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BOARD OF ARBITRATION

Case No. USS-4894-S

May 14, 1965

ARBITRATION AWARD

UNITED STATES STEEL CORPORATION
SHEET AND TIN OPERATIONS
Fairfield Tin Mill

and

UNITED STEELWORKERS OF AMERICA
Local Union No. 2122

Grievance Nos.:
155-2378; -2379;
-2380; -2409;
-2410; -2411;
-2412; -2413

Subject: Assignment of Work

Statement of the Grievances: Grievance 155-2378

"We, the undersigned members of Rigger Crew, Fairfield Tin Mill, protest management assigning millwrights to changing back-up rolls on #4 Tandem Mill 10/12/63. This is a direct violation of arbitrator's decision of case #155-2115-2156 and award #T-953-957. We request pay for the hours they were doing our work."

This grievance was filed in the Third Step of the grievance procedure October 25, 1963.

Grievance 155-2379

"We, the undersigned members of Rigger Crew, Fairfield Tin Mill, protest management assigning millwrights to transfer back-up

"rolls on #4 Tandem Mill 10/8/1963. This is a direct violation of arbitrator's decision on case #155-2115-2156 award #T953-957. We request pay for the hours they were doing our work."

This grievance was filed in the Third Step of the grievance procedure October 25, 1963.

Grievance 155-2380

"We, the undersigned Riggers of the Fairfield Tin Mill, protest Management using non-craft employees on Trade and Craft jobs. (Specifically #4 Tandem Mill).

This grievance was filed in the Third Step of the grievance procedure October 25, 1963.

Grievance 155-2409

"We, the undersigned riggers, protest management assigning millwrights to change back-up rolls on #4 Tandem Mill. We charge management with violation of working agreement and attempting to destroy Trade & Craft jobs. We request four hours pay at time and one half. We further charge management with not bargaining in good faith and not honoring arbitration award that Riggers would change all back-up rolls in Cold Reduction as #4 Tandem replaced #1 Tandem Mill, management violated Arbitration Award #T-759."

This grievance was filed in the Second Step of the grievance procedure January 10, 1964.

Grievance 155-2410

"We, the undersigned riggers, protest Millwrights changing back-up rolls on #4 Tandem Mill on 7-3 turn, Jan. 5, 1964. Violation of T-953. We charge management with

"destroying trade & craft jobs at Tin Mill Rigger Shop. (#4 Tandem Mill is at the Cold Reduction Department.)"

This grievance was filed in the Second Step of the grievance procedure January 8, 1964.

Grievance 155-2411

"We, the undersigned, protest Millwrights changing back-up rolls on #4 Tandem Mill, Cold Reduction Department. We charge management with violating arbitration award T-953 & T-759. Request 8 hours pay at time and 1/2 time per hour."

This grievance was filed in the First Step of the grievance procedure January 14, 1964.

Grievance 155-2412

"We, the undersigned riggers, protest management's action in assigning millwrights to change back-up rolls on #4 Tandem Mill in Cold Reduction Department. Request 8 hours pay at time and 1/2 time. Sec. 13, T-953, T-759"

This grievance was filed in the Second Step of the grievance procedure January 27, 1964.

Grievance 155-2413

"We, the undersigned Riggers request pay for work performed by Cold Reduction Millwrights on #4 Tandem Mill changing back up rolls on 12/29/63."

This grievance was filed in the Second Step of the grievance procedure January 4, 1964.

Contract Provision Involved: Section 2 of the April 6, 1962
Agreement, as amended June 29, 1963.

Statement of the Award: The grievances are sustained
in light of the foregoing Opinion.

BACKGROUND

Case USS-4894-S

These eight grievances from the Fairfield Tin Mill have been consolidated under a single docket number since they all share the complaint that Management has challenged the integrity of the Board's award in Cases T-953; -957 by assigning position-rated Millwrights to change back-up rolls on the No. 4 Tandem Mill in the former Cold Reduction Department. Management's proper course of action, contends the Union, was to assign Trade and Craft Riggers as required, in substantial part, by the award language employed by the Board in T-953; -957--"Management shall discontinue the assignment of Millwrights to the change of back-up rolls in the Cold Reduction Department to the exclusion of Riggers...."

