acting Chairman, Grievance Committee  
J. Sargent, Grievance Committee  
S. Piorkowski, Aggrieved  
J. Falcome, Aggrieved

For the Company:

Joseph Borbely, Divisional Supervisor, Labor Relations  
William Dillon, Assistant Superintendent, Labor Relations  
Arthur Kapshull, General Foreman, Strip Mill Roll Shop

S. Piorkowski, the grievant, a Cold Strip Grinder, was disciplined with one day off for unsatisfactory workmanship in having so ground Roll No. 44953 that it was rejected at the No. 23 Skin Mill because of chatter. He regards the disciplinary action as having been unwarranted for four reasons stated in his grievance notice as follows:

- "1. Chatter may be caused by bearings and wheel. Piorkowski complained repeatedly to foreman about bad bearings and grinding wheel.
- "2. Very often chatter cannot be seen until roll is sand blasted. In this case, roll was blasted and chatter was not seen by sand blast inspector or foreman.
- "3. Only after roll was taken out of mill and sand blasted again was chatter found. Certainly, Piorkowski cannot be expected to see what no one before him could see.

- "4. Reprimands mentioned on April 1, September 20, and October 25, 1955, are all over a year old and can have no influence on Piorkowski's record."

With respect to "1", the record discloses that although the grievant testified that he had complained "repeatedly" to a foreman with respect to the condition of the bearings and the grinding wheel, when asked to identify the foreman he was unable to do so. More significantly, perhaps, is the fact that on the turn prior to that on which it is alleged the grievant ground chatter into Roll No. 44953 an employee who used the same No. 5 machine as the grievant ground five rolls that were not defective because of chatter; that four of the five rolls ground by the grievant on July 1, 1957 did not contain chatter; that on the turn following the grievant's turn on July 1, 1957 five rolls were ground on the No. 5 machine that did not contain chatter; and that there were no wheel or bearing changes during this three turn period.

It may be within the range of possibility, as argued by the Union, that equipment defects would cause chatter when grinding is performed at particular speeds or under special circumstances. The fact that the same equipment and machinery was utilized by the grievant and others to produce rolls free of chatter, however, forces the presumption that the equipment and machinery were not at fault in the processing of the roll in question. This presumption could be overcome, of course, by evidence to the contrary; but no such evidence was produced by the Union.

With respect to "2" in the Grievance, it was urged by the Union that the Sand Blast Operator and Sand Blast Inspector, as well as the Grievant, had not observed chatter on the roll before it was dispatched for installation in the mill. The record shows that the Sand Blast Operator has a duty to inspect rolls after sand blasting to determine whether the blasting had brought out any defects. In this case we have no direct evidence as to what happened in the first blasting and any conclusions drawn therefrom would be based on pure speculation. Either the Sand Blast Operator failed to inspect the roll with the care he was expected to exercise or the blasting failed to bring to light and to vision the chatter defects. It is immaterial, however, which took place because it is the Company's contention that the discipline was imposed, not because the grievant failed to detect the chatter in the roll after his grinding operation (chatter frequently not being visually observable) but, rather, because he so negligently ground the roll as to cause the chatter defect. This, it was testified, might have been done by improper speeds, too deep cuts or other negligent or improvident operations. Under these circumstances, it is immaterial that another employee who had subsequent inspection duties failed to observe defects which the grievant might not have observed himself and for which observational failure the Company states it did not discipline the grievant. The question is not whether the Company had good cause for disciplining the grievant because he had failed to detect the

defects, but whether it had good cause to discipline the grievant because of bad workmanship in grinding the roll.

With respect to "3" in the Grievance the Union urges that only after a subsequent blasting was the defect observed and that the grievant could not be held to account for a defect not previously observed by others. This basis for grievance has already been discussed with respect to "2" above. The Union also argues, however, that the defect might have been "mill chatter" and not "roll chatter;" and that the fact that the Company placed the roll on another mill for some twenty minutes of test operation gives support to the contention that the Company itself regarded the defect as "mill chatter". The Company states that this test verified its diagnosis of the defect which was finally confirmed by inspection after the second blasting. This final inspection, according to the testimony offered by the Company, established to its satisfaction that the defect was caused in the original grinding operation.

The weight of the evidence in the record clearly supports the finding that the chatter in the roll was due to negligent grinding; that the grievant is responsible for the defect; and that the Company had cause for the imposition of a disciplinary penalty.

The Union argued that the penalty was excessively severe, that all grinders at some time or other turn in rolls with chatter (although no evidence was submitted on this point) and that the grievant, although reprimanded for poor workmanship in the past had improved his performance. The Company, however, pointed out that the last written reprimand for poor workmanship received by the grievant was dated November 26, 1956, eight months prior to the date of the events discussed here. Other reprimands of a similar character were given on October 26, 1955, September 20, 1955 and April 1, 1955.

The chatter in the roll resulted in a mill operating delay and required its regrinding. Under all of the circumstances related I cannot find that the disciplinary penalty was lacking in cause or was too severe.

#### AWARD

This grievance is denied.

Approved:

---

Peter Seitz,  
Assistant Permanent Arbitrator

---

David L. Cole,  
Permanent Arbitrator

Dated: May 6, 1958