HUMAN RELATIONS CASE PROBLEMS IN THE AIRCRAFT INDUSTRY
IN THE NORTH TEXAS AREA

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HUMAN RELATIONS CASE PROBLEMS IN THE AIRCRAFT INDUSTRY

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CHAPTER I

INTRODUCTION

The Problem

General--Classroom teaching in our colleges and universities has become more and more directed toward repeating the thoughts and ideas of others. Such practice seriously stunts the capacity of the individual student to think independently and originally.¹ This is especially true in the study of human relations. Students gain knowledge in this manner, but knowledge is not wisdom. "Wisdom, in the sense of a capacity to judge soundly and deal with the facts, is now at a premium among the graduates of our higher institutions."² One difference between an educated man and an ignorant man lies in the values each believes in. Education should develop a sense of relativity, a realization that things have an order of importance; while ignorance breeds dogmatism and idolatry of glib generalities.³ The need of the supervisor of the future is for broad interests and a capacity for human understanding.

²Ibid.
Depth of insight and ripeness of experience can be learned if the student is given the opportunity to acquire them. This requires that the student become active in the learning process, and that he be given more responsibility for making up his own mind about what he sees, hears, and thinks. It is generally believed that man acquires judgment and understanding mainly from experience; and while it is doubtful that there is any substitute for the real thing, study by the case method most nearly approaches actual experience by exposing the student to a variety of cases taken from real situations recently experienced by some individual in a supervisory capacity. The case method of instruction is peculiarly adapted to focus responsibility for learning upon the student. The most important factor is the process of arriving at an answer in which each student participates personally. As a result of being exposed to a variety of situations, and a running critique from fellow students as well as the instructor, the student will acquire a rich variety of administrative experience and understanding that is rarely possible in actual business except over a very long period of time.

4Boedecker, op. cit.

The student is encouraged to consider himself as being a part of any given situation so that he may see himself in relation to other people and take into account his own feelings and aspirations as well as those of people with whom he is dealing. Because of the differences in the way they look at things in general, no two students will see the same things in any given case; for the same reason, no two students will learn exactly the same lessons from any given case problem. The cumulative effort of the case discussion by the class is to improve each student's capacity to understand and react sensibly and usefully in human relations problems as they are encountered on the job.

One can understand that modern business is becoming a vast complex structure because of the expanding division of labor, the increasing specialization, and a growth of huge operational units, among other factors, which are working steadily to fashion an extensive and intricate organizational system. It is in such a complex structure that our workers and their leaders find themselves. Each administrator, from group leader or foreman to the president of the company, has the objective to achieve an efficient and smoothly operating organization within the area of his control and authority. In order to reach the objective he must understand that human beings develop personal relations with each other which

6 Ibid.
are sometimes beneficial and at other times may be detri-
mental to the effective operation of the organization. He
should have a basic understanding of the inter-personal re-
lations that are marked by the various alignments within the
informal, social organization. These may take the form of
personal friendship, enmity, rebelliousness, indifference,
generosity, spite, envy, jealousy, respect, admiration, and
exploitation of power or the formation of various kinds of
group attachments, ranging from small informal cliques through
various status groups to the more formally organized relations
between management and the workers.

The social organization may become dead weight on
efficient operation or, given adequate stimulation through
superior leadership, it may develop a vigorous output of
effort and imaginative ingenuity that could reach unbelievable
proportions. It is the responsibility of the leader or super-
visor of the group to furnish that quality of leadership
which will enable him to reach his objective.

It is most important that the leader, or prospective
leader, of any group should develop a keen sense of fairness,
objectivity, and firmness in all of his dealings with
associates. This can be done through the development of in-
sight into useful ways to reason, or discovery of patterns
for critical and logical thinking.

Specific Purpose--There is a definite need for new,
basic and realistic case problems in human relations for
study in the educational field. The specific purpose of this investigation is to compile selected case problems for use in teaching human relations by the case method. There seems to be value in using case problems drawn from regional and local industries, especially from the industry most prominent in the local area.

Although there are numerous case books of problems in the field of human relations compiled by excellent authors, there is always a need for new and up-to-date material for further study, especially if that material is drawn from the local area where students are more or less familiar with the general conditions that exist.

People in all walks of life and in various sections of the country have a way of thinking differently, of changing their attitude toward various things including their relations with their fellow man. It seems important that these attitudes and changes be recorded and studied if students of human relations are to keep pace with passing time.

Scope and Limitations

This investigation will include those case situations that involve many of the factors that cause differences of opinion and friction between individuals or groups. It is emphasized that all cases are real situations involving real people and that the facts are recorded as they actually happened. These facts include a statement of the problem
in the words of the complaining party, the job assignment
and the relative position of all parties involved, the con-
ditions causing the problem to be recognized as such, all
recorded facts available in relation to the problem, the
feelings and attitude of parties most concerned with the
problem, and any other pertinent facts that should be known.

The cases selected are limited to those that actually
became the subject of a grievance in the aircraft industry
of the Dallas-Fort Worth area of North Texas. The fact that
the problem was written up as a grievance is an indication
of its seriousness, especially to the aggrieved party. While
it is recognized that many human relations problems which are
not written up are met and solved by supervisors, no attempt
will be made to consider any of these in this study.

No "approved" solution will be attempted in this in-
vestigation, because the purpose is to furnish factual
material for study in the process of developing the ability
and the capacity of the student to think and reason for him-
self in an intelligent and logical manner. In reality there
can be no "perfect answer" that will fit every similar
situation. Each individual case must of necessity be judged
on its own merit and will require all the skill and knowledge
of the deciding party to avoid even further complications.
Methods and Sources of Information

The companies in the aircraft industry in the Dallas-Fort Worth area were first contacted to determine their attitudes toward the project. Three of these companies, which employ a total of approximately sixty thousand workers, agreed to make available their grievance files for research purposes. These companies desire to remain anonymous.

As a result of the splendid cooperation of these aircraft companies, their grievance files were searched for case problems which should be suitable for instructional use. The principal factors considered in the selection were representative issues, importance or seriousness of the problems, variation of the problems, and the level of supervision at which the problems were solved. The case files contained many documents which were included in the evidence accumulated for a given case; an attempt was made to cover these in a single write-up without sacrifice of important detail. Thus all of the cases are situations that actually happened in the companies concerned and are a part of their records. All names have been changed for obvious reasons, but the facts are true. For the purpose of presentation and study, these cases have been divided into four groups according to the level of supervision actually making the final satisfactory solution of the problem.
Order of Presentation

The order of presentation will be in the inverse order of authority; that is, the cases that were decided by the first-line supervisor will be presented in Chapter II, followed in Chapter III by those cases that were decided by intermediate supervisory personnel. These, in turn, are followed in Chapter IV by those cases which were solved by top management personnel. In Chapter V will be presented those cases that actually required arbitration for a final solution.
CHAPTER II

CASE PROBLEMS SOLVED BY FIRST LINE SUPERVISORS

Introduction

The supervisor should encourage a relationship of intimate communication between himself and those whom he supervises. It is emphasized that the solution of as many problems as possible at the lowest level of supervision is most desirable; but first-line supervisors are, for the most part, technical men and seldom have the time, or the patience, to solve human relations problems. The following cases were handled by the first-line supervisors.

The Case of Mr. Able

A foreman receives a policy grievance to protest the fact that a Template Maker, Mr. Able, is working on "Assembler General" work in his department while "Assembler Generals" with seniority are currently on an extended lay-off. Employee Able was affected by a temporary layoff in his present classification along with other Template Makers. Some of the Template Makers on layoff have more seniority than Mr. Able. It is contended that if the Assembler job

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now held by Able is only temporary the top seniority Template Maker should be recalled for that period and paid for all lost time; if it is a permanent job opening, then the top seniority Assembler General should be recalled to work with pay for all lost time. In either case, employee Able should be laid off.

If you were this foreman, what would you do?

The Case of Mary Jones

Mary Jones, an Accounting Clerk "B," is thirty-five years old, married, and has one child. Her reason for working is that she is the sole support of her invalid mother. The company is rather large and the employees are members of an office workers bargaining unit. Her supervisor has a problem with regard to Mary Jones' seniority caused by the following facts:

Mary Jones has worked for the company fourteen and one-half months. During that time she has performed her duties in an average way. For the first six and one-half months of Mary's employment, she was absent from work a total of seven days. It was necessary for her to enter the hospital for a major operation and she was unable to return to work for two months. Meanwhile, she was paid two-thirds of her salary plus all of her hospital and operation expenses through the group hospitalization and security plan. Mary returned to work and worked for five months during which time she was absent only two days. A medical examination soon showed
another operation was necessary which would require six weeks for recuperation. Mary had, by this time, earned a two-weeks' vacation, and she requested her vacation as part of the necessary six-weeks' recuperation period.

