

11-25-1964

United States Steel Corporation Heavy Products Operations South Works and United Steelworkers of America Local Union 65

Sylvester Garrett

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BOARD OF ARBITRATION

Case USC-1843

November 25, 1964

ARBITRATION AWARD

UNITED STATES STEEL CORPORATION
HEAVY PRODUCTS OPERATIONS
South Works

and

Grievance No. A-62-82

UNITED STEELWORKERS OF AMERICA
Local Union No. 65

Subject: Local Working Condition; Crew Size

Statement of the Grievance: "The Union is requesting Management of the Structural Finishing Department to cease and refrain from effectuating unilateral changes in local working conditions. The Union is further requesting Management to revert to the established practice of assigning six (6) Gag Press Product Inspectors when all three (3) Gag Presses are operating; and four (4) inspectors when #1&2 or #1 & 3 or #2&3 Gag Presses are operating in combination as designated. The Union also is requesting that all employees who lose wages as a result of Management's unauthorized reduction of the standard crews assigned to operate the above designated Gag Presses be made whole."

This grievance was filed in the
Second Step of the grievance procedure June 25, 1962.

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

Statement of the Award: The grievance is denied.

BACKGROUND

Case USC-1843

Four employees in the Inspection Department of South Works Structural Mill Finishing End protest Management's June 3, 1962 action (1) reducing the number of Gag Press Product Inspectors from 6 to 5 when #1, #2, and #3 Gag Presses are operating, and (2) reducing the Inspectors from 4 to 3 when #1 and 2 or #1 and 3 or #2 and 3 Gag Presses are operating. Reductions in inspection crews are said to violate a Section 2-B-3 protected practice which has been operative since 1950. At 3 press operations, 2 Inspectors were assigned to the Back Bed (under the protested change) and 3 to the Front Bed regardless of the product being rolled, rather than 3 to each bed.

1

Union testimony was to the effect that 1961 was "a slow year" involving numerous small orders and yet the Company did not then change the number of Inspectors assigned under the claimed practice; that more bars are currently coming across the gagging beds for inspection than in 1960; that there has been no improvement in the quality of the steel to be inspected; that inspection standards have been tightened since the elimination of a crew member in June 1962 and rejected steel since that time has been fully as much or more than before; that Management now has two reconditioning yards in operation rather than one, thus indicating that there has been no improvement in quality but, rather, a possible deterioration; and that the crew reduction generated an increase in workload partially compensated for by the remaining Inspectors working harder and partially by Foremen and Group Leaders assuming inspection duties.

2

The Union alludes to the incentive application for Gag Press Inspectors as recognizing that a crew size does exist in the claimed ratio of 6 Inspectors to 3 Gag Press operations.

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The Company refers to Case USC-1677 as establishing that the number of Inspectors and the frequency and extent of inspection are not proper subjects for Section 2-B protection. Continuing, it is said that the new assignment of only two Back Bed Inspectors is predicated on the following considerations: - Prior to the June 3, 1962 grieved change, the drawing temperature was increased from 2325° to 2400° by increasing the soaking pit heating capacity, thereby reducing scabs and slivers, cracking and tears so that more uniform

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sections were rolled; mill stands were remachined; hot beds were leveled to minimize bow and camber during the period when steel was cooling prior to gagging; rolling of small sections was transferred from the 52" to the 34" Mill and these smaller sections no longer passed through the gagging press (although apparently some smaller sections have been returned for processing through the gagging press); large sections move slowly through the gags, thereby affording time for more leisurely inspection; and the assignment change did not result in any Inspector going on layoff or a short week, but did reduce overtime requirements.

Company witnesses testified that they are not aware of Foremen or Group Leaders performing inspection duties and in any event, the Company notes that such a claim did not appear in the grievance procedure prior to hearing. Company testimony also purported to establish that gag press inspection is just as effective as it was before June, 1962, possibly because a fewer number of pieces require gagging due to the enumerated changes. The Company concedes that an additional reconditioning yard is in use and this is attributed to the fact that the Company had to tighten standards to remain competitive--i.e., the Company must now remove light defects that were formerly passed by the Company and accepted by customers.

