

INLAND STEEL COMPANY

-and-

UNITED STEELWORKERS OF AMERICA
Local Union 1010

) Grievance No. 17-J-24
) Appeal No. 1183
) Award No. 591

Appearances:

For the Company

J. T. Hewitt, Senior Representative, Labor Relations
R. J. Stanton, Assistant Superintendent, Labor Relations
P. Klobuchar, Foreman, Tin Mill
J. Borbely, Senior Representative, Labor Relations
A. A. Jones, Representative, Labor Relations

For the Union

Peter Calacci, International Staff Representative
James Balanoff, Chairman, Grievance Committee
Joe Dent, Grievant
Fred Jenkins, Tin Mill Grievance Man

This is a discharge case in which the grievant disputes the Company on the matter of cause, as set forth in Article 3, Section 1, and in Article 8, Section 1.

The grievant was a Tractor Driver in the Tin Mill Department. For allegedly refusing to follow directions and for abusing and threatening his foreman he was suspended on July 24, 1967 and discharged on August 2.

This grievant has had a series of bad marks on his personnel record in the five years before his discharge. In 1963 he was suspended for three days for fighting in the mill. There were four reprimands and one short suspension in 1964. He was suspended on December 13, 1964 and discharged January 11, 1965 for refusing to work as directed and for threatening the foreman, but on June 3, 1965 he was reinstated with no back pay and given a stern written warning by the Company. He was again suspended for insubordination on July 29, 1965, and on August 6 this suspension was terminated but he was again given a severe written warning. Before the incident now before us he was once again reprimanded and once sent home early.

On July 22, 1967 he was directed to clean up or straighten out the field by moving certain coils. The evidence indicates he argued about this, and when spoken to a second time by his foreman he claimed to have moved the coils, and proceeded to use profane and abusive language to the

foreman. The fact was grievant had done only a part of the job in question. The foreman criticized him and a flow of abuse and profanity resulted. Grievant was told to pick up his card and go home. A substitute Tractor Driver took over his work. Grievant then pursued the foreman and increased his abusiveness, charging the foreman with making slurring racial remarks, and pointing a finger at him and threatening, with curses, to "get" the foreman.

He was suspended July 24 and discharged on August 2, 1967. At our hearing grievant maintained that when he was reinstated on August 6, 1965, although it was without back pay and with a written warning to him, the fact was the assistant superintendent had "goofed" and the Company promised to speak to him about it. He also claimed that the reason he had not cleaned up the field on July 22, 1967 as instructed by his turn foreman was that the anneal foreman had asked him to move some other coils. Finally, he asserted that he was not sent home after the July 22 incident but rather that he had asked for his card and had told the foreman he intended to file charges or a grievance against the foreman for abusing grievant and making derogatory statements to him.

The claim that he had been busy doing work for the anneal foreman came as a surprise to everybody at our hearing, including the Union representatives. There is no mention of any such claim in the minutes of the grievance steps.

Grievant's contention that he was the abused party both in August, 1965 and again on July 22, 1967 seems strange. Certainly, in the earlier occasion he appears to be definitely wrong. He was kept off the payroll for more than a week and warned that any repetition of his conduct or violation of Company rules would result in his termination. Coming less than two months after he had been similarly warned, after a disciplinary penalty of more than six months' suspension, his version of what happened in August 1965 seems incredible.

It is true that the July 29, 1965 incident standing by itself does not seem like a serious infraction of Company rules, but as part of a picture of insubordination and rules violations running over a period of years, it was serious, especially after the warning given him in June 1965.

He was probably being watched more closely than he would have been if he did not have the personnel record described above. But, on the other hand, after repeated warnings and disciplinary penalties he was under a duty to be particularly careful not to challenge authority and not to argue, abuse or threaten supervision. On the credible evidence presented, I am convinced he did resist instructions on the day in question, did argue with his foreman and did use profanity and threatening language. Coming on the heels of his record and of the warnings given him, this constituted cause for the complained of action.

AWARD

This grievance is denied.

Dated: November 21, 1967

/s/ David L. Cole

David L. Cole, Permanent Arbitrator