

In the Matter of Arbitration Between:

The Inland Steel Company

- and -

United Steelworkers of America,
Local No. 1010

ARBITRATION AWARD NO. 394-395-396

Grievance Nos. 10-F-64,
10-F-65, and 10-F-66.

Appeal Nos. 139, 140, 141

PETER M. KELLIHER
Impartial Arbitrator

APPEARANCES:

For the Company:

W. A. Dillon, Asst. Superintendent, Labor Relations
R. J. Stanton, Asst. Superintendent, Labor Relations
H. E. Hutchins, Turn Foreman, 24" Bar Mill
W. F. Slaney, General Foreman, 24" Bar Mill
G. H. Applegate, Jr., Job Analyst

For the Union:

Cecil Clifton, International Representative
Joseph Penkowski, Steward, Local 1010
Ralph Crawford, Assistant Griever
William Bennett, Grievance Committeeman
Dorsey Wilson, Grievant
Al Garza, Secretary of Grievance Committee

STATEMENT

A hearing was held in Gary, Indiana on January 11, 1961.

THE ISSUE

The grievance reads:

"The aggrieved employee, D. Wilson, #2563, alleges that on Tuesday, December 2, 1958, 8 to 4 turn, he was performing and meeting the requirements of the Hooker occupation, Index #52-0605.

Aggrieved requests he be paid Hooker wages for work performed (8 hours) on December 2, 1958."

DISCUSSION AND DECISION

The essential question is whether the work performed constituted "duties too minor in extent to require detailed description". The weight of the evidence is that this work of unloading billets from stake cars was being done by Shear Laborers in 1946 when this classification, as well as the Crane Hooker classification, Index No. 52-0605, were described.

In considering the phrase "too minor in extent" certainly it must be understood in reference to the total amount of work done by employees in the job classification and not be confined to the work done by one or two employees. The record shows that the particular work here at issue represents not more than five per cent of the Shear Laborers paid hours of work. If the term "extent" be construed as encompassing not merely the quantum of the duties in relation to the totality of duties described, but also on the basis of their skill level, then the uncontroverted testimony is that this task considered alone did not evaluate out


higher than Job Class 3. The Foreman's testimony is that the lifts are "easy" by comparison to the average lifts of the Shipping Crane Hooker. There are Hooker classifications in other departments that are not Job Class 3.

Although the Union appears to assert that the instance of hooking for a crane movement standing alone is highly significant, the evidence is that employees in many other classifications do hooking work where no reference to it is set forth in the title or job description. The record does not show any change in job content since this same job description was first written. Analyzing the testimony in its entirety it must be found that the authors of the Job Description and the Job Evaluations had the same evidence before them that is here involved and that they considered these tasks too minor in extent to mention. No grievance was filed for a period of twelve years when the work was performed in substantially the same manner. Although adequate language does exist in the Shear Laborers job description describing the task here considered, the inadequate language of the job description cannot be construed in violation of the contract and past practice of the Parties over a period of many years.

If the present grievance were now sustained it would have an unsettling effect on the stability of job relationships.

AWARD

The grievance is denied.



Peter M. Kelliher

Dated at Chicago, Illinois

this 21 day of March 1961.