During Mary's absence, her duties had been absorbed by other clerks so that her job as such no longer existed. The company has a policy of not discharging an employee while out on a bona fide illness. Since the union contract has a similar clause, and Mary has had continuous service from her original hire date, her seniority puts her about midway on the seniority list. Her supervisor is faced with the problem of either finding a job Mary is capable of performing, or laying her off by virtue of the fact that her job has been eliminated. If he finds a job she is able to do, he will have to lay off a girl who has less seniority but who has not missed a day's work during the entire year she has been employed.

According to the union contract, either decision by the supervisor can be made.

If you were Mary's supervisor, what would you do?

The Case of Mr. Knox

Assistant Foreman Knox attended a meeting in which the department head discussed the company's attitude in regard to dealing with employee grievances and union committeeman.
The department head explained that the company wanted to be fair with employees and that the assistant foreman, being the key man in the grievance procedure, should do what he could to minimize the unusual number of grievances being filed in that department. The department head also stated that "certain people on top sides are on my neck about all of these grievances," and pointed out that the large number of grievances would not have occurred if the first-line supervisors had done their job properly.

Approximately two days later, Assistant Foreman Knox was threatened with a grievance involving an alleged wage inequity. He went out into the work area and talked to the dissatisfied employee, Mr. Lang, and the union committeeman about the merits of the case. Although Assistant Foreman Knox did not believe that the complaint was warranted, he promised to submit a ten cent an hour wage increase if Mr. Lang would not file a grievance.

Assistant Foreman Knox then filled out a Performance Review, rating the employee "tops" on the review. This was submitted to the department head and the Wage and Salary Section. He did not tell the story of the averted grievance or of his promise.

When the Wage and Salary representative checked the Performance Review, it was noted that Assistant Foreman Knox had made a Performance Review on Mr. Lang the previous month which showed that Mr. Lang was an average employee. When
this was called to the attention of the department head and Assistant Foreman Knox. Knox stated that he perhaps rated the man too low on the first Performance Review and that Mr. Lang had shown unusual improvement within the past month. The department head and the Wage and Salary representative accepted the explanation; however, the increase was reduced to five cents per hour.

When the increase was handed to Mr. Lang by Assistant Foreman Knox, he tried to explain to Mr. Lang by stating "this is all that Wage and Salary will allow at this time." Mr. Lang later contacted his union committeeman and filed a grievance.

As the department head, how would you handle this situation?

The Case of Assistant Foremen Moore and Grey

The foreman in the Paint Department of a large manufacturing plant has received a protest in the form of a grievance that two of his assistant foremen, Mr. Moore and Mr. Grey, are violating the union contract by working hourly-rated jobs such as the unloading and loading of dollies, spray painting, and applying insignia on the finished product.

This is the fourth such protest that has been received by this foreman.

If you were the foreman in this case, what would you do?
The Case of Mr. James and Mr. Crouch

A policy grievance was received by the foreman of a department stating that two men, Mr. James and Mr. Crouch, had been over-classified; that these men were performing the duties of Leadman-Jig Builder, and had been classified out of the bargaining unit solely for the purpose of paying them more money. This is in direct violation of Article IX, Section 6, of the union contract. The union and the employees signing the grievance protest this action. They recommend that these two men be returned to their proper classification.

The foreman stated that it was intended that the employees concerned were to do Tool Liaison work, but it had since been decided that they were more necessary in their former positions.

If you were this foreman, what would you do?

The Case of Jim Howard

A policy grievance was received by the foreman of Department 74 protesting the retention of Jim Howard with the classification of "Rigger, Controls, 'A'," who was working on "Installer, General Assembly" work. It was requested that Howard be placed on "Rigger, Controls, 'A'" operations and that the top "Installer, General Assembly" in line of seniority be recalled and paid for all time lost.

In view of the fact that the reassignment of Howard does not require replacement, what would you do if you were the foreman of this department?
The Case of Elliott P. Fernsworth

Elliott P. Fernsworth was hired on October 21, 1952, as an Assembly Inspector "B," at the base rate of $1.27 per hour. This salary was the minimum of the rate range for that classification. On January 14, 1953, he was upgraded to Assembly Inspector "A" at $1.47 per hour, the minimum rate for that classification. Since he was employed during October, the first performance review was due in April.

The company uses the merit rating system in evaluating hourly employees for merit increases, with 5 being used as the maximum factor in evaluating the performance review. On his first review the resultant grade of three primary factors considered were as follows:

- Quality: 3
- Quantity: 3
- Knowledge of Job: 3

No increase was recommended as a result of this review; therefore, his rate continued at the minimum. This review was prepared by his Assistant Supervisor, Mr. Monroe, and reviewed by Monroe's supervisor, Mr. Applegate. One year after his original hire date, which was his next regular review, Mr. Monroe rated him:

- Quality: 4
- Quantity: 3
- Knowledge of Job: 4

Mr. Monroe recommended an increase on the basis of the improvement shown, but the proposed increase was not approved by Mr. Applegate; as a result, it was not granted.
The record shows that this man has been kept at the minimum rate during the ten months at which he has received two reviews, on either of which a five cent hourly increase would normally be granted. This man holds an Airplane and Engine certificate which shows that he has a basic knowledge of the aircraft field. His performance review shows him to be performing his work in a satisfactory manner. Mr. Farnsworth has, as a result of not receiving an increase, filed a grievance claiming discrimination. In answering the grievance Mr. Applegate has made the following statements:

1. Farnsworth was cautioned by supervision on several occasions against accepting substandard work

2. He was cautioned by his supervision on several occasions against leaving his work station before the end of the work period

3. He has a belligerent attitude toward those with whom he works, and he fails to display a spirit of cooperation or helpfulness to shop departments

Upon investigation of Mr. Applegate's claim, it was found that the only record of Farnsworth having accepted substandard quality work was made after he had worked for the company only two months. When questioned about this, Mr. Applegate stated that there were other occasions of such discrepancy, but that no written record had been made.

With regard to Statement Two, a written record was made of Farnsworth leaving his work station on only one occasion, which occurred six months after his original hire date. At
the time he was given a three-day disciplinary layoff. In the discussion with Mr. Applegate, reference was made to this particular incident and it was brought out that the incident occurred in a previous review period and should not have been considered in the present period. Mr. Applegate also contended that Farnsworth had repeated this infraction of the rules, but no written record could be found to substantiate the point.

In regard to Statement Three, individuals with whom Farnsworth worked stated that he had "an insistent nature" and was "less tactful than an inspector should be." They also stated that it was not until after Farnsworth had received the three-day layoff that he had become as hardheaded as he now seemed to be. It is possible that the reprimand may have had some influence on his attitude. As a result, Farnsworth is now still at the minimum, while five men with less seniority than Farnsworth are receiving higher rates than he.

If you were Mr. Applegate, would you continue to keep Farnsworth at the minimum, or would you recommend the increase? Why?
CHAPTER III

CASE PROBLEMS THAT WERE SOLVED BY INTERMEDIATE SUPERVISORY PERSONNEL

Introduction

The most common weakness of intermediate supervisory personnel is the difficulty in dealing with people. Supervisors often appear cold, unsympathetic, and lacking in human understanding. The first-line supervisor cannot be qualified to cope with all the problems of individuals; therefore, Management must avail itself of the services of those specialists who do possess the required knowledge and skill. This specialist is usually called the "Labor Relations Representative," or, in some cases, the "Personnel Advisor."

Step Two of the grievance procedure consists of a hearing of the case by the grievance committee with the department head or superintendent presiding; the union committee-man presents the case and any evidence he may have; the company representative then presents his evidence in support of the foreman's decision. After rebuttals, and with the advice of the Labor Relations Representative, the presiding officer announces his decision.

A Case of Unreasonable Speed-up

An employee of a large manufacturing company complained to the head foreman of the paint department that the assistant foreman was speeding up the conveyor line through the painting process. This employee does not mind working hard, but he does not want to work like a slave. He stated that the speed-up occurs almost every day.

This protest was submitted through the union steward.

