

STEP III ANSWER

June 19, 2001

COPY

Mr. Carl V. Nanni, President
Butler Armco Independent Union
P. O. Box 2128
Butler, PA 16003-2128

RE: Grievance No.: BU-01-118
Grievant's Name: Joseph G. Myers
Department: General Labor

Dear Mr. Nanni:

The subject grievance was heard at a Step III meeting on June 6, 2001. Those present included:

For the UnionGrievantFor the Company

C. V. Nanni
J. E. Fletcher
W. H. Leyland
R. A. Rajchel
D. J. Monteleone
J. L. Ehrman
D. D. Beers

J. G. Myers

L. W. Gonce
R. D. Newcombe
E. A. Tasse



This grievance protests the five-day suspension with intent to discharge issued to Joseph Myers by letter dated April 5, 2001.

At the Step III hearing, the Union claimed violations of Articles IV-A-1 and 2 and IX-A-1 of the Basic Agreement. In support of this position, the Union claimed that the grievant did not use Company time and materials to write, copy and distribute a personal letter. To the contrary, the Union claimed this was a work related letter as it pertained to a safety issue. The Union also claimed the grievant was willing to haul according to CDL limits. Finally, the Union presented at the Step III hearing a copy of a picture labeled "method of hauling coils on well trailer" and "proper chaining method of triple coils" to be added to the Grievance Record.

A review of the facts including the Union's Step III presentation indicates that the grievant's rights have not been violated as alleged. The grievant violated Company rules and policy and demonstrated insubordinate behavior. Management properly exercised its rights pursuant to Article IV of the Basic Agreement. The grievant was properly discharged with just cause and after due consideration.

This grievance is denied.

L. W. Gonce ^{RDN}

L. William Gonce
Manager-Industrial Relations

LWG/kh

cc: T. R. Ayres
E. A. Tasse
R. A. Rajchel, Check No. 6644
File