

INLAND STEEL COMPANY

and

UNITED STEELWORKERS OF AMERICA
Local Union 1010

<u>Grievance No.</u>	<u>Appeal No.</u>	<u>Arbitration No.</u>
1-G-74	439	466
1-G-75	440	
1-G-76	441	
1-G-78	442	
1-G-79	443	

Opinion and Award

Appearances:

For the Company:

W. A. Dillon, Assistant Superintendent, Labor Relations
R. H. Ayres, Assistant Superintendent, Labor Relations
R. E. Powell, General Dock Foreman
T. J. Peters, Divisional Supervisor, Labor Relations
F. R. Kik, General Foreman, HI-line and Stockhouse, Blast Furnace Dept.
H. S. Onoda, Labor Relations Representative, Labor Relations

For the Union:

Cecil Clifton, International Representative
Alexander Bailey, Grievance Committeeman
Al Garza, Secretary, Grievance Committee

These five grievances are similar. They are protests that disciplinary penalties or reprimands issued to four employees in the Stockhouse Sequence (one grievant received two reprimands) were all unjust and unwarranted. These grievances were consolidated for hearing purposes because the Union in each case questions the motive of supervision in issuing these disciplinary letters, although not disputing the facts upon which they were based. It is the Union's position that these warnings were issued for the purpose of building a record against the grievants so that they could later be demoted, or removed from the classification of Larryman.

Grievant, J. Brown, failed to close the door of the Scale Car and dumped a load of ore on the track.

Grievant, A. Hullett, dumped a load of sinter on top of a load of ore.

Grievant, R. Elliott, failed to close the door of the Scale Car and dumped a load of sinter on the scale car track.

Grievant, W. Brown, dumped a load of coke in the pit.

Grievant, W. Brown, again involved, put a load of coke on top of a load of ore in the skip pit.

Each of these incidents was the result of carelessness, and contrary to what had been taught the grievants during their training periods. They failed to follow established operating procedures, and neglected to make the simple checks which it is their duty to do. It is not claimed that the equipment was out of order or operating improperly. All these grievants had previously worked as Scale Car Operators prior to the installation of the new

semi-automatic coke charging equipment here in use, and were found qualified to serve as Larrymen (a higher-rated classification).

In Article IV, Section 1 the Company's right to discipline for cause is affirmed, and in Article VII, Section 2, it is provided:

"The superintendents of departments will, when necessary, continue the program of acquainting the employee with written notices of discipline or warning to stop practices infringing on regulations or improper workmanship. These letters are recorded on the personnel cards. In all cases where one (1) year elapses after a violation requiring written notice, such violation will not influence the employee's record.

"These records of the employee's individual performance have much influence on the 'Ability to perform the work' clause in Section 1 of this Article, but in no case will the Company contend inability to perform the work when the procedure as outlined in this Section has not been strictly complied with. Should any dispute arise over the accuracy of the personnel record, it shall be disposed of through the normal grievance procedure."

The General Foreman denied that his purpose was to develop a personnel record in these cases to be used later to demote each of these grievants. On the contrary, other employees got similar disciplinary letters for similar occurrences, and the only purpose, he insisted, was to correct bad work and to warn employees if they had repeated acts of carelessness. As a matter of fact, he pointed out that in the earlier stages of transition to the new equipment only oral warnings were given, to enable employees to become fully familiar with the new operations. It is also a fact that since the disciplinary letters questioned in this case, two of the grievants have had clear records, one had only another reprimand, one was twice given one-day suspension penalties, and one was demoted for apparent inability to perform the work.

In any event, it cannot be said that the disciplinary letters in question were motivated by some illicit purpose rather than as warnings to improve work practices which were contrary to regulations or plainly instances of improper workmanship.

On the facts before us, the Company had just cause for issuing these disciplinary letters. There is no basis in the conduct of supervision either prior to or since these letters were issued for holding that they were motivated by other reasons than the careless work of the grievants.

AWARD

These grievances are denied.

Dated: March 29, 1962

7s7 David L. Cole

David L. Cole
Permanent Arbitrator