

Enclosures

Documents are listed in chronological order, based on date of origination or of a related incident or fact.

Document # 1

Safety and Health Standard Procedure (SHSP-0035-28), origination date 7-19-71, updated July 2001, entitled *Qualifications for Operators of Mobile Equipment*, which details AK Steel's requirements and procedures required for mobile equipment operators.

Document # 2

Grievance BU-98-024, dated 2-25-98, which I filed with my Union, on an unrelated issue (a daylight job bid). The Union, without my knowledge or consent, subsequently withdrew this grievance. Because of the Union's actions on my behalf in this case, I became suspicious of the Union's fair representation of my interests, and its ability to challenge AK's continual disrespect for our Union's contractual agreement.

Document # 3

This is the warning I received for not securing a load inside the plant on July 9, 1998. This incident made me wary of the need to follow AK's written policies in order to protect myself from discharge. (After this incident, AK threatened me with disciplinary action, up to and including discharge, for not following written policy. AK later discharged me for following written policy.)

Document # 4

This is Armco's Safety and Security Handbook (publication date March 1999) in force at the time of my employment. It is essentially the same as the AK Steel version (issued June 2002) except for pagination. Note underlined portions. [Compare Document # 33, *AK Steel Butler Works Safety, Health, and Security Handbook*, included for your reference only.]

Document # 5

An advisory notice to drivers regarding vehicle and registered combined weights, which had been posted on 7-12-99 in the tractors. This emphasized AK's requirement for employees to follow AK written policy.

Document #6

A suspension letter for me, dated 7-28-00, for not following AK's written policy regarding a safety violation of General Safety Order # 3, in which I forgot to use proper safety equipment during an unrelated incident. This document shows AK Steel's propensity to suspend and discharge workers for not following AK's written policies. [Compare this with Document #3, 7-9-98, another verbal/written warning to me. Both documents threatened disciplinary action up to and including discharge, and they instilled in me the necessity to follow AK's written policy implicitly. AK subsequently fired me for attempting to follow company policy on the overloaded and unsecured truck issue.]

Document #7

Handwritten minutes (taken by Union rep Greg Loverick) from an investigatory meeting (on 12-15-00) held by my supervisor, Ed Tasse, to inform me that I should haul overloaded trucks with unsecured loads. I asked if I would be fired for not doing so, and Tasse claimed he was not saying that. However, his quote was "Unless road conditions are unfavorable, your requirement is to haul six [coils]." Six coils is clearly over the weight limits according to PA State Motor Vehicle Code. Three months later Tasse did, in fact, fire me for refusing to haul overloaded trucks and unsecured loads.

Document # 8

AK Steel document, dated 1-31-01, sent to all employees from Brenda Harmon, the Vice-President of Human Resources at the corporate level. After receiving this company-wide notice regarding EEO, Harassment, and Telecommunications Policies, I thought perhaps the Corporate Human Resources

Department might be able to assist me after my discharge. I subsequently contacted Ms. Harmon, who referred me to Rick Winter, Butler AK Human Resources.

Document # 9

Letter dated 3-1-01 from my former attorney, Dennis M. Moskal, to AK officials, seeking clarification, documentation, and indemnification for the me regarding AK's requirement to operate overloaded and unsecured tractor-trailers, contrary to AK's written policies and possibly in violation of PA State Motor Vehicle Code. Moskal also mentioned the fact that AK receives state funding for all of its in-plant railroad crossings, which calls in to question the 'private property' status.

Document # 10

AK Steel's Job Safety and Health Analysis dated 2-2-01, which is an analysis of hauling coils intra-plant. This document contradicts Armco's Safety and Health Handbook [Document # 4], as well as SHSP-0035-28 [Document # 1] and Daily Safety Contact dated 3-22-01 [Document # 12]. Reference Document # 4, page 6, which negates this Analysis.

Document # 11

Letter dated 3-21-01 from me to numerous AK Steel officials, describing dangerous safety infractions and double standards within the company, as well as my concerns about my own criminal and civil liability while being ordered to operate the overloaded, unsecured trucks and the defective mobile cranes.

Document # 12

This document was the safety contact given to all drivers on 3-22-01, the day before my discharge. This clearly mandates that operators shall "not overload trucks, haul within legal load limits, and secure all loads on all vehicles."

Document # 13

AK's letter of suspension with intent to discharge, dated 4-5-01. This letter is referred to in my arbitration hearing, as Company Exhibit #1. This letter contains Ed Tasse's claims that I was insubordinate on 3-22-01 and 3-23-01, yet under oath Tasse testified that I was not insubordinate on 3-22-01. This shows AK's inconsistencies and half-truths.

