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United States Steel Corporation Western Steel Operations Fairfield Works and United Steelworkers of America Local Union 2122

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BOARD OF ARBITRATION

Case No. USS-7852-S

March 22, 1971

ARBITRATION AWARD

UNITED STATES STEEL CORPORATION
WESTERN STEEL OPERATIONS
Fairfield Works

and

Grievance No. SFT-70-30

UNITED STEELWORKERS OF AMERICA
Local Union No. 2122

Subject: Reduction in Alleged Crew Size Local Working Condition

Statement of the Grievance: "I, Carl Atkins, Chairman of Grievance Committee, LU 2122, USWA) for the effected employees protest changes put into effect by the Company concerning weighing in the Ferrostan Dept.

"Facts: The Company has made no changes that warrant such action as it touches Weighers, Inspectors and members of Local 2210, USWA. No primary functions of Weighers job have been eliminated. The Company spread out duties of Weighers for economic reasons and cut off part of the Weighers.

"Remedy Requested: Company stop this 'witch hunt' on our jobs and make all effected people whole."

Contract Provision Involved: Sections 2-B and 14 of the August 1, 1968 Agreement.

Grievance Data:

	<u>Date</u>
Grievance filed:	February 26, 1970
Step 2 Meeting:	Not available
Appealed to Step 3:	Not available
Step 3 Meeting:	March 3, 1970
Appealed to Step 4:	March 19, 1970
Step 4 Meeting:	March 24, 1970
Appealed to Arbitration:	May 21, 1970
Case Heard:	November 9, 1970
Transcript Received:	No transcript

Statement of Award:

The grievance is denied.

BACKGROUND

USS-7852-S

This grievance from the Accounting Department of the Fairfield Tin Mill protests the reduction in the number of Weighers assigned to the three Ferrostan electrolytic tinning lines from one per operating line to one per turn regardless of the number of operating lines.

1

The Union claims the existence of a crew size local working condition which requires the Company to schedule one Weigher for each operating line. The Company disputes the Union's claim. It also contends, without waiving its first position, that certain changes it has introduced, together with the reduction over the years in number of weighs per line per turn, justify the change in manning under Section 2-B-4.

2

The primary function of the Weigher job, whose full title is Weigher (Electrolytic Tinning) is to weigh product, prepare production reports and make out customer and scale tickets for No. 1, 3 and 4 Ferrostan Electrolytic Tinning Lines. No. 1 and No. 4 Lines have produced plate in coils as well as sheets since 1959 and 1957 respectively, when recoilers were installed on these lines; No. 3 Line continues to produce sheared product only. Prior to the disputed change in manning a scales was located at the exit end of each line, where a Weigher had been assigned every time a line operated ever since the first Ferrostan line was placed in operation, in 1943.

3

The reduction in the number of Weighers scheduled per turn became effective February 22, 1970, when the Company placed in operation adjacent to the Assorting Area a centralized weighing station consisting of two new scales and a work area for the Weigher. Lifts and coils are carried to and from the centralized scales by Tractor Operators. At the same time the Company also modified the paperwork performed by the Weigher, provided him with improved office equipment, and transferred certain Weigher's duties to other jobs in the area.

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There are no significant operating differences between the old and new scales insofar as the testimony reveals, both being automatic. The weight ticket is inserted in a slot on the scale and a button pressed to register the weight. It is the centralization of the weighing function the Company points to, stating that the reduction to one Weigher per turn would not have been possible if he had to perform his work at the exit ends of each of the three lines.

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As to the paperwork, the Company instituted two changes, the more important of which was a reduction in the number and variety of tickets handled by the Weigher. Formerly, for every coil and bundle of sheared product delivered to the exit end of a line the Weigher made out a scale ticket by inserting a slug into the addressograph machine, after checking it for correctness, and manually operating the machine to stamp the scale ticket with the information which identifies the coil or bundle (order number, customer name, etc.). The Weigher then stamped the coating weight on the ticket, registered the weight of the coil or bundle on the ticket, and entered the coil or bundle number by pencil. He retained the top copy of the scale ticket for the preparation of his production reports and placed the other copy in the lift or attached it to the coil.

Additionally, the Weigher made out a three-part, perforated ticket, called a customer and billing ticket, by stamping each of the three parts with the same addressograph slug. He also stamped the coating weight and recorded by hand the coil or bundle number on each of the three parts of the ticket. He then separated the parts, placing one inside the bundle or coil and two on the outside. There were four such customer and billing tickets, one each for regular plate and coils and double cold rolled plate and coils, the Weigher selecting the appropriate ticket in accordance with the product he was handling. On the customer and billing tickets for the two kinds of coils the Weigher also entered the number of lineal feet, which information he obtained from a sheet printed out for each coil on an automatically operated typewriter, controlled by a "console."