The head foreman made an investigation and determined that the speed remained constant with the type of parts being run. The foreman stated that the conveyor will continue to be operated the same in the future in order to meet production schedules.

The union steward, also a committeeman, appealed the decision of the head foreman, giving as the reason for the appeal that his investigation revealed that anytime the assistant foreman feels like speeding up the painting conveyor line, he just climbs up to the motor that controls the speed of the line and turns the handle which tightens the belt. The result is a fast moving line where the workers cannot keep up without running. In talking with seven different workers, they were all of the opinion that supervision is being unreasonable in this case.

If you were the labor relations representative for the company, what would you advise? What other steps would you take?
The Case of Mrs. Dora Grimes

Mrs. Dora Grimes signed a complaint that she had been terminated unfairly and requested that she be placed back on the seniority list.

The foreman stated that she was discharged for just cause and refused to reinstate her.

The union appealed to Step Two of the grievance procedure.

At the grievance committee meeting, the union contended that this employee should have been placed in Section 900 because of her absence due to illness.

The company pointed out that on April 27, 1953, Mrs. Grimes classified as Tool Crib Attendant "B," filed a misclassification grievance in which she said she was doing "A" work and should be reclassified as such. After she filed the grievance she asked the foreman for permission to go to medical. Medical checked her condition and gave her a pass to go home.

The Personnel Advisor, in attempting to check the grievance with a committeeeman, found that Mrs. Grimes was not in, and it was agreed that the grievance would not be processed until she came back to work.

Mrs. Grimes never reported to the absentee clerk or notified her foreman as to why she was out, or when to expect her back. It would have been easy for her to ask her husband, Doyle Grimes, who works on the second shift in
Maintenance, to speak to her foreman about her condition. Although Mr. Grimes saw his wife's foreman almost every day, he never said one word about her.

It was only by way of the grapevine that the foreman knew anything about Mrs. Grimes. He heard that she was quite ill, but he did not actually know the extent of her illness, or when he could expect her back at work. He sent her a form letter requesting the necessary information. The letter was returned by her husband, unanswered, and dropped on the desk of a clerk in the office with a statement that "I thought everybody knew my wife was sick." At this time he told the clerk that his wife would be back in about one week.

The foreman, on the basis of Mr. Grimes telling the clerk his wife would be back in a week, decided to let things ride. Although this employee never contacted her foreman, he decided to give her the benefit of the doubt and wait a couple of weeks for her to get well. By the tenth of June he felt he could wait no longer; so he sent another letter to Mrs. Grimes which stated that she had to report for work by the fifteenth of June or be terminated.

The day after the letter was sent, Mr. Grimes came in to see the Personnel Advisor and asked him if his wife could be terminated for excessive absenteeism or extended illness. The Personnel Advisor explained to Mr. Grimes that any person could be terminated for excessive absenteeism or extended illness when there was no information as to when the person
might return. Grimes made the comment that the foreman should know his wife was sick because her fellow employees had taken up a collection to send her flowers. It was explained to Grimes that the foreman did not know anything about his wife except what he had picked up by way of the grapevine. Grimes was told that he should contact his wife's foreman and let him know the exact status of his wife's illness. He said he would do so, but he never did.

In the meantime, a letter was received from Mrs. Grimes' doctor, Sam White, in which he stated that Mrs. Grimes would not be able to return to work until about August 12, 1953, which meant that she would be out for about two more months. When this letter was received, the foreman felt that he could not wait that long without replacing her. He felt that he had been more than fair to her about the whole deal by waiting as long as he had; but her absence was being felt insofar as the efficiency of the department was concerned, and she had to be replaced. He decided to terminate her on June 17, 1953.

After she received the letter of termination, Mrs. Grimes called her foreman at his home and stated that she did not see why she was being terminated while she was out sick. She told the foreman that she was going to get her job back with whatever it took to get it back, and she didn't care what it took to get it back. She said that she would go to the Personnel Manager, or the General Manager of the company if it took that to get her job back.
Mrs. Grimes had been employed by the company for about two and one-half years. In 1951 she was absent, because of illness, twenty-one days, nine of which were excused. In 1952 she was absent twenty-one days, because of illness, nine of which were excused. From January first to date of termination in 1953, she was absent fifty-three days because of illness, two of which were excused.

The company also pointed out that while the company agrees that evidently her absences were caused by illness, it finally became a question of her supervisor not being able to depend upon her and having to replace her with an employee who could be expected to work regularly.

If you were the superintendent, what would be your decision?

A Case of Contract Violation

The foreman of a large department received a complaint that two assistant foremen had been working at sealing off fuel vapors with a compound known as "Vapor Seal." Regular employees were available but there were no hourly rated employees available. It was requested that these supervisors be immediately restrained from working on hourly rated jobs in accordance with the union contract.

The foreman stated that these assistant foremen were experimenting with a new type of sealing compound and the
hourly rated employee assigned to this job was not available at the time.

The union steward appealed to Step Two of the procedure stating that these supervisory personnel were in continuous violation of the contract agreement that supervisory personnel should not work on hourly rated jobs. He also stated that under the agreement supervisory personnel are not permitted to experiment with sealing compound. Also, that there were regular employees available who had been doing this kind of work all along.

As the department head, what would be your decision?

A Case of Conveyor Speed

The night foreman of the paint department received a grievance complaining of the speed-up of the paint conveyor line on the night shift. It was claimed that anytime the supervisor in this department wanted to speed up production, he sent a leadman to speed up the conveyor. It was also claimed that the day shift conveyor is set up to make a complete revolution in six minutes and that the conveyor line was set up on the night shift of April 30, 1953, to make a complete revolution in only four minutes; that this is inhuman and unjust and recommended that the line be adjusted to maintain a normal speed.

The foreman stated that his investigation disclosed that the day shift had no set speed for the conveyor and that the
speed of the conveyor is governed by the time required to paint whatever parts are on the conveyor line. He denied the union's request.

Appeal was made to Step Two with a statement that the speed of the conveyor line and the number of parts placed on the baskets should not be such as to require employees to run to keep up with the work.

When large pieces of skins and similar parts are being painted the line may run faster than when parts are being painted that have surfaces which are difficult to cover with paint. At times it is necessary to slow the line just as it is necessary to sometimes speed up the line. There are also times when it is necessary to completely stop the line to properly paint the parts.

In view of these facts what would be your decision if you were the department head?

The Case of Jim Short

On July 5, 1953, a report was received by the Personnel Office from its Security Section which showed that one of the employees, Jim Short, and a companion, Joe Grady, had held up a downtown theatre and had been arrested shortly thereafter. Further information on the part of the Security Section revealed that Jim had been arrested several times for drunkenness during the past four years. It was further learned that two of these arrests had occurred prior to Jim's employment by the
company and were not mentioned by him on his application for employment. The company holds, in cases of this kind, that failure to show arrests for other than minor traffic violations gives them the right to refuse employment to that individual. Furthermore, failure to declare such facts is a falsification on the part of the applicant and he is, therefore, subject to dismissal inasmuch as he was employed on a falsified application.

Jim was called into the Labor Relations office and, upon being questioned, told this story:

I met Joe early on the morning of July 4, and during the day we did a hell of a lot of drinking. In the afternoon we went to my house and I showed Joe my forty-five automatic. When I wasn't looking he must have slipped it into his pocket, because I didn't give it to him. We decided to go out and get a few more drinks, and we visited two or three more joints. By then I was getting pretty groggy, so I decided to take a nap while Joe continued to drive. We drove around for awhile, then he parked the car and left me alone. When he came back to the car, he took off like the devil was after him and seemed real nervous. About five minutes later a prowler car with two cops in it forced us to the curb and arrested both of us. I didn't know much of what was going on, but when they got us down to the police station we were charged with holding up a theatre. I didn't have anything to do with it or know anything about it.

Mr. Smith, the head of Jim's department, was contacted and told of the situation. Jim's records were reviewed; they showed that he had a very good attendance record; that he performed his work satisfactorily, and was considered by all of his supervisors to be a satisfactory employee. Mr. Smith requested that Jim be continued on the payroll until the court
determined his innocence or guilt in the holdup. The supervisor further stated that since arrests for drunkenness were of a minor nature, they would not be considered in any action taken.

What would you have done if you were Mr. Smith?

The Case of Machine Tool Repairman Johnson

Shortly after lunch, Foreman Perkins of the Maintenance Department escorted Machine Tool Repairman Johnson to the Labor Relations Section and stated that the employee had been guilty of a rule violation and that he wanted him to be given a three-day disciplinary layoff.