Document # 14

AK's letter, dated 4-10-01, in response to my Works Management meeting, after my discharge. This letter uses passages from the Armco Safety and Security Handbook [Document # 4] to substantiate AK's claims of my insubordination, yet it does not address the issue that my supervisor's verbal orders violate this Handbook, page 68, under Operation of Vehicles and Mobile Equipment.

Document # 15

Grievance # BU-01-118, dated 4-12-01, that the Union filed on my behalf, following my discharge.

Document # 16

Letter, dated 5-19-01, that I sent to former Union President Carl Nanni, requesting a videographer and my wife to be present as a witness during the Step III Hearing. I wanted a more accurate account of the meeting because the Company, during the Step I and Step II Hearings, had made false allegations, and they denied my request to use my personal recorder during the meetings. At those meetings, the Union provided only longhand notes, which are not verbatim accounts of the meetings. I wanted an accurate transcript of this meeting that was of utmost importance to my employment and my future. AK Steel denied my requests and refused to give me a written explanation for their denial. [Refer to Document # 18.]

Document # 17

“Avoid Verbal Orders” dated 5-22-01. This document explains AK’s quota requirement for managers to document at least 1 unsafe act and 1 unsafe condition weekly, in each section. Page 2 lists some, not all, of these violations.

Document # 18

Letter, dated 5-29-01, from the Union president asking for my cooperation with the Union at my Step III Hearing prior to my Arbitration hearing. Likewise, the Union should “cooperate” with me, honor my request for a Federal appeal on the Arbitration decision, and truly protect the rank and file members. This letter also states AK’s denial of my request in Document # 16. The Union’s request for my “cooperation” most likely references their recollection of my dissatisfaction with the Union’s previous misrepresentation of me on a Grievance that the Union withdrew without my knowledge or consent. [Refer to Document # 2.]

Document # 19

Grievance Record # BU-01-118 (dated 6-1-01) for my upcoming Arbitration Hearing. This document generated by both the Union and AK Steel details the charges, allegations, and documentation filed by both parties to be used as Exhibits during the Arbitration Hearing. The Union neglected to include portions of several documents that would have exonerated me. [Documents # 1, 4, and 12.]

Document # 20

Letter, dated 6-19-01, sent by Bill Gonce, Manager, AK Industrial Relations, regarding his denial of my grievance at the Step III Hearing. Significant point: Note the dates of Documents # 19 and # 20. Gonce’s ruling [Document # 20] on my Step III hearing occurred after the company and the Union signed and dated my Grievance Record [Document # 19]. In other words, the Company and the Union had already signed and dated the Grievance Record (on 6-1-01) five days before my Step III Hearing occurred. Allegedly Gonce had pre-determined that my Step III Hearing would be denied before the meeting was held. This substantiates my allegations of collusion between the Company and the Union, to deny me my contractual rights.

Document # 21

This document, dated 6-21-01, is the suspension letter to Dave Masartis. Reference the underlined portions. Masartis was suspended for not stabilizing a load, although the company repeatedly testified in my arbitration hearing that hauling unsecured is their “safe” and accepted way of hauling. In this document, they claimed that Masartis should have “taken steps” to ensure that the load was stationary. However, if AK had followed their own written policies [Documents # 1, 4, 12] and allowed him to chain or strap the load, his coil would not have shifted and rolled out of the truck well.

Document # 22

This document, dated 8-13-01, is a list of additional items added as documentation subsequent to the Grievance Record completion.

Document # 23

Verbatim record of the Arbitration hearing (final transcript submitted 8-20-01), in its entirety, including the Arbitrator’s ruling. With the transcript I have included my list of points and issues that I believe are incomplete and/or inaccurate, and led to a denial of my grievance. These points should prove my allegations of collusion between the Union and AK Steel and/or misrepresentation to deny me my contractual rights. Furthermore, it is my belief that Arbitrator Dean denied my grievance without ruling on the complete facts in this case.

Document # 24

A drawing and specifications of the new CRNO trailer, Union Exhibit # 8. This is referred to in the Arbitration Hearing transcript.

Document # 25

A drawing and specifications of the new Hilltop trailer, Union Exhibit # 9. This is referred to in the Arbitration Hearing transcript.

Document # 26

This document is the operator's manual for the tractors involved. Reference page 2, which warns of the risks in exceeding the manufacturer's recommendations for gross vehicle and combination weight: "...overloading can cause component failure resulting in property damage, personal injury or death." AK Steel continuously disregards the tractor manufacturer's weight recommendations when ordering drivers to haul loads in excess of 100,000 pounds.