Another ticket (referred to as the "To Be Lacquered" ticket) was made out by the Weigher under the former system for plate or coils produced for Continental Can Company. This was a two-part, perforated ticket, which the Weigher stamped twice in the addressograph machine and on which he manually recorded the weight of the plate or coil.

Under the new paperwork system the various tickets described above have been replaced by one ticket, a multi-part, snap-out carbon formset. The ticket is pre-stamped with the order identification and is on the lift or coil when the product reaches the centralized weighing facility. The Weigher pulls the ticket from the lift or coil, inserts it in the scale slot to register the weight, and makes none of the entries on the

ticket discussed above. He retains one of three carbons to prepare his production reports and places the remaining parts on the lift or coil. 10

The tickets are pre-stamped in the Ferrostan office on a newly acquired addressograph machine with an automatic feed; the required number is determined by the order items listed on the line production schedules. When the new system was installed, an accounting clerk was assigned to pre-print the tickets. The Union protested in Step 4 the assignment of this work to a C&T unit employee, and the Company returned the task of pre-stamping weight tickets to the P&M unit effective in April 1970), a Weigher being assigned for two full turns to the Ferrostan office to pre-print tickets. 11

The second paperwork change concerns the recording of the various items produced on the three electrolytic tinning lines together with the identifying information for each item and other data such as coating weight, off weight, bundle count, etc. Under the old system separate production reports were made for plate, coils, double cold rolled product and for each of three different coating weights. The new system calls for the preparation of only two separate reports, plate and coils. Thus, according to the Company's testimony, the Weigher has three or four less sheets to refer to in recording production. 12

With respect to office equipment, the Company stresses the fact that it has provided the Weigher with an automatic calculator to calculate theoretical and minimum and maximum weights for coils, which he enters on the ticket under the new system as he did under the old. Four multiplications are entailed: linear feet by a ratio he obtains from a manual to get base boxes; base boxes by the basic weight to get the theoretical weight; theoretical weight by .96 to get the minimum weight; and theoretical weight by 1.04 to get the maximum weight. Prior to the reduction in manning the Weigher did these multiplications on a comptometer, which he operated manually by hitting a lever the number of times called for by each digit of the multiplier (three times for the digit three, six times for the digit six, etc.). With the automatic calculator the Weigher now has the manual stroking is eliminated. 13

The Company also refers to the acquisition of a new addressograph machine at the weighing station, which the Weigher 14

uses to make out recovery tickets, a task he performed also under the old paperwork system. Like the addressographs the Weighers formerly had on each line the new one does not have an automatic feed but is operated by foot instead of hand. The Weigher also uses the machine to stamp out the standard scale tickets on the occasions an insufficient number have been pre-printed.

In support of its transfer of certain Weigher's duties to other jobs in the area the Company cites Case CI-257, among others, in which, it says, the Board held that Section 2-B-3 does not freeze the duties of position-rated jobs. The duties removed from the Weigher have been transferred primarily to the Tin Plate Inspector (E.T.), two of whom are assigned to each line per turn. Among the redistributed tasks are: stamping date, turn and line on tickets with a numbering device; writing in the number of lineal feet for coils on tickets; stamping coil or bundle number on tickets; making up off-weight tickets; changing sheet and package count on short bundles by scratching out original number and writing in correct amount; keeping the record of defects of secondary product (Job 7500 product); placing finished tickets on coils and bundles; operating scale kick-out control to remove bundle from platform to make room for the next one; operating console, which sets up the automatic typewriter to print out identification and other information for each coil product. According to Union witness David Garrison, who has been a Weigher for 23 years, approximately one-third of the Weigher's duties has been transferred, the equivalent of one to two hours' work, depending upon the product. The Company's estimate, by Inventory Control Supervisor J. M. McCarver, is two hours.

The remaining change the Company alleges to justify its action under 2-B-4, a reduction over the years in the average number of units weighed per line per turn, is attributed by its witnesses to the following trends: increased production of plate in coils as compared with sheets, production of coils in larger sizes, shift toward production of double cold reduced plate, and production of sheets in larger sizes. A given tonnage of plate requires fewer weighs in coil form than in sheets, the Company explains, because one coil equals four bundles of sheets on the average. And plate and coils made of double cold reduced plate require fewer weighs than plate and coils made of regular plate because of the lightness of the gauge. For example, a bundle of the so-called "skinny" tin sheets include 22 packages as compared with the 10 to 12 packages included in a bundle of regular sheared product.

