

In the Matter of Arbitration

Between)

Inland Steel Company)

and)

United Steelworkers of America)

Local Union 1010)

) Grievance No. 20-K-13

) Appeal No. 1188

) Award No. 594

Appearances:

For the Company

T. J. Peters, Senior Labor Relations Representative
J. J. Matussek, Assistant Superintendent, Mechanical
T. R. Tikalsky, Assistant Superintendent, Labor Relations
A. W. Grundstrom, Supervisor, Wage Administration
C. P. McGregor, Pipe Shop General Foreman, Mechanical
W. C. Wingenroth, Labor Relations Representative
T. L. Kinach, Labor Relations Representative
W. P. Boehler, Labor Relations Representative

For the Union

Peter Calacci, International Staff Representative
William Bennett, President
James Balanoff, Chairman of the Grievance Committee
George Chigas, Grievant
Sigmund S. Francus, Grievant
Donald R. Black, Vice President
Roy Gonzalez, Assistant Griever

This grievance raises the question whether the grievant, Sigmund S. Francus, a Pipefitter (Standard) was performing Pipefitter Welder work and meeting the requirements of that occupation on December 13, 1968 when he welded a one inch steam coil in the No. 1 Blooming Mill while being paid the lower occupational rate, in violation of Article 13, Section 1, and Article 9, Section 7 of the Agreement.

In the grievance it is stated that:

"He performed identical work which he previously was required and was paid 2 job classes less for this work."

This statement helps frame this issue. The dispute grew out of the introduction of electric arc welding as a specific function of the Pipefitter

Welder occupation, which led to some 19 grievances that were eventually withdrawn in August, 1968 after the parties reached an understanding on the subject.

All this is discussed in some detail in Award No. 593 which is also being issued today. It is there held that the agreement reached in August, 1968 requires the Pipefitter Welder to do arc welding in addition to the older form of acetylene welding or to take training to qualify him to do arc welding, and if he declines to do so he subjects himself to being demoted for cause to Pipefitter (Standard). The considerations leading to that ruling are spelled out in Award No. 593.

Grievant was demoted for the stated reason. He was one of three Pipefitter Welders who would not perform arc welding work, although he testified he is able to do it and has done some in the past. His reason was that he felt it was an added duty for which he should have been offered additional pay. Incidentally, as pointed out in Award No. 593, the Company in December, 1969 raised the Pipefitter Welder occupation one job class, although that fact did not influence the decision.

Grievant insists he was doing the kind of gas welding on the day in question which he customarily did while he was classified in the higher occupation. The difficulty is that the job description of both Pipefitter (Standard) and Pipefitter Welder call for welding work and, accordingly, both occupations have commonly and traditionally done acetylene welding on any type of low and high pressure pipe. It is made clear, however, in its revised job description that the Pipefitter Welder is also required to do electric welding, a feature significantly left out of the job description of the Pipefitter (Standard).

There are important differences between the two job descriptions with respect to primary function and supervision. As to the Pipefitter Welder, the job description specifies:

"PRIMARY FUNCTION:

Direct and work with crew to layout, install, dismantle, inspect, repair, and maintain pipe systems, fittings, valves, control devices and fixtures as required in plant maintenance and construction."

"SUPERVISION: Supervised by: Foreman

Directs: Craftsmen, Handymen, Helpers and Apprentices."

In contrast, the Pipefitter (Standard) job description states:

"PRIMARY FUNCTION:

Constructs all manner of low and high pressure installations of pipe and tubing, according to accepted standards of the trade.

"SUPERVISION:

Supervised by: Assistant Pipe Shop Foreman
Directs: Pipefitters of Lower Rank, Helpers."

On the evidence presented at the hearing, when Grievant was performing his job on December 13, 1968 he was doing it in accordance with the job description of Pipefitter (Standard) and in line with past practice. The direction of craftsmen, etc. was being done by Pipefitter Welders who were on the job. Grievant was directing only his helper.

It is also undenied, as stated above, that both occupations do gas welding and have done so constantly. This is not unusual in related occupations like the two here in question. One is a progression from the other and in a great many respects the functions and responsibilities overlap. This is true throughout this plant, and this condition is anticipated and accepted. The listing of numerous practically indistinguishable duties in the two job descriptions is the best proof of this. This is not to say that the distinguishing characteristics are not also set forth.

Most important, it must be noted that the job descriptions are carefully prepared by the Company but are carefully scrutinized and analyzed by the employees and their representatives. The most recent job description of the Pipefitter Welder was approved on August 16, 1968 by representatives of both the Union and the Company.

The fact, therefore, that this Grievant was doing work of the same kind as he performed when he was in the Pipefitter Welder occupation does not mean that he should necessarily be paid the rate of the higher occupation. If he were doing the kind of work which is peculiar to the occupation of Pipefitter Welder it would be another matter.

Some of the essential differences in the work and functions of the two occupations have been indicated above. To sustain his claim Grievant would have to demonstrate that he was called upon to perform work of a kind distinctly characteristic of the Pipefitter Welder occupation, and not of a kind common to both his occupation and that of the higher job.

AWARD

This grievance is denied.

Dated: April 24, 1970

/s/ David L. Cole

David L. Cole, Permanent Arbitrator

As stipulated by the parties, the chronology of the grievance is as follows:

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| 1. <u>Date of filing</u> | January 2, 1969 |
| 2. <u>Dates of appeals and meetings</u> | |
| Step 2 hearing | February 10, 1969 |
| Step 3 appeal | February 18, 1969 |
| Step 3 hearing | April 9, 1969 |
| Step 4 appeal | May 8, 1969 |
| Step 4 hearings | August 6, 1969 |
| | August 13, 1969 |
| | September 17, 1969 |

2. Dates of appeals and meetings (cont.)

September 25, 1969

October 15, 1969

October 19, 1969

3. Date of appeal to arbitration

December 15, 1969

4. Date of arbitration hearing

March 24, 1970

5. Date of Award

April 24, 1970