1

This series of grievances was filed shortly after T-953; -957 were decided on September 30, 1963. (That award was dispositive of grievances filed on August 28 and September 13, 1962.) Management explains that:

2

"The new No. 4 Cold Reduction Mill was not placed in operation until March, 1963.

"Following receipt of the Board's award, Management did revert to the former practice of assigning Riggers to the back-up roll changes on the old mills, but continued to use Millwrights on the No. 4 Mill back-up roll changes since it did not deem the award controlling with respect to that mill."

The Union, however, entertains the belief that the No. 4 Mill was merely a replacement for Nos. 1 and 2 Mills and should be manned in a manner similar to that used for older mills--i.e., Riggers rather than Millwrights should make roll changes. The Union considers that "the newness of No. 4 is no defense for the Company's continuing attack upon the craft." (Riggers) The Board's award in T-953; -957 appears on its face not to be limited to equipment in position at the time the award was rendered. Rather, continues the Union, it indicated on its face a spirit or intent to enforce a traditional practice of assigning Riggers to make roll changes in the Cold Reduction Department and the No. 4 Mill is an integral part thereof.

3

The Company believes that in T-953; -957 the Board was motivated in large part by the admitted fact that Riggers had performed back-up roll changes on the three old mills for an extended period of many years. Quite to the contrary, the consistent practice at the No. 4 Mill is to assign this work to Millwrights; such as has been the practice since No. 4 Mill was installed in March 1963.

4

The Company presented extensive testimony designed to indicate the differences in methods in changing back-up rolls at Mills 1, 2, and 3 and at No. 4 Mill. Back-up rolls at the old mills were transported by an overhead crane traversing a congested area. Rolls from the new mill are transported to the Roll Shop on a transfer car. Moreover, the new mill is distinguished by the relative simplicity with which rolls are removed on a "sled," whereas the old mills employ slings, cables, roll-change booms, a change buggy, and a large "C" hook. The Company emphasizes that simpler procedures are safer and the "simple rigging" involved falls well within the Millwright job description. Basic changes in roll change conditions are said to justify the decision to assign the duties to Millwrights at the No. 4 Mill.

5

FINDINGS

It is apparent from the evidence and visual observation that methods employed for roll changes at the new No. 4 Mill vary fundamentally from those utilized at the older mills. It is equally apparent that the award in Cases T-953; -957 could not have been intentionally directed toward the No. 4 Mill since that mill was not within the Board's ken when the award was rendered. This is not determinative of the instant case in Management's favor, however, since the intent of T-953; -957 is clear that Millwrights will not "change back-up rolls in the Cold Reduction Department to the exclusion of Riggers." (Underscoring supplied.) Management assuredly did violate that intent when it excluded Riggers from No. 4 Mill back-up roll changes except for an occasional assignment to remove a broken roll.

6

In balance, the record establishes that Management desired to use Millwrights to make back-up roll changes in the Cold Reduction Department. This desire was frustrated by the award in Cases T-953; -957 and Millwrights were no longer used to the exclusion of Riggers on Mills 1, 2, and 3. Mill No. 4 was installed before Management learned that Millwrights could not be used to the exclusion of Riggers. After the award issued on September 30, 1963, Management continued to bar Riggers from the No. 4 Mill in the face of a finding that Riggers are entitled by custom and practice to perform back-up roll changes in the Cold Reduction Department. The prior award, coupled with logic and consistency of work assignments in the Cold Reduction Department where mills are not far removed from one another, seemingly requires that these grievances be sustained to the extent that Millwrights will not change back-up rolls to the exclusion of Riggers at the No. 4 Mill.

7

The parties are directed to determine those Riggers whose seniority rights have been infringed and to arrive at appropriate compensation for any lost earnings properly attributable to the infringements.

8

AWARD

The grievances are sustained in light of the foregoing Opinion.

9

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