Customer demand for plate in coil form has increased steadily since 1960, according to Tin Finishing Superintendent

J. R. English, whose responsibilities include scheduling of production on the Ferrostan lines, and currently one-half of the tonnage produced is in coils. Of the two lines that produce plate in both sheet and coil form, No. 4 Line runs more coil than sheet and No. 1 Line even more coil. And the production of double cold rolled tin plate began only five or six years ago. On the basis of a comparison of a week's production in 1961 (October 8-14) and in 1970 (September 27-October 3), the Company's testimony continues, the number of weighs per line per turn has decreased 35 percent, from 86 in 1961 to 56 in 1970.

The Union disagrees that there has been any significant change in the average number of units weighed per turn, pointing out that the Company's estimate of a 35 percent decline in number of weighs is based on a comparison of one week's output in 1961 and 1970. According to Union witness Garrison, 80 to 85 percent of the product from the lines is still sheared plate, as evidenced by current daily production schedules submitted in evidence (September 29, October 4, 11, 14, 16, 18, 19, 23 and 30, and November 1, 1970). Garrison testified further that there has been only a slight trend toward larger coils, coils having ranged in size from 5,000 to 20,000 pounds for the last five or six years. Garrison agrees on cross examination that the production of double cold rolled coils and plate did not begin until five or six years ago.

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With respect to the changes in paperwork, Garrison comments as follows: Not enough tickets are pre-stamped to cover the orders so that he still has to make up tickets, from 100 to 700 per week; in one week he had to make up 789 tickets. His production reports run six to 12 pages per turn; he is therefore still recording as many items as before. The number of lineal feet for coils is not always entered on the ticket by the Inspectors, and the Weigher has to record this item. Garrison, who had worked 12 turns under the new system as of the date of the hearing in this case, testified further that he can keep up with the work but no longer has certain privileges, such as time to make a pot of coffee and toast for a sandwich, and the absence of pressure as far as personal time is concerned.

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The Union adds that there are no technological changes involved here that would justify the elimination of two Weighers per turn; that the primary function of the job has not been

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eliminated by the minor changes, and substantially the same basic duties continue to be performed, including the record keeping and making out of tickets; that the increase in number of coils requires the Weigher to do more calculations, inasmuch as the determination of theoretical, minimum and maximum weights is done only for coils; that not all the tickets previously used were made out for each unit, some being alternates for others; that while the work is getting done by the one Weigher scheduled per turn, he is kept busy throughout the shift performing the work of three men.

According to Superintendent English's testimony, he has had complaints from the Weighers about making up tickets that should have been pre-printed but none concerning lack of time for personal needs. He stated further that the number of tickets a Weigher has to make out because of an insufficiency of pre-stamped tickets averages ten per turn over a period of a month; that the new system is working well; and that the eight daily production schedules submitted by the Union for October 1970 are not representative of the 23 operating days in that month.

The Company concludes that the basis for the crew size local working condition, if one is found to exist, has been eliminated by the loss of 35 percent of the work of the Weigher job resulting from the increasing demand for coils and light gauge, the elimination of some of the work by streamlining of the paper-work system and use of more fully automatic equipment, and the transfer of one-third of the Weigher's duties to other jobs in the area.

FINDINGS

It is unnecessary to decide the validity of the Company's contention that a crew size local working condition has not arisen with respect to the manning of the Weigher job on the Ferrostan electrolytic tinning lines, since it appears that in any event the Company was entitled to move under Section 2-B-4 to change the claimed crew size practice.

The Union advances essentially two contentions, the first being that the kind of changes involved here do not entitle

the Company to act under Section 2-B-4. Thus at one point in its argument the Union refers to the absence of any "startling technological changes" in this case and, at another point, to the minor nature of the changes the Company relies on. Secondly, or perhaps consequently, the Union maintains that the changes do not justify the assignment of one Weigher to perform the work three Weighers have heretofore performed.

As to the first point, Section 2-B-4 authorizes the Company to change or eliminate a local working condition if, as a result of a Management action under Section 3, "the basis for the existence of the local working condition is changed or eliminated, thereby making it unnecessary to continue such local working condition." Accordingly, the test of a proper Company action under Section 2-B-4 is not the kind of change as such but its effect on the basis for existence of the local working condition.

