

March 21, 2001

# UNION EXHIBIT 2<sup>7(k)</sup>

Mr. Dick Wardrup (CEO), Mr. Bill Gonce (Industrial Relations), Mr. Tom Ayres (Area Supv.), Mr. Rick Winter (Human Relations), Mr. Ed Tassey (Truck Supv.), Mr. Bill Smith (Safety Dept.)

## Exhibit 11

I, Joe Myers, am serving notice to all those listed above regarding many incidents of inconsistent and selective discipline as well as possible criminal and civil liabilities being forced on hourly workers at the AK Butler Works. The selective discipline is a retaliation measure by the Company due to an employee standing up for his or her rights or a personality conflict.

*This is a list of issues I believe the company has used in retaliation against me:*

- 1) February 25, 1998: grievance No.BU-98-024 was filed because the company did not follow the contract. This grievance concerned a bid that I signed to obtain a position in the truck section. I will supply any documentation on this matter at the company's request.(Rick Winter governed this process)
- 2) July 9, 1998: I was issued a written verbal warning for not securing the load on a stake truck. The load that I did not secure was a pinion gear. Approximately two years prior, another truck driver was told by the machine shop not to chain down the pinion gear because they did not want any damage from the chains. During this time, Tom Ayres and I had discussions on overloaded coil trucks and the company not allowing the drivers to chain down the coils and Tom stated that was the company's decision. We also discussed other drivers having the same problems with hauling the pinion gear and Tom stated he was not responsible for what happened before he became the supervisor. After my incident, I was told of a prior accident involving Dan Redick, in which the pinion gear shifted and tilted the rear truck axle off the ground. At that point, management documented the incident, even taking photographs. However, if the pictures had been utilized in safety instructions attached to the pinion gear (which I suggested to Tom Ayres after my accident), the accident would NOT have happened to me. The company was and is negligent in not educating new drivers about this problem. Tom Ayres, Ed Tassey and Bill Smith questioned why I did not bid out of the truck section.
- 3) Ed Kamerer was discharged approximately February 1999 creating a vacancy that enabled me to obtain a daylight truck bid. I obtained the bid. The company then reinstated Ed Kamerer approximately five months later and put me back on midnight shift which was in direct violation of the contract that states a person who signs a bid cannot return to his relative position after 35 days. The bid that the company posted was a permanent bid and not a contingent bid that the company has posted in the past.
- 4) July 28, 2000: I received a letter issuing me a three-day suspension for not following General Safety Order No. 3. The letter stated, "this blatant and irresponsible disregard for safety requirements cannot be tolerated." I believe the statement ("blatant and irresponsible disregard") is defamation of character because, although I called for clearance but forgot the cone and derail, I did not do so intentionally. Also, I believe I was singled out because I was just one of several men who also did not follow GSO #3 on that day - but I was the only one to get suspended. Furthermore, the derail we are required to use is only effective up to three miles an hour. I know of two instances where a yard crane and a locomotive both went through a derail and it did not derail either one.

*The following issues are the double standards the company uses with hourly vs. salary*

- 1) I received a three-day suspension for not following GSO #3, but Dean Widenhofer and other salary employees were all on a railroad car without calling for clearance or coning and derailling - and nothing was done.

2) Approximately January 2000, the locomotive shop during routine inspection observed the 25-ft. boom extension on the Linkbelt mobile crane was bent, so they red tagged and pulled it out of service. The company put the boom extension back in service and continued to have the operators use the crane even after I had notified Tom Ayres and Ed Tassej on numerous occasions. The boom extension was not repaired until approximately December 2000.

3) The Grove 319 crane I have turned in for faulty rear steering is still being used and I have been told to continue to use it – even though they cannot seem to find the problem.

4) I've been called in by Ed Tassej and Bill Gonce because I hauled according to the legal limit that the trucks are licensed for and was told that if I didn't do what I was told I could subject myself to discipline up to and including discharge. The company issued me a written verbal awarding for not securing a load on July 9, 1998. They are now telling me to haul overloaded according to CDL and I'm not allowed to chain the coils down. This has the potential for civil and/or criminal liability. The company is not willing to produce a legal document indemnifying the driver from any such liability. (Compare this to AK's policy requesting outside trucks to indemnify AK of any damage liability when our equipment operators remove scrap from outside trucks while dumping.) AK's own insurance company (with whom I spoke) said that drivers should have a document stating that the company requires us to ignore CDL regulations because the company's insurance might not cover us.

5) The Labor Department had three crews report to the same jackhammer job where all three crews hit live conduit before the company determined the prints used on the job were the wrong ones. This is another case where nothing happens to management, but hourly personnel that do something wrong receive disciplinary action.

6) AK has implemented non-smoking policies, stating that violators could be subject to disciplinary action – yet Mr. Wardrup has been observed smoking in non-smoking buildings in violation of company policies and federally mandated non-smoking regulations.

This is to notify the company that I will be following state regulations as mandated by CDL regulations. I hold all named legally liable for all issues in this document – violation of my contractual rights, harassment and intimidation by the company meant to coerce me into violating CDL regulations, as well as any future criminal or civil liability as pertaining to CDL violations ordered by AK Steel.

Signed,



Joseph Myers

cc: Welch, Gold & Siegel, P.C., Attorneys At Law  
Butler Armco Independent Union  
PA DOT  
EEOC  
OSHA