Johnson was assigned the job of installing a lathe on the second floor. He leaves his lunch kit on the first floor, as do many of the employees working under Foreman Perkins. The first floor might be termed their "home base," and Perkins stated that the practice of the men leaving their lunch there is acceptable to the department. Johnson stated that he left his work area when the lunch whistle blew at noon, picked up his lunch on the first floor and proceeded to the lunchroom; shortly before the end of the lunch period he started for the other building with the idea of leaving his lunch kit on the first floor. On his way, he stopped at the water fountain to get a drink and because there were numerous employees engaged in the same action, he had to wait a few minutes before he was able to get to the drinking fountain. He went to the first
floor of the other building, and as he was leaving for the second floor work area the final lunch whistle blew. He thinks it took him about a minute or two to get to his work area on the second floor, although Perkins states that he personally saw Johnson return to his work area three minutes late. Johnson stated he doubted the time was quite 1:03 p.m. when he arrived at the work area.

Johnson was asked if he had ever been reprimanded or cautioned in regard to any rule violations, specifically a rule violation in regard to leaving his work area prior to the time required or returning thereto after the time required. He said that he had never been reprimanded during his employment with the company, but he did say that about two weeks ago he and the other men working for Mr. Perkins had been requested to sign a notice which stated that they would remain on the job to which they were assigned until either the lunch whistle or the whistle signalling the end of the shift had blown. Also, that they would be on the job to which they were assigned when the final whistle sounded to signal the start of a shift, and when the final whistle sounded signalling the end of the lunch period. An examination of Johnson's employment history folder indicated that no record had ever been made with respect to a rule violation, and that all his supervision considered him an exceptionally capable employee.

After Johnson had told his story, and it had been corroborated by Perkins, Perkins was asked what action he desired to
take in respect to Johnson's rule violation. Perkins stated that he wanted Johnson given a three-day disciplinary layoff. The labor relations representative and Perkins stepped out of earshot of Johnson and the labor relations representative pointed out to Perkins that Johnson had an exceptionally good record over a period of the last six years, his attitude was very amenable, and that a three-day disciplinary layoff was, in the opinion of Labor Relations, rather excessive. It was pointed out that disciplinary action should be determined on some of the following factors:

1. Length of employment
2. Records of previous reprimands
3. Employee's attitude
4. The amount of discipline necessary to correct the condition

Mr. Perkins stated that he appreciated these factors, but that his higher supervision felt that existing conditions in the Maintenance Department made mandatory a three-day disciplinary layoff when employees were guilty of a rule infraction such as Johnson's act.

What would you do, or have done, if you were the labor relations representative?

The Case of Luther B. Smart

Luther B. Smart was hired on October 2, 1952, and on October 14, 1952, his supervisor had him enroll in a company conducted inspection training course which lasted twenty hours. At the conclusion of this course, all of the employees attending were given a written examination. Smart made a grade of
twenty-five as against an average grade of eighty made by
the others attending. Smart was assigned to work with a very
capable inspector whose job it was to give the new hire ad-
ditional information. Furthermore, Smart was given a copy of
the questions in the test so that he could familiarize himself
with the information which he was required to know. Two weeks
after the first test, he was given another written examination.
This time he made a grade of forty-nine.

Smart's supervisor discussed this failure with him, at
which time Smart made this statement: "I came here to work,
not to go to school." Because of his failure to acquire the
simple knowledge in regard to inspection procedures as re-
lected in the test, he was unable to perform his job properly.
Smart, who is sixty years old, had been a State Engineering
Department inspector for a number of years. When he was em-
ployed by the company, he was hired at a rate of ten cents
above the minimum because of his previous inspection experi-
ence.

Smart said that he would not work anywhere or any place
where he had to go to school in connection with his work. He
also stated that he disliked working outside during the winter
months, and that just as soon as the weather became warm he
intended to leave this job.

The probationary period as covered by the union contract
is for thirty days. Smart has worked in excess of that time
and is covered by the bargaining unit. The union representative stated he would appeal the case all the way to arbitration.

The foreman discussed the case with his chief inspector and asked for advice. If you were the chief inspector, what disposition would you recommend?
CHAPTER IV

CASE PROBLEMS THAT WERE SOLVED BY TOP LEVELS OF MANAGEMENT

Introduction

The handling of operative grievances is related directly to the problem of disciplinary action at the top supervisory level. The handling of grievances is so important in the problem of operative morale that all supervisory personnel, especially those of top management, should be thoroughly indoctrinated in a sound philosophy of management. They should be trained to view the employee's problem objectively. They should assist him to analyze it and determine the requirements for a fair adjustment. All grievances should be considered carefully, completely, and promptly. A definite decision should be reached, and the reasons for that decision should be given. The decision, of course, must be based on all available facts, and an honest effort must be made to satisfy the original grievance if at all possible.

Step Three of the grievance procedure consists of a meeting of a Management-Shop Committee with the Director of Personnel or Industrial Relations presiding. The union presents the cases and such evidence as it may have. The

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company representative then presents evidence in the form of
direct testimony, affidavits, and various pertinent records
in support of the lower committee decision.

The following cases were solved at Step Three of the
grievance procedure.

The Case of John Horn

John Horn, a machinist, forty-three years old, has worked
for the company two years and four months. On June 13, 1953,
he returned to work after an absence of two weeks. He report-
ed to the dispensary for a medical examination on that date,
as the company requires all employees to have a medical ex-
amination before permitting them to return to work if they are
absent more than five days. During this examination it was
found that Horn had high blood pressure; as a result he was
not allowed to return to work on that day. He returned on
June 20, 1953, and a re-examination showed that the condition
still existed. Horn was again sent home.

Horn remained away from work until August 21, 1953, when
he again requested reinstatement. He had a release from his
doctor which stated that he was now able to return to work,
but a physical examination by the company physician indicated
that the high blood pressure condition continued. Horn's re-
quest was again rejected. The next day, August 25, 1953, Mr.
Brown, the business agent of the local union, called the
Personnel Manager, Mr. Moore. In this call, Mr. Brown com-
plained that Horn was being discriminated against in not being
allowed to return to work. Mr. Moore informed the business agent that Mr. Horn would be instructed to report for another physical examination.

On the morning of August 29, 1953, Mr. Brown called Mr. Moore to tell him that Horn was then at the union office and wished to be examined. Mr. Moore told Mr. Brown to have Horn report to the dispensary. Mr. Brown requested permission to accompany Horn to this examination. Permission was granted; so both Horn and Brown reported to the dispensary about 9:30 a.m.

Horn's blood pressure was taken by a qualified medical attendant; it was found to be too high for the type of work Horn was capable of performing. When informed of this condition Mr. Brown said, "That can't be true! I talked with Horn's doctor only this morning and he said, 'J. R.'s blood pressure is not excessively high.' Either you have the wrong information or your dispensary should be cleaned out! If you don't do something about reinstating Horn RIGHT NOW, we are going to carry this to arbitration." With that, Mr. Brown stormed out of the dispensary, followed by Horn.

If you were the Personnel Manager, what would you do in this case?

The Case of B. L. Trout

B. L. Trout signed a complaint that he had been unjustifiably disciplined for an action that has, to the best of his
knowledge, been considered policy. He stated that he and another man were scheduled to work on Saturday, May 9, 1953; that at approximately 1:30 p.m. they stepped outside the paint storage building and each lit a cigarette. A few minutes later their foreman, Mr. Ford, came around the corner of the building. He censured them severely and told them to punch out and leave the plant. He also made the remark that "the next time this incident occurs I will fire both of you on the spot." Trout claims that he has never been warned about smoking outside the door and considers the action of the foreman to be unjust. He wants to be paid for the full eight hours Saturday at time and one-half pay.

The foreman, Mr. Ford, stated that he had sent Mr. Trout home for loafing on the job because he believed that taking twenty minutes or more off the job to smoke a cigarette is too much time wasted.

The union steward, Mr. Folk, appealed this case to Step Two. At the grievance committee meeting, Mr. Flaherty, the committeeman, presented the case with a statement that since in other similar cases warning notices were issued, he feels that this penalty is too severe and the man should be paid for the full eight hours on the Saturday in question.

Mr. Meyer, the General Superintendent of Production, as chairman of the committee, stated that the day in question was an overtime day and that employees are asked to work because of the urgency of a given job. He also stated that
the foreman certainly has the right to expect his employees to stay on the job, and if he notices anything to the contrary, he must take disciplinary action. He believes that the foreman was within his rights to send Mr. Trout home.