A number of changes are involved in the instant case, including product changes on the Ferrostan lines initiated many years ago by Management in response to changing customer demand. The Union does not effectively rebut the Company's claims of the changes in product trends which underlie its estimate of a 35 percent decrease in the average number of units weighed per turn. Between 1943, when the first Ferrostan line was placed in operation, and 1957, when the first Ferrostan line had a recoiler installed on it, tin plate was produced only in sheet form; and in 1959 a second line was modified to permit production of plate in coil form. The modification of two of the three Ferrostan lines to produce plate in coils obviously reflects the change in customer demand from sheared product to coils. Further, there is no challenge of the Company's testimony that one of these two lines is producing more coil than sheets and that the proportion of coil to sheet on the other is even greater. Nor is it disputed that the production of double cold rolled tin plate did not begin on these lines until five or six years ago. Accordingly, if the Company's 35-percent estimate does not measure precisely the reduction in number of weighs per line between 1961 and 1970, there can be no question that there has been a significant decrease in the number of coils and bundles Weighers have to weigh.

The increased ratio of coils to sheared product requires the Weigher to do more calculations. However, he has

been provided with an automatic calculator, which makes possible the performance of these calculations at a much faster rate than with a manually operated comptometer. Additionally, the amount of time required at the scales to process a unit has been decreased through simplification of the ticket system and preparation of scale tickets in advance by assigning a Weigher for two turns to stamp them in the Ferrostan office. Thus there has been a reduction not only in the average number of weighs required per turn but also in the work entailed for each unit weighed.

Further, by centralizing the weighing function, the Company made it physically possible to have the product from the three lines weighed at one location. And it further reduced the amount of work required in the Weigher job by transferring certain of its duties, described above, to the Inspector job, a Management action which the Board has held in numerous decisions, including CI-257, not to be barred by Section 2-B-3 in the case of position-rated jobs. Accordingly, although the changes here are not dramatic, perhaps even obvious, together they have substantially affected the requirements of the Weigher job.

Concerning the question raised by the Union's second major contention that the changes do not justify the elimination of two of the three Weighers scheduled when three lines operated in the past, the Board wrote in Case N-146 as follows:

"An important question is presented as to the meaning of the phrase, 'to have the Company justify its action.' . . .

"To require a precise relationship between the change in underlying conditions and the change in the local working condition would do violence to common sense. Such a technique would rest heavily on the assumption that the local working condition at the time of initial establishment represented a perfect relationship to the underlying conditions on which it was based. Moreover, it would imply that conditions in the shop had remained static continuously after initial establishment of the local working condition. Both of these assumptions ignore the realities of industrial life.

"The Board does not construe Section 2-B-4 to authorize the Board to substitute its judgment for that of Management as to precisely what type and degree of adjustment in local working conditions is reasonably appropriate to the fact situation at hand. Rather, it is the function of the Board to determine whether there is a reasonable causal relationship between the change in underlying conditions and the Company's action in modifying the local working condition. If such reasonable causal relationship exists, the Board will not assume authority to require a precise or mathematical relationship between the changed underlying circumstance and the adjustment of the local working condition. In short, the Board recognizes that Management must retain reasonable discretion to deal with such matters in a practical way once it shows a change in the basis for existence of the local working condition."
 (Original emphasis)

There can be no question that there exists a reasonable causal relationship between the change in underlying conditions and the Company's action in reducing the number of Weighers scheduled on the Ferrostan lines. Centralization of the weighing function would not have been possible without a reduction in the volume of work required in the Weigher job. On the other hand, reduction in the volume of work would not enable one man to weigh the product from the three lines without centralization of the weighing function. The changes instituted by the Company eventually placed it in a position to accomplish these two conditions and thereby eliminate the basis for existence of the local working condition.

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The manning of a job is controlled also, of course, by the health and safety requirements of Section 14. However, the record does not provide a basis for finding that the scheduling of one Weigher when three lines are operating imposes an unreasonable workload upon him in violation of Section 14.

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For the foregoing reasons the reduction in the number of Weighers scheduled on the Ferrostan lines is not a violation of the Agreement.

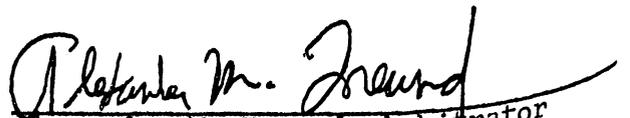
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AWARD

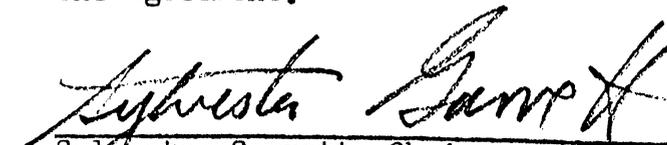
The grievance is denied.

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Findings and Award recommended by


Alexander M. Freund, Arbitrator

This is a decision of the Board of Arbitration, recommended in accordance with Section 7-J of the Agreement.


Sylvester Garrett, Chairman