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BOARD OF ARBITRATION

Case No. N-540

December 14, 1964

ARBITRATION AWARD

UNITED STATES STEEL CORPORATION
TUBULAR OPERATIONS
Lorain Works

and

UNITED STEELWORKERS OF AMERICA
Local Union No. 1104

Grievance No. N-L62-32

Subject: Crew Size.

Statement of the Grievance: "Management neglected to schedule the fan oiler at the Open Hearth Boiler House. The fan oilers duties are now assigned to the water tender. This has not been the practice at any level of Open Hearth operation. Consider the safety of those employees operating equipment dependent on lubrication supplied by the fan oiler.

"Facts: In the past a fan oiler was scheduled at all levels of Open Hearth operation. The full scope of the fan oilers job description duties still exist. Management saw fit to schedule a fan oiler on the 7 to 3 turn Monday through Friday.

"Remedy Requested: Schedule the fan oiler as in the past. All monies lost by employees demoted, backed out of the department or laid off (Plant wide) because of management's actions."
This grievance was filed in the Second Step of the grievance procedure August 9, 1962.

**Contract Provision Involved:** Section 2-B of the April 6, 1962 Agreement.

**Statement of the Award:** The grievance is sustained.
Employees in the Fuels and Power Department of Lorain Works grieve the crew reduction of Fan Oilers at a six Open Hearth operating level as violating Section 2-B of the April 6, 1962 Agreement.

Employees assigned to the job of Fan Oiler perform their work in the basement of the Open Hearth building by inspecting the fan lubricating systems visually, by listening, and by checking the temperature of moving parts, by maintaining proper oil level in wells and reservoirs, paying particular attention to the functioning of ring oilers in the bearings. In addition, the Fan Oilers were assigned to observe and lubricate three pumps at the No. 8 Open Hearth pump room which feed water to the boilers and four other pumps in the same area which supply coolant to Open Hearth oxygen lances.

There is one fan for each Open Hearth which circulates waste gases to carry their heat to the boiler. The job of Fan Oiler was established in the Open Hearth Department in 1937 when turbine driven induced draft fans were replaced by larger carbon steel fans; it was decided at that time to fill it on each turn because close attention was required to prevent damage to the fans through "overspeed."

In the course of a turn, the Fan Oiler inspects each of the fans about once every hour. The rest of the time he spends in the pump room, observing the operation of the pumps, or else performs miscellaneous clean-up and labor tasks since there is no Laborer assigned to this area.

Another employee works in the basement of the Open Hearth building; he is classified as Water Tender with the primary function of maintaining specified water levels in boilers. He observes the boiler gauges from an elevated walkway paralleling the ground level route of the Fan Oiler.

For many years, twelve Open Hearth furnaces operated at Lorain. More recently, their number has been fluctuating and has, on several occasions, and for short periods of time, been as low as six furnaces. Without exception, the Company had assigned one Water Tender and one Fan Oiler per turn on a 21-turn basis, until the level of operations dropped to six Open Hearth furnaces between July 22, 1962 and September 2, 1962, when the Company assigned a Fan Oiler during the day turn
only, to take care of the laboring work. His fan oiling duties were assigned to the job of Water Tender whose job description was adjusted accordingly by Form G.

On August 5, 1962, a grievance was filed because "in the past, a Fan Oiler was scheduled at all levels of Open Hearth operation." Management replied that

"Due to a reduction in the amount of work required of the Fan Oiler because of the decrease in Open Hearth operations, it is no longer necessary to schedule a Fan Oiler on the 3-11 and 11-7 turns."

It was explained at the hearing that it was common knowledge in the department that commencing in 1958 oxygen was used in the Open Hearth furnaces and heat temperatures increased from approximately 500° to approximately 1400°, causing the carbon steel fan blades to deteriorate rapidly. Therefore, they were replaced with stainless steel. This installation was completed on November 1, 1960. On January 15, 1961, three wheels were found cracked due to a manufacturing mistake; their replacement was completed in June, 1962. The new stainless steel fans were acquired to eliminate the hazard of damage and deterioration from heat, a well-known fact which the Company deemed superfluous to elaborate on in the lower steps of the grievance procedure. Instead, its position was stated at the Third Step meeting as follows:

"Management based its decision on the logic that if two employees per turn can handle water tending and fan oiling duties when 12 Open Hearth furnaces are operating, then when operations were reduced by 50 per cent, one employee was able to handle both functions. The one Oiler was retained for five turns per week because the housekeeping of and around all 12 furnaces represents an appreciable portion of the physical effort connected with the Fan Oiler position, and it was not considered desirable that the Water Tender absent himself from the operating furnaces for the time required to sweep around the idle furnaces. The additional duties for the Water Tender have been incorporated into his job description through the regular job change notice procedure."
The Company also mentioned that, in the past, periods of six furnace operations were anticipated to be very short and in fact were very short while in the instant case Management originally had no idea how long it would last.

The Company concluded the discussion in the Third Step,

"...that it is Management's contention that due to the level of operations in the Open Hearth and the resultant reduction in the amount of work to be done, Management's action in reassigning the Fan Oiler duties to the Water Tender was proper."

About one year elapsed between the Third Step and Fourth Step meeting, at which the Union spokesman stated "that he could see no difference between the period in question and the other periods when the Open Hearth was at the six furnace level." In reply, the Company

"requested that the grievance be held in Step 4 pending a Company investigation as to which Open Hearth furnaces were in operation during this period, thus, making it possible to determine how many turbo-driven fans which required considerable attention and how many motor driven fans which require little attention, were in operation."

When a second Fourth Step meeting was held about two and a half months later, the Company stated that such an investigation had been made but, instead of disclosing the results of the investigation, Management announced that it had "some significant information pertaining to this problem," and proceeded to give as a reason for the crew reduction at a six furnace level the final repair of the recently installed stainless steel fans in June of 1962, which, in its opinion, created conditions as they had existed prior to the establishment of the Fan Oiler job in 1937.
At the hearing, the Union labeled this explanation as an afterthought by the Company when it found out that Fan Oilers had been scheduled on a 21 turn basis at the six furnace level previously.

**FINDINGS**

The record leaves no doubt that, at a six furnace level of operations, the Company has scheduled one Water Tender and one Fan Oiler since 1937, and that these two employees constitute a crew within the meaning of Section 2-B-3 of the Basic Agreement, and that no Management action was taken which significantly changed the basis for the existence of this local working condition.

The record does not warrant a finding that the installation of stainless steel fan blades resulted in operating conditions as they had existed prior to 1937. The job of Fan Oiler had been established to guard against "over-speed." Even in the grievance procedure, Management seemed to acknowledge this fact by pressing an investigation "how many turbo-driven fans which require considerable attention and how many motor driven fans which require little attention, were in operation" during the period of crew reduction.

The rapid deterioration of carbon steel fan blades due to increased heat had not been a problem in the department until 1958. When this additional danger had been eliminated by the use of stainless steel, all other operation conditions again resembled those prior to 1958 under which a Water Tender and Fan Oiler had been scheduled as a crew at varying levels of operation for 21 years.

**AWARD**

The grievance is sustained.
Findings and Award recommended pursuant to Section 7-J of the Agreement, by

Peter Florey
Assistant to the Chairman

Approved by the Board of Arbitration.

Sylvester Garrett, Chairman