

and

Appeal No. 855

Arbitration No. 540

Local Union No. 1010

Opinion and Award

For the Company:

R. J. Stanton, Assistant Superintendent, Labor Relations

J. Borbely, Divisional Supervisor, Labor Relations

Cecil Clifton, International Representative

Al Garza, Chairman, Grievance Committee

Ted Rogus, Griever

The position of the grievant through the three grievance steps prior to arbitration was that the side wings in the looper pit were not functioning properly, and that this, and not the fact that he permitted two and one-half coils to be in the pit, caused the trouble. This was the Union's position at the arbitration hearing as well. Grievant himself, however, testified that he knew the Company had a rule that only one coil should be in the looper pit, and that the reason why more was in the pit was that the exit end had been stopped without his knowledge.

The Company representatives acknowledged that there are various causes of strip twisting in this operation, and that if grievant had observed the work rule, even if such twisting had occurred, he would not have been subject to discipline. Here he claimed he knew the wings were causing difficulty, particularly on narrow coils, and yet he permitted two and one-half coils of 21 inch steel to be in the pit, contrary to his supervisor's directions.

The principles governing a dispute of this kind are set forth in Arbitration No. 230. Grievant's record for many years has been excellent. He

knew of the rule in force, and he is a fully qualified Welder Operator. Knowing that there might be difficulty with narrow steel he should have exercised his good judgment and avoided the situation giving rise to this, his first case of discipline.

On the facts of this case, it must be held that the Company's disciplinary action was for good cause.

A W A R D

This grievance is denied.

Dated: April 17, 1963

/s/

David L. Cole

Permanent Arbitrator