The committee upheld the action of the foreman as justified.

This decision was appealed by committeeeman Flaherty to Step Three. At the management-shop committee meeting, the union presented the case claiming that Mr. Trout was unjustly disciplined by being sent home at 1:30 p.m. on Saturday, May 9, 1953.

The company pointed out that four employees were scheduled to work on the Saturday in question in the plant storage crib, but that their foreman noticed them smoking outside the crib at approximately 1:00 p.m. He did not, at the time, feel that they were in the wrong inasmuch as they were allowed to step outside the paint crib to have a smoke, but after attending to some other business which took roughly twenty minutes, he noticed Trout and the other employees were standing around loafing. Because of this, the foreman told them that they had been scheduled to work overtime because they were needed but as long as they were not working, they could clock out and go home.

What disposition do you believe should be made in this case?
The Case of Agnes Howzer

Mrs. Agnes Howzer signed a grievance complaint that she had been terminated unjustifiably and requested that she be reinstated with full seniority and paid for lost time.

The foreman, Dick Powell, stated that Mrs. Howzer was terminated because of physical restrictions which prevented her from performing her job. No transfer was available.

The grievance was appealed to Step Two.

At the committee meeting in Step Two the union presented the case of Mrs. Howzer, contending that she should have been placed in Section 900 and left there until sufficient time had elapsed so that she could have returned to her normal work. The union representative said that he did not know what was wrong with her nor did he know how long it would take for her to return to her normal physical condition, but he did feel that a reasonable length of time should have been allowed her to remain listed in Unit 900; then if the condition did not improve, other arrangements could be made. He did think that discharging her for a back injury that was received while she was performing company work was definitely the wrong treatment to give her.

Supervision presented supplementary information to the effect that Mrs. Howzer did not graduate from grade school; that she was restricted by the medical department with reference to pushing, pulling, carrying, and lifting in excess of ten pounds; that supervision could not use her in her present
classification of Bench Hand Filing and Burring "B" due to the restriction. The Personnel Advisor made an effort to locate a transfer for Mrs. Howzer, but because of her lack of experience and the restrictions placed on her, there were no jobs open for which she could qualify. She was told that the personnel advisor would continue to look for a place for her and would call her by telephone if one could be found. The personnel advisor continued to look for a job for Mrs. Howzer for another two weeks, but was unsuccessful.

Supervision contended that they had followed the normal procedure in determining the extent of Mrs. Howzer's injuries in that they had sent her to Medical for diagnosis and had asked the Safety Section to investigate the cause of her injury. They recognized the fact of her injury by restricting the work given her to a bare minimum of activity in relation to lifting and bodily activity. Instead of cooperating and attempting to do as much work as she could under the circumstances, she refused to do any more than she could get by with. Mrs. Howzer made a statement that she intended to sue the company on her "injury" and that her husband was going to sue the company for a "back injury" also.

The committee believed that due consideration was given Mrs. Howzer when it was decided to terminate her because of physical restrictions.

This decision was appealed by the committeeman.
At the Step Three management-shop committee meeting on June 17, 1953, the union presented the case of Mrs. Howzer, who was terminated on May 25, 1953, for medical reasons.

The company explained that Mrs. Howzer had injured her back and because of this injury, was restricted by medical personnel from lifting weights of over ten pounds. As a result of this restriction, the efforts to locate a transfer to another job for her resulted in a failure to find a job that would conform with her medical restrictions. In fact, Mrs. Howzer herself stated that she could not lift even ten pounds. The company explained that the difficulty in locating a job within the restrictions of Mrs. Howzer, and the fact that supervision required a replacement on her old job, resulted in her termination.

The union argued that Mrs. Howzer should have been carried on the inactive list (Section 900) for a reasonable length of time to determine whether she could recover from her injury.

If you were the personnel manager, what would you do?

**The Case of Sam Pearson**

A policy grievance was received by the foreman of Department 79 in a large manufacturing plant, stating that an employee, Sam Pearson, was being illegally retained on the job following an extended layoff; that he had been reclassified three times in the past eleven days; that this was a
supervisory attempt to circumvent seniority and retain whom they pleased. It was requested that Pearson be laid off and that a recall worker with the classification of Class "A" Assembler General be placed on the job with pay for all time lost.

This policy grievance was signed by the union steward on June 30, 1953.

The foreman stated that at the time of the layoff the employee in question was transferred to Department 74 on an open classification as an "Electrical Installer." Later, because the greater portion of his time was spent on experimental and development work, he was properly classified June 29, 1953. The foreman also stated that because this classification was made at a time of layoff, Pearson's seniority became effective immediately in his new classification, which is in keeping with the agreement between the company and the union. The grievance was denied in Step One of the procedure.

The union steward appealed the case to Step Two, stating that his investigation revealed that the employee was never offered any job during this layoff period; that Mr. Pearson believes that he is now classified as an Assembler General; that there are employees with seniority laid off in the Assembler Electrical and Radio classification who could have performed the Electrical Installer job; that Pearson is the only "Experimental" mechanic in the plant.
The grievance was denied at the Step Two meeting. The committee chairman stated that since this employee's job had been abolished and because of his qualifications, he was transferred to Department 74 to do the development work on the installation of the Photo Flash Ejector, until such time as this operation could be worked into production.

At the time of the transfer the paper work effecting the transfer called for a reclassification to Installer Electrical. This classification, because of the type of work to be performed, was changed to Experimental Mechanic "B," thus reflecting only one change in classification, not three as contended by the union steward.

There are currently thirteen employees within the classification of Experimental Mechanic; and the evidence thus far does not support the contention that numerous reclassifications, including a classification to which there was no other employee assigned, was used to circumvent seniority.

The union further contended that the classification to which this employee is currently assigned is not correct, stating that the duties of the job come within the call-outs of the General Assembler "A" classification, later switching this classification to Installer General "A." For this reason supervision was in violation of Article VII, Section 6, paragraph (c) of the contract.

It is the opinion of management that the Installer General "A" classification could possibly be used for the
duties being performed by this employee; however, it has been the practice to classify an employee as Experimental Mechanic if full time is devoted to experimental and development changes. In either instance, no violation of seniority has occurred. There were no Experimental Mechanics on layoff at the time of the transfer. As for the General Installers, the recall list had been exhausted, and senior employees on layoff in related classifications will be granted their rights before new employees are hired.

Investigation also revealed that several employees were tried out on this job before Pearson was transferred but they were not able to do the work required in a satisfactory manner.

The union appealed to Step Three, renewing their claim that most of the work the employee was performing was spelled out in the "A" General Assembler classification; at the time the employee was placed on the job there were several "A" Assemblers laid off with greater seniority who could have performed this installation layout and riveting job; a displacement had been made by placing this employee on the job. The union demanded that the employee in question be laid off and the senior class "A" Assembler General on layoff at the time of this displacement be recalled and paid for all lost time, including overtime hours worked by the employee on the job.

If you were the Industrial Relations Manager, what would you do?
A Case of Unequal Distribution of Overtime

A complaint was received by the foreman of Department 71 in a large manufacturing plant that workers in that department were not getting their fair share of the overtime as provided by the union contract. Also, that the leadmen were getting more than their fair share of the overtime. It was demanded that the overtime be distributed equally as provided in the contract, or, that the workers be paid for unequalized overtime.

The foreman stated that overtime is being distributed as nearly equal as possible; that one of the aggrieved employees turned down overtime on at least one occasion since the signing of the complaint; that no action has been taken by supervision to enforce Company Rule #15 (Notice to Employee); that the day after the complaint was signed, three of the men worked eight hours overtime; that in the future the overtime will be distributed as equally as possible. He denied the grievance.

The union representative appealed to Step Two of the procedure, stating that his investigation revealed that overtime is not being distributed equally and that the leadmen are getting more than their fair share of the overtime. He requested that the aggrieved be allowed to catch up on this unequal distribution of overtime.

At the Step Two meeting, it was agreed that supervision in this section be instructed to see that overtime is equally
distributed among the employees in the section insofar as practicable in keeping with the company and union agreement.