5

The Company counters the Union assertion that the incentive brochure recognizes the claimed crew size by saying that the incentive brochure is merely for the purpose of incentive compensation, as the Board is alleged to have recognized.

6

The Union admits that the Company increased the heat prior to rolling but this is said not to be critical. The remachining and improvements claimed by Management as a means for obtaining better product are said to be normal rehabilitation of equipment. There are just as many or more pieces of steel passing across the bed as before. The Union notes Company comments on the second reconditioning yard and stringent customer requirements as probably being the very reason why requirements have also been tightened for inspection.

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The Union considers that the Company evidence is insufficient to establish a Section 2-B-4 change in the basis for the existence of the local working condition.

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FINDINGS

The Company maintains that no inspection assignment change has occurred when two gags are operating and the Union produced no evidence at the hearing tending to establish and prove such a change. For this reason the decision is restricted to consideration of the reduction in the assignment of Inspectors from 6 to 5 when all three Gag Presses are operating.

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The Company relies heavily upon the following quotation from Case USC-1677: -

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"How much inspection is required is a question for Management to decide. Here it concluded that inspection done by grievants no longer was necessary, and so it was completely discontinued. The Board cannot require Management to resume inspection no longer required."

Case USC-1677 Findings are, of course, restricted to the facts of that case. It appears that Management did not there eliminate or discontinue inspection. Rather, it regarded so-called Staff inspection as preferable to Line inspection and therefore eliminated the latter. Nor was this simply a matter of assigning the same duties from one group to another. It involved "important functional differences between the responsibility and the accountability of the two jobs." Thus, the quotation from USC-1677 on which Management relies must be taken in the context of particular facts.

11

Seemingly, Management can only prevail in this case if the record justifies the conclusion that Section 2-B-4 changes warranted removal of one Inspector at 3 Gag Press level of operations. Assuming, but not deciding, that it is a local working condition to assign 6 Inspectors, as has been done since 1950, the weight of the evidence appears to justify a reduction from 6 to 5 Inspectors. The un rebutted evidence is that an increase in the drawing temperature of steel for rolling is something more than mere routine rehabilitation and that an increase from 2325° to 2400° in drawing temperature requires one-third more heating capacity in the soaking

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pits, a far from negligible improvement and one which resulted in rolling of steel with fewer defects and produced more uniform sections.

The weight of the evidence also is that smaller sections have been removed from the Finishing End served by the grieving Inspectors and are, in large part, now the responsibility of the 34" Mill. Union testimony insists that some of these smaller sections have been returned to their inspection area but the record is unclear as to how much volume is involved, although the impression remains that it is relatively small. It follows that the larger and slower moving sections passing through the Inspection Department, coupled with the improved quality of the product, entitled the Company to change the local working condition to the extent that it did by eliminating one Inspector.

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The above reasoning would certainly falter before a convincing showing that Group Leaders or Foremen have supplanted the eliminated Inspector and are performing his inspection duties, but this assertion, which is not grounded in the grievance procedure prior to arbitration, lacks specificity. It is not shown which members of supervision inspected, if any, or when, where, how much, or for how long.

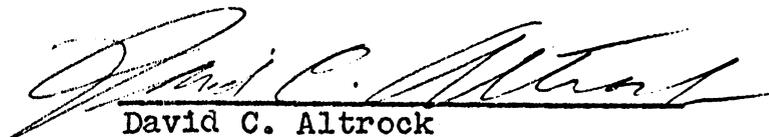
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AWARD

The grievance is denied.

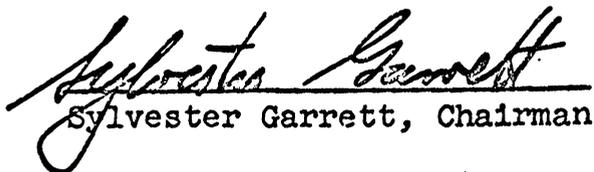
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Findings and Award recommended pursuant to Section 7-J of the Agreement, by



David C. Altrock
Assistant to the Chairman

Approved by the Board of Arbitration



Sylvester Garrett, Chairman