

In the Matter of Arbitration Between:

INLAND STEEL COMPANY
- and the -
UNITED STEELWORKERS OF AMERICA,
Local Union 1010

ARBITRATION AWARD NO. 442

Grievance No. 23-F-28
Appeal No. ~~442~~ 312

PETER M. KELLIHER
Impartial Arbitrator

APPEARANCES:

For the Company:

R. C. Allen, General Foreman, Tandem Mill & Continuous Pickling
W. A. Dillon, Assistant Superintendent, Labor Relations Dept.
R. Brozovich, Job Analyst, Wage and Salary Administration Dept.
J. L. Federoff, Divisional Supervisor, Labor Relations Dept.
R. J. Stanton, Assistant Superintendent, Labor Relations Dept.
E. G. Mullen, Industrial Engineer, Industrail Engineering Dept.
H. S. Onoda, Representative, Labor Relations Department

For the Union:

Cecil Clifton, International Representative
James Ghrap, Griever
Melvin Tims, Witness
Al Garza, Secretary, Grievance Committee

STATEMENT

Pursuant to notice, a hearing was held in Gary, Indiana, on August 15, 1961.

THE ISSUE

The grievance reads:

"Aggrieved employees, Welder Operator Helpers, Index No. 87-0216, allege that their description and classification is improperly described and classified under the procedures of the aforesaid Wage Rate Inequity Agreement.

Aggrieved request that the Company conform to the provisions of the Wage Rate Inequity Agreement and issue a revised description and higher classification."

DISCUSSION AND DECISION

The Third Step Minutes indicate that the Union agreed on the job description and no claim was made or evidence presented at the hearing that the description should be revised.

The Company has coded the Factor of Responsibility for the Safety of Others as 2-B-1. The Union contends that the correct coding is 3-C-3. While this Arbitrator cannot give consideration to possible negligent conduct of an Operator as a factor in job evaluation, such as here accidentally hitting the button, it is evident here that there are times when the Welder-Operator Helper cannot clearly see the hands of the Scrap Men. It may be necessary for the Welder-Operator Helper to take one step and then to determine whether the Scrap Man is in the clear. At least one and frequently two Scrap Men work regularly at this table. The evidence also is that when damaged coils are encountered, they may be "springy" and because of wavy edges, one employee must hold them down while the Welder-Operator Helper activates the controls and "jogs" it through. In other cases, the Welder-Operator Helper can position the coil and then himself go and activate the controls to get it started. Because the Welder-Operator Helper controls the strip, it is necessary for him to observe employees going up the steps to the cross-over. He must keep alert to employees going over this cross-over while he is inspecting for bad edges. Safety rules No. 16 and 46, cited by the Company, clearly apply to the Scrap Men and may not be interpreted as controlling the actions of the Welder-Operator Helper. With reference to Rule 30, the Company did not specifically controvert the rebuttal testimony that on certain types of "springy" damaged coils, that it is not possible for one man to hold the strip and then leave the area and activate the controls.


The Arbitrator must conclude that the work is of such a nature that the likelihood of accidents occurring and the care or actions required to prevent them, "cannot be definitely outlined in the Safety Rules". With reference to this matter of handling particularly "springy" damaged coils, considering the need for the Welder-Operator to not only carefully observe the Scrap Men, but also employees using the cross-over, it must be found that he is required to exercise "considerable care" and the C degree is proper.

Giving some consideration to the testimony of only one alleged accident that was unreported involving a cut finger, this Arbitrator must find that at most the level of exposure and possible accident must be characterized as occasional lost time or "frequent minor". It must be noted that the Welder-Operator has the C degree.

The level 3 would be higher than any Welder on the Pickle Lines. The Welder Operators on the Nos. 1, 2, and 3 Cold Strip Pickle Lines are coded 2-C-2 for this factor. It is noted that where the 2-C-2 coding is applied that it is described as involving "considerable care to avoid starting machinery before others are in the clear". This Arbitrator finds that this is the highest possible coding that would be appropriate for the Welder-Operator Helper. No showing has been made that the infliction of the injury can be any greater than that involved in the Welder-Operator Occupation.

AWARD

The coding 2-C-2 is proper.


Peter M. Kelliher

Dated at Chicago, Illinois

this 24 day of September 1961.