On August 12, 1953, the decision of the committee was appealed by the union representative to Step Three, stating that further investigation revealed that the overtime had not been equalized; that the leadmen were still getting a greater portion of the overtime; that an overtime chart was to have been set up in order to pin down the overtime distribution, and this had not been done. Also, that the union believed that the company’s Step Two answer was unsatisfactory in that it did not state specifically what the findings were and what action is being taken to remedy this violation. He demanded that the workers be allowed to catch up on this unequaled distribution, or that they be reimbursed for it.

It is the position of the company that the union’s request that the overtime be equally distributed has been carried out; that the foreman stated that the overtime has been distributed as nearly equal as possible in accordance with the union contract; that only one employee has not worked an equal number of shares of overtime even though he has been offered the opportunity three or four times since the last complaint was filed; however, he has not been issued a "Notice to Employee" for failure to work overtime.

If you were the Industrial Relations Manager of this company, what would you do?
The Case of Steward White

On June 25, 1953, a complaint was filed with the foreman of a department by the union steward, Sam White, protesting that he had been given demerits and a one day layoff for violation of Company Rule #25 (smoking in a "No Smoking" area); that he had seen members of supervision smoking during overtime hours in an area plainly marked "No Smoking Beyond This Point." It was demanded that the demerits be removed and that he be paid for the time lost.

The foreman stated that the right to hire, promote, demote, transfer, and discharge or discipline all levels of supervision is strictly a management function and is not subject to the grievance procedure; therefore, he denied the grievance.

An appeal was made to Step Two of the grievance procedure for committee action. The union representative stated that he had seen four different supervisory personnel in the same department violating the same rule by smoking during working hours; that it is unjust to apply the rule of smoking to the employee while numerous supervisors are also in violation and are not punished.

The committee denied the appeal stating that this grievance questions the right of management to discipline supervision which is in violation of Article XXII of the contract agreement.

This decision was appealed to Step Three by the union, stating that according to the agreement the company has the
right to set up rules and regulations as long as they are administered fairly. It is not fair for an employee's foreman to smoke in restricted areas during working hours and at the same time demerit the worker for smoking in the rest room during working hours. Supervision should set the example if the company expects the workers to follow all the rules it has set up. The union demanded that the employee be paid for the time lost. It was noted that there was no request by the union that supervision be disciplined.

If you were the personnel manager for the company, what would you do?

**A Case of Seniority in Classification**

A policy grievance was filed with the foreman of the Template Department stating that in the recall to work of some of the eighty-one template makers laid off, one "C" class worker was returned to work; thereafter seven "B" class and three "A" class workers were returned to work. Two of the "A" class workers were probationers without seniority. In all twelve employees returned to work, replacing template makers with more seniority.

The foreman stated that the type of work performed in the department made it necessary to call back all class "A" and some class "B" template makers. The class "C" workers were not called because they did not have the skill to qualify for the work. When work comes into the department that these
laid off employees are capable of performing, they will be called back in line of seniority in keeping with the company agreement with the union.

This decision was appealed by the committeeman who stated that the class "C" template makers could do the work now being done by the class "B" template makers that have been recalled.

This appeal was denied by the committee with a statement that the type of work to be performed in this section required a higher skill than that of a class "C" worker.

This decision was appealed to Step Three by the union representative stating that these class "C" workers were all qualified to do the job; that they were available for work; that these workers had successfully completed the course in the template school, or had otherwise qualified by experience to do the work now available; that recalling class "A" and class "B" template workers only was outside the confines of the union contract. Therefore, the company is in violation of the agreement on recall procedure.

Keeping in mind that the current production contract requires more layout work, which necessitates more class "A" and class "B" template makers, and very little filing and cutting normally performed by class "C" workers, what would you do if you were the personnel manager of the company?
The Case of the "Old Lady"

A policy grievance signed by the union representative stating that "the actions of the foreman using tactics of speed-up, coercion, and intimidation in his department are inhuman and designed to get rid of a deserving employee." Thirty signatures of workers in the department were attached to the grievance form. These workers stated that "the foreman is never satisfied with the production, even when it exceeds the established quota, but comes around harassing, coercing, and attempting to speed-up his best employees."

It was claimed he forced an elderly lady to lift an assembly, over her protest, which resulted in an injury to her. She received treatment at the First Aid Station for about one hour and upon her return to the job the foreman came up and gave her demerits for being slow. The union wonders how inhuman a man can get.

The general foreman in the section denied all the accusations made by the union and stated that when the lady returned to work she was placed on her former job. As a result of poor workmanship she was issued a citation.

The case was appealed by the union to Step Two, stating that the trouble had been going on for a long time. All of the employees in the department were very much dissatisfied with the actions and tactics of the foreman and they demanded that the company take definite action.
In Step Two the committee denied the grievance stating that the lifting of the assembly in and out of the jig was a part of the job and that prior to being sent to the training area, the lady encountered no difficulty in lifting the assembly. The assembly in question weighs approximately thirty-five pounds, which is not too heavy for a female who is physically able to work to lift. As for the speed-up of this operation, the time set up on the crew chart, "three hours and thirty minutes," has not been changed since the inception of the crew chart.

This decision was appealed by the union representative to Step Three, with a statement that his investigation revealed that the employee in question was required to lift more on her assigned job than she should be required to do; that prior to going to school, she had not been required to lift the assembly. The workers who signed the grievance vigorously protest the inhuman treatment of a fellow worker. They feel that if a supervisor is allowed to continue such actions, they might be the next to be persecuted. The union feels that the severity of this case demands that this foreman be relieved of his duties as foreman.

Remembering that the union contract reads "the right to hire, promote, demote, transfer and discharge or discipline all levels of supervision is strictly a management function and is not subject to the grievance procedure," what would you do if you were the personnel manager of the company?
A Case of Pre-Shift Overtime Hours

A policy grievance was received by a foreman, protesting the changing of shift hours without first consulting with the plant grievance committee as provided in the union contract. The union steward recommended that the workers be returned to the regular 7:00 a.m. to 4:00 p.m. shift and that overtime should be worked after 4:00 p.m.

The foreman stated that the shift hours had not been changed, but that in an emergency the workers were called to work overtime at the beginning of the shift instead of at the end of the shift. He denied the grievance.

His decision was appealed to Step Two by a statement that the shift hours definitely were changed prior to the emergency, without notification to the plant committee.

In Step Two the superintendent maintained that the hours were not changed, but that the overtime was being worked at the beginning of the shift instead of the end, provided the workers completed their normal work day.

This decision was appealed by the union representative with a statement that there were numerous protests from employees about the early morning shift which was in effect. The union feels that the company has not lived up to its contract agreement of at least discussing the proposed change with them before the new hours were placed in effect as has always been the case before. Also, that the early morning hours are a hardship on nearly every employee involved; that
transportation to and from work is a big issue and should be dealt with carefully so as not to cause any serious disruption in employee’s riding arrangements which is basically the factor governing regular attendance and being on time.

It is the position of top management that the company will adhere to its contract agreement with the union and will continue the practice of discussing the matter of changing hours with the plant grievance committee as it has done in the past. It is also the position of management that the shift hours were not changed, but that certain groups of employees were asked to report for work at an earlier time than the regular starting period because of the emergency that existed. The company also recognizes that the changing of working time, other than 7:00 a.m. to 4:00 p.m., places a hardship on the individual; however, the pay rate compensates for the additional burden. It will continue to be the policy of the company to attempt to meet production schedules on a forty-hour work week basis.

As director of industrial relations in the company, what would be your decision?

The Case of Tom McMann

Tom McMann has been in the employ of the company for six years. He is an above average worker with an excellent attendance record. His evaluation sheet shows that he has been reprimanded once for horse-play on the job, but has
since been commended on three or more occasions for superior
cpyuality and quality in connection with critical assignments.
He is married, has three children, is active in the church,
and is an officer in two social organizations. One day, the
company was informed that "Mac" was under arrest for grand
larceny; the report also indicated that he had been arrested
twice before—once for petty theft, and once for disorderly
conduct. In each case he was released because the complainant
refused to press charges. "Mac" contends that the grand
larceny charge is a case of mistaken identity and that he is
innocent.

Should the company suspend him until his guilt or
innocence is proved, or should the company allow him to con-
tinue working?
CHAPTER V

CASE PROBLEMS THAT WERE APPEALED TO ARBITRATION FOR DECISION

Introduction

A large and complicated body of statutory and administrative law and procedure has grown up in the field of labor relations. There is a vast library of literature on the subject of labor relations theory and practice. Most large industrial organizations retain labor relations lawyers who maintain a good working knowledge of the entire field of labor relations practices, policies, and laws.

