In the Matter of Arbitration

Between	
Inland Steel Company	Grievance No. 7-L-53 Appeal No. 1211 Award No. 615
and	
United Steelworkers of America Local 1010	Opinion and Award

Appearances:

For the Company

T. J. Peters, Arbitration Coordinator, Labor Relations
R. H. Ayres, Assistant Director, Industrial Relations
J. L. Federoff, Assistant Superintendent, Labor Relations
W. P. Boehler, Senior Labor Relations Representative
J. E. Blair, Senior Labor Relations Representative
A. R. Zimmerman, Supervisor, Employee Services, Personnel
D. E. Johnson, Supervisor, Hourly and Clerical, Personnel
J. Borbeley, Senior Training Coordinator, Training Department

For the Union

Theodore J. Rogus, International Staff Representative
William E. Bennett, Chairman, Grievance Committee
Gavino Galvan, Secretary, Grievance Committee
William A. Noble, Griever, #2 Bloomer
George Johnson, Griever, 28" Mill
Raymond Lopez, Assistant Griever, 28" Mill

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Grievant was hired December 5, 1973 in the No. 2 Blooming Mill of the Plant 2 Mills Department as a Vocational Mechanic. In her application for employment she listed as requested her last four employers. One of those named by her was Valentine Packing Co., Terre Haute, Indiana for whom she claimed to have worked from September 1966 to April 1970. The former owner of this firm informed Inland that she had never been employed by them. She subsequently admitted that she had falsified her application, and she was suspended for this on April 4, 1974 and discharged on April 15, 1974 after a suspension hearing was held on April 8.

She filed a grievance on April 17, 1974 contending that the action taken by the Company was unjust and unwarranted and requesting reinstatement with back pay, citing Article 3, Section 1 and Article 8, Section 1 of the parties' August 1, 1971 collective bargaining agreement.

This case is similar to that involving her husband which is considered and ruled upon in Award No. 614, and which is also being issued today. It was agreed at the hearings that evidence and arguments presented in that case would be applicable to this grievance as well. It is assumed that not all of the principles and reasoning set forth in Award No. 614 need be restated but may be deemed incorporated by reference.

Admitting falsification of her application for employment with respect to former employment and education, Grievant maintained that she would not have been hired by the Company if she had informed it that she was a college graduate. She has both a bachelors and a masters degree. She testified that someone in the Calumet area told her so. To conceal her college studies she falsely stated she had worked for more than three and one-half years for a company which she knew to be out of existence, just as her husband had done in his application. She had also worked for some months for a Quaker peace education organization and she did not want the Company to know about this for fear it would prevent her from being employed. She made an unsupported charge of sex discrimination, stating that the Company does not want women in the mechanical occupation for which she was being trained, and that she has been harassed on the job for this reason. Finally, she contends that the principal reason for her discharge is that her husband had been active in opposing the steel industry Experimental Negotiating Agreement and was discharged for this reason before she was.

She insisted she has been a good employee, that the Company has not been injured by the misstatements and omissions in her application and that she fully cooperated with the Company starting with the investigation meeting in the Superintendent's office.

As in her husband's case, she was fully aware of the explicit caution in the employment application which she signed and in the Company's General Rules for Safety and Personal Conduct that she would be subject to discipline including discharge for giving false information in making application for employment.

There was no actual evidence offered of any harassment or discrimination against her because of her sex. With reference to an alleged Company policy of not hiring college trained employees for bargaining unit work, the fact is that there are now 89 such employees in the plant and the Company has a tuition aid program to encourage others to take courses leading to a degree. Grievant made no effort to ascertain the truth as to any such alleged Company policy, not questioning either Union or Company representatives or any employees of the Company.

In Award No. 614 the Company has been held to have discharged her husband for falsifying his employment application, thus rejecting the contentions of both these Grievants that it was because of his opposition to the ENA.

The Company has consistently followed the practice of discharging employees who have deliberately falsified their employment applications. Some 42 have been terminated for this reason in 1973-4.

The Company clearly has the right to inquire into the employment and personal history and the education of people applying for jobs. It is free to accept or reject applicants subject only to legal or contractual restrictions against discrimination because of sex, race, religion or Union activities, and it is certainly entitled to have truthful answers to its questions concerning the matters which it deems important in deciding whether to hire a new employee.

This Grievant did not cooperate fully with the Company in straightening out the record which she falsified. She provided information as she apparently felt she had to, holding back some of the relevant information until the arbitration hearing.

The Company's desire not to employ applicants who demonstrate an inclination to falsify when they believe it to be to their advantage to do so has been evident for a long time in its established policy of terminating such employees when it discovers their misrepresentations. In this it has been supported by the decisions in discharge grievances which have gone to the arbitration step. These are mentioned in Award No. 614. Even if a prospective or new employee decides to question the Company's judgment in any such case, this still does not justify one in withholding or falsifying facts which the Company is entitled to have in arriving at its judgment.

AWARD

This grievance is denied.

Dated: September 18, 1974

/s/ David L. Cole

David L. Cole, Permanent Arbitrator

The chronology of this grievance is as follows:

Grievance filed	April 17, 1974
Step 3 hearing	April 24, 1974
Step 3 minutes	May 8, 1974
Step 4 appeal	May 10, 1974
Step 4 hearing	May 21, 1974
Step 4 minutes	June 10, 1974
Arbitration appeal	June 18, 1974
Arbitration hearing	September 4, 1974
Date of Award	September 18, 1974