Step Four of the grievance procedure consists of a formal hearing before a meeting of the Management-Shop Committee as in Step Three except that a qualified arbitrator, acceptable to both management and the union, sits in as presiding officer. The case is presented much the same as in Step Three with any additional evidence or argument. The arbitrator makes his own decision, based on the evidence presented.

The following cases were appealed to Arbitration for decision.

\[\text{Ibid., p. 614.}\]
The Case of Mr. Bliss

Mr. Bliss was employed by the company on October 23, 1951, as a Machine Repair Mechanic "A" and was placed on the first shift that same day. He is married and has two small children. He continued to work on the same shift, under the same foreman and leadman until March 24, 1952, at which time he was transferred to the second shift.

Inasmuch as there was no foreman over the Machine Repair Mechanics on the second shift, supervisory matters of this shift requiring disciplinary and similar action were referred to Mr. Jones, night foreman of the maintenance department. This setup remained in effect until December 1, 1952, when Mr. Samuels was made foreman of Machine Repair Mechanics on the second shift. Bliss continued under the supervision of Samuels from that time until his termination on March 25, 1953, for "unsatisfactory work and work condition" upon the recommendation of the foreman.

Bliss filed a grievance protesting this action as "unjust termination" and requested that he "be immediately reinstated on the payroll, without loss of seniority or pay."

Appeal was made by the union to Step Two.

At the Step Two meeting the grievance was heard by the superintendent, Mr. Joe Collins. Committee member Flowers presented the case and stated that he felt that Bliss after one and one-half years of employment did not receive due consideration prior to his termination. Flowers said that past
infractions must have been minor since reprimands were on a verbal basis. He said that supervision did not like Bliss, and strongly indicated that union activities were one of the main reasons for his termination.

Supervision stated that Bliss was terminated for the reason that he was "unadaptable or unsatisfactory" as shown on the performance record attached to the termination slip.

- Production Performance: Poor
- Quality of Work: Poor
- Attitude: Poor
- Attendance and Punctuality: Fair

Supervision also stated that during the man's employment, numerous unsatisfactory incidents occurred. The man was not cooperative with his fellow workers. In addition he would request supervision's assistance on difficult jobs; then proceed to do the jobs in his own way. This latter attitude could have resulted in serious trouble had not some of his work been checked before operations started again. The foreman mentioned that while each incident was relatively minor, the volume of infractions had reached the point where it could no longer be tolerated.

The superintendent stated that in his opinion there was no just cause for complaint of unjust termination because the man was an unsatisfactory employee.

This decision was appealed by the committeeman to Step Three of the grievance procedure and the case was presented at the meeting on April 7, 1953.
The company related a series of incidents and situations wherein Bliss failed to abide by his leadman's instructions and his supervisor's orders, and related his troubles with his helpers who were classified as Machine Repair Mechanics "B". It was brought out that every helper that was assigned to Bliss had asked that he be assigned to some other "A" Mechanic because of Bliss' abusive language and uncooperative attitude.

At the end of the shift prior to his termination, Bliss was questioned by his foreman as to his whereabouts while being off the job earlier in the evening; instead of giving any reason, Bliss bluntly told his foreman that he "intended to go where he pleased, when he pleased, and talk to anybody he pleased." The company pointed out that the foreman considered this situation and discussed it with his superiors the following day, arriving at the decision to terminate Bliss.

The union countered that according to Bliss, the foreman was out to get him because Bliss had protested the promotion of the foreman from leadman, and the whole situation was caused by supervision's plot to get rid of Bliss.

The company countered with the fact that Bliss had been a trouble maker and had attempted to get the employees to stop work because of Samuel's promotion to foreman; even though Samuels tried to live with the situation, Bliss had gone too far.

The decision was made that Bliss was discharged for cause.
This decision was appealed by the union to Step Four of the grievance procedure.

At the arbitration hearing, the union presented the case of Mr. Bliss, who was terminated March 25, 1953, as being "unadaptable and unsatisfactory." The union claimed that Bliss had performed his duties in a satisfactory manner; that it was simply a case of supervision getting rid of an employee because he was disliked and was too militant in supporting union positions.

The company stated that Bliss was not picked on by his supervision but had, in fact, been a troublesome, belligerent, and insubordinate employee since he finished his probationary period three months after his hire date. Incident after incident was cited by the company, supported by affidavits of various persons in a position to know the facts, where Bliss failed to abide by instructions and orders given to him by his leadman and supervisor, and that he had argued with them and agitated other employees whenever he could to cause trouble.

The company pointed out that because it was desirable to retain, if possible, Machine Repair Mechanics "A", Bliss had received more latitude than any employee could expect to receive; that while under instructions of only a leadman, he had taken advantage of the situation, especially when there was no close supervision on the second shift.
The company also pointed out that Bliss was so hard to get along with that four or five helpers who were assigned to him over the period of his employment had all complained and requested a change of assignment; in fact, at times, they had informed their supervision that they would have to quit the job themselves if they were forced to put up with Bliss' uncooperative and belligerent manner.

The company explained that on March 24, 1953, when Foreman Samuels was promoted from the leadman's job on the first shift to the foreman's job on the second shift, Bliss attempted to instigate a slow-down, or walk-out, and had continued to act in an insubordinate manner causing as much trouble as possible; so much so that it was a general conclusion that Bliss was out to get Foreman Samuels. These statements were supported by affidavits from various employees and by direct testimony.

The company stated that on March 24, 1953, when Foreman Samuels questioned Bliss as to why he went away and left his helper with nothing to do and without notifying supervision, Bliss evaded the question and exhibited a violent temper. He told the foreman that he would "go where he pleased, when he pleased, talk with whomever he pleased; that was his privilege." Consequently, Foreman Samuels talked over the situation with his general foreman and the superintendent, and in view of the previous supervisor's description of Bliss' antics, climaxed
with this act of insubordination, they terminated Bliss when he reported for work on March 25, 1953.

The union argued that supervision was out to get Bliss; that they coached the helpers to speak against him; that because he was a man who spoke up when he was right, supervision terminated him.

The company again pointed out that they obtained their information from various sources, both supervisory and non-supervisory; that it had all coincided; and that Bliss fully deserved to be terminated.

The union charged that the company was building a case against Bliss after he had been terminated.

The company explained that this was definitely not a fact and that the company always continued an investigation of the statements made by union representatives in the various steps of the grievance procedure.

The union's case was supported solely by what Bliss had told them, and the company's was supported by various individuals.

If you were this arbitrator, what would be your decision?

The Case of Harry Jones

Mr. Harry Jones, an Aircraft Mechanic "B", was discharged by the company with the notation that he was discharged for just cause. He signed a grievance claiming unjust
discharge and stated that "I want my job back with pay for the time I have been off."

The foreman, Mr. Miller, stated that Jones had been terminated for just cause.

Appeal was made to Step Two by the union steward.

Step Two investigation disclosed that the reason noted on the termination notice was "unadaptable or unsatisfactory."

The foreman stated that Jones was assigned to work on the elevator rigging and upon beginning work on that part of the airplane in question, he found two bolts removed from the jack shaft which held the shaft to the torque tube. Not knowing why they had been removed, Jones worked around that area, leaving the bolts in the sack where they were found. At the close of the second shift on this date, Jones hurriedly hooked up the pilot's feed rod and spring strut as a precautionary measure to prevent damage to the boost system, controls, et cetera, in the event that the transit torque to the power controls was turned on. Foreman Miller had tried to impress on his men the necessity of keeping the control system intact in order to prevent a recurrence of damage similar to that inflicted on another aircraft several days earlier.

Foreman Miller feels that Jones, by temporarily hooking up the pilot's feed rod and spring strut, was acting in the best interest of the company and only did what he really
thought was the best thing to do under the circumstances. The fact that Jones crossed the controls in the temporary hookup did not, in the opinion of Miller, subject the system to any possible damage. In addition, there was no possibility that the controls would remain connected in that manner since the same controls would be subjected to final rigging prior to closure of the area.

When the second shift reported for work Saturday night, December 13, 1952, Miller was informed that the area in which the controls had been crossed was under question. It was reported that the castings in this area were twisted and bent, and that a "crab" had been written by Company Inspection. Since Jones had worked on this area the previous night, Miller contacted him and questioned him as to what he might have done which could have caused the "damage." Jones could not recall having done anything which could have caused the damage, but he did state that if the controls were crossed he was responsible, but the rigging fins that remained in the plane were not his. Miller re-examined the area and found that the so-called twisted and bent castings were not in the condition as stated, but the removal of two bolts by mechanics on the first shift was the direct cause of the twisted and bent appearance.

When the bolts were installed by Miller, the "damage" disappeared. Field Engineering, in answer to the "crab," wrote a disposition to the effect that the reinstallation of
the bolts eliminated the condition giving rise to the "crab." This disposition was accepted by Company and Navy Inspection. In effect, this meant that no twisted and bent castings ever existed.

In a conference between the foreman, the general foreman, and the night superintendent, the foreman was instructed to discharge Jones for the mistake. Jones was led to believe that the decision came from higher up than the night superintendent.

Miller stated that if the decision had rested with him, he would have given the man a severe verbal warning, to be followed by suspension if the mistake happened again. He stated that he did not believe that the mistake and what damage it might have caused warranted such severe discipline as discharge.

Committeeman Strong presented the case at the Step Two meeting. Strong felt that the major cause for termination of this employee was the improper hookup of two rods in an elevator control system. He pointed out that this was a temporary hookup and he feels that its importance was exaggerated by the misaligned condition in which the system was found the next day. The misalignment, he said, was the result of a bolt being omitted; therefore, the termination was too severe as disciplinary action.

The superintendent stated that the entire elevator control system was under serious investigation, after the
crash of another aircraft, and that numerous parts of the system were of major discussion by everyone concerned with this type of aircraft. All mechanics were reviewing their knowledge of the system to provide further assurance of proper installations. It was at this time that Jones made an improper hookup of several rods. The superintendent pointed out that temporary hookups provided opportunity for practice in final hookups and must be made properly in order to provide maximum assurance for safe end results. He stated that the employee's act was considered extremely careless and inexcusable.

The decision was reached that Jones was terminated for cause.

This decision was appealed to Step Three of the grievance procedure.

At the Step Three meeting, December 23, 1952, the union presented the case in substantially the same form as at the Step Two meeting.

Evidence presented by the company was substantially the same as at the Step Two meeting.

Disposition of the Step Three meeting was that "Mr. Jones was discharged for cause; however, an effort will be made to locate another job in the plant, such effort to continue until January 15, 1953."
This decision was appealed by the union to Step Four of the grievance procedure. If you were the arbitrator in this case, what would be your decision?

The Case of the Janitors

The foreman of Department 142 (Janitorial) received a grievance complaining that two janitors protest the change in their schedule to "seven day operation;" they further protest because they feel that they are being deliberately scheduled to prevent overtime payment.

The foreman states that the company deemed it necessary to consolidate all the janitors into one department; that it was also necessary to have janitorial service Monday through Saturday. To accomplish this, it was necessary to reassign some of the employees, including the aggrieved janitors, a new work schedule Tuesday through Saturday. This was not done for the purpose of avoiding overtime payments to any individual but to establish a more efficient operation, a management prerogative, Article XIX, Section III, of the contract.

Appeal to Step Two was made by the union committeeman with a statement that Article XIX, Section III, does not apply in that it does not specify the changing of the normal work week, Monday through Friday. He complained that the foreman did not read the second sentence of this favorite section whereby the union, or any of its members, may seek
redress if hurt by its application. By this change of their work week these good colored men are not helped, as claimed by the foreman, but deprived of receiving overtime pay when it was necessary for some of them to work on Saturdays. They were inconvenienced badly by transportation mix-up and deprived of regular Saturday recreation and private business matters that all colored people in general look forward to on Saturday. Since the contract states that no one will be laid off to avoid payment of overtime on Saturday, it stands to reason that it is equally unfair to deliberately change a man's work week to avoid payment of overtime on Saturday.

The labor relations representative of the company, at the Step Two meeting, stated that his investigation revealed no violation of the contract; that in order to provide the required janitorial service Monday through Saturday in the most efficient manner, it was necessary to reassign these employees to the new work week. The union's request that the aggrieved employees be returned to the regular work week was denied.

This case was appealed to Step Three with a statement by the union representative that the work week of these two janitors was changed from Monday through Friday to Tuesday through Saturday and did not meet with the approval of all concerned; that the company did not consult the union, which is the bargaining agent for the janitors in the plant. He demanded that the janitors affected be placed back on their
regular work week so that they can get any possible overtime for work on Saturday.

The Industrial Relations Director stated the management position in a statement to the effect that there is no contract violation as alleged by the union. Actually what is involved is management's right to formulate the schedule of work in the interest of plant efficiency. The union's appeal indicates that management should set work schedules to penalize itself with overtime payments. This, of course, is unreasonable and management will not agree that schedules of work should be set up in a manner to provide persons with overtime payments; that in the interest of better housekeeping it was necessary for management to place the janitors on a six-day staggered shift arrangement, enabling the employees involved to clean the plant more adequately when there are fewer workers present. The union's request that the management reinstate the former work week for janitors is without good cause and therefore must be denied.

This case was appealed to Arbitration by the union representative.

If you were the arbitrator, what would be your decision?

The Case of Union Steward Williams

A policy grievance was received by the foreman of a department protesting the violation of the union contract by the personnel manager of the plant in refusing to allow Union
Steward Williams to fully investigate a grievance for an employee in his district. The grievance stated that Williams is required to go into another district to question men who have knowledge pertaining to the case at hand. He was stopped by the personnel manager in the middle of his investigation. This was the second such offense by the personnel manager.

The foreman sent the grievance to the Labor Relations Department without comment.

In Step Two the committee denied the grievance with a statement that an investigation revealed that there had been no violation of the contract on the part of the personnel manager for not allowing the steward to investigate a grievance outside his zone and district.

This decision was appealed by the union representative to Step Three with a statement that primarily the steward is to investigate grievances in his district only; but, if in this investigation it becomes necessary to enter another district or section of the plant to get facts pertaining to the case he is concerned with, he should not be hindered in any way from carrying out his duties. An employee cannot leave his job or place of work to check on any grievance he may have; so his union steward or other representative must do this for him. The union demanded that the stewards not be interfered with in any way in the performance of their duties.

The personnel manager denied the union's demands for the following reasons: the union steward was outside his
district interviewing personnel in another department whose relationship is completely different from the one of the aggrieved employee; the steward had spent one hour and fifteen minutes at one time, and one hour another time, in the radio crib; on his second visit, he told the radio inspection foreman that he did not have a grievance; the jobs in the radio crib pertain to the functional test of radios by inspection personnel and they have no bearing on the seniority of radio repairmen working in the hangar.

This case was appealed to arbitration by the union representative.

If you were the arbitrator, what would be your decision?
CHAPTER VI

SUMMARY AND RECOMMENDATIONS FOR FURTHER RESEARCH

Summary

There seems to be a definite need for new, basic, and realistic case problems in human relations for study in the educational field, especially if the cases are drawn from the local area where the students are more or less familiar with the general conditions that exist. The major aircraft companies in the Dallas-Fort Worth area were first contacted to determine their attitude toward a project of this nature. Three of these companies, which employ a total of approximately sixty thousand workers, agreed to make available their grievance files for research purposes.

As a result of the splendid cooperation of these companies, their grievance files were searched for case problems which would be suitable for instructional use. The principal factors considered in the selection were representative issues, importance or seriousness of the problems, variation of the problems, and the level of supervision at which the problems were solved. The case files contained many documents which were included in the evidence accumulated for a given case, and an attempt was made to cover these in a single write-up without sacrifice of important detail.
Thus all of the cases are situations that actually happened in the companies concerned and are a part of their records. All names have been changed for obvious reasons, but the facts are true.

For purposes of presentation and study, these cases were divided into four groups according to the level of supervision at which the final, satisfactory solution of the problem was made.

Recommendations for Further Research

It seems only natural that this type of project should be carried further and expanded into the various industries in the local region. There are many industries that are not unionized and they could be included in such a research program. Such industries as Insurance, Banking, Wholesale and Retail Sales, Manufacturing, and others important in this region could be included. A cross section of any two or more of these industries should make a good study.

It is emphasized that the research should be localized, because the students who may study the problems are from the local region and the cases become more interesting to them if the situation actually exists within their own area of activity. Because of the general differences of opinion and attitudes of people in different sections of the country, the case problems should be taken from actual situations that develop within the particular area. They should be divided,
for study purposes, into groups or sections according to the level of supervision at which the problem was actually solved. In this way students may learn the degree of training and efficiency required to handle human relations problems at the various levels of supervision in the local area.
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