Document # 27

This document [also Union Exhibit 11 from my arbitration hearing] verifies that the trailers are licensed at 73,280 pounds with the Commonwealth of PA Department of Transportation.

Document # 28

This is a letter, dated 11-29-01, I wrote to Butler County (PA), District Attorney Tim McCune, advising him of the gross negligence and hazardous conditions at AK Steel Butler Works. I also sent him Documents #11 and the Union brief from my Arbitration hearing. [See also Document # 31, his reply to my letter and refusal for help.]

Document # 29

Arbitrator Irwin Dean's "Opinion and Award," dated 11-30-01, after my Arbitration Hearing. Dean ruled against me and upheld my discharge from AK Steel. It is my opinion that Arbitrator Dean did not rule on the merits of my case.

Document # 30

Letter from my Union (BAIU), dated 12-12-01, in response to my request to file an appeal of the arbitration decision in Federal Court on my behalf.

Document # 31

Butler County (PA), District Attorney Tim McCune's written reply, dated 12-19-01, to my letter and plea for help at Butler AK Steel [see Document #28]. In his opinion, the PA Vehicle Code restrictions did not apply to AK Steel's in-plant hauling practices. Furthermore, in a telephone conversation with me, he not only refused to help but he stated that "unless there's a fatality, I'm not coming in there [AK Steel]." Since his phone conversation with me, there has been a fatality at AK Steel (Keith Eckenrode) and, to my knowledge, D.A. McCune has yet to investigate AK's responsibility in Eckenrode's death.

Document # 32

Letter, dated 1-10-02, from the PA Department of Transportation in response to my letter dated 11-29-01 [Document # 28], regarding my concerns about the overloaded trucks and unsecured hauling at AK Steel.

Document # 33

AK Steel Butler Works Safety, Health, and Security Handbook, copies of supporting pages. Publication date June 2002. [See Document #4.]

Document # 34

Union Newsletter, dated 9-11-02, referencing Arbitrator Irwin Dean (who had ruled against me despite my efforts to comply with company policy). In this case, Dean overturned the discharge of another steelworker (who clearly violated work rules), because Dean acknowledged that the worker's "misconduct was provoked in substantial part by the supervisor's oppressive management style."

Document # 35

Letter dated 11-1-02 from AK Steel CEO Richard Wardrop, addressing Keith Eckenrode's death. Note the final paragraph, which reiterates Wardrop's impossibly unattainable mandate for "zero injuries."

Document # 36

Butler Armco Independent Union newsletter, dated 11-6-02, which addresses the Union's complaints of AK's management style, including harassment, intimidation, coercion, and threats. The letter addresses the unprecedented numbers of firings and suspensions, it references Keith Eckenrode's death the week prior, and the letter calls for a public Union rally on 11-11-02 in Diamond Park in Butler, PA.

Document # 37

Letter dated 11-6-02 sent to me from the Pittsburgh OSHA office, regarding filing my non-formal complaint against AK Steel (which should have been a formal complaint during the time of my employment with AK).

Document # 38

AK Steel response letter (from Jerry Hesidenz) to the Pittsburgh OSHA office (Area Director, Robert Szymanski) dated 11-12-02 regarding the allegations in my non-formal complaint against AK Steel. [See also Document #40, my rebuttal of Hesidenz's letter to OSHA.]

Document # 39

OSHA's letter from Robert Szymanski to me, dated 11-18-02, inviting me to respond and rebut Hesidenz's claims of AK's resolutions of the hazards for which I filed a complaint with OSHA.

Document # 40

My response letter to OSHA's Robert Szymanski, dated 11-29-02, regarding my rebuttal of Hesidenz's letter claiming AK's supposed 'resolutions' of the hazards in my complaint.

Document # 41

Letter dated 12-9-02, from me to Mr. Szymanski, regarding my rebuttal of Hesidenz's claims of resolution of the hazards at AK. During a subsequent phone conversation with Szymanski, he questioned the scope of OSHA jurisdiction and asked me to request in writing a written explanation from OSHA regarding why the overloaded and unsecured truck issues supposedly did not fall under OSHA jurisdiction.

Document # 42

Written explanation from the Philadelphia OSHA office, dated 1-16-03, in response to Document # 41. In this, OSHA verifies in writing that the issues involving overloaded and unsecured tractor-trailers does, indeed, fall under OSHA jurisdiction. Moreover, the "condition of the roadways in the plant must be appropriate for the safe operation of the equipment, and the loads must be adequately secured."

Document # 43

My letter to Elaine Chao, Secretary of the U.S. Department of Labor, dated 2-22-03. My letter to her is similar to the letter to the Department of Justice. I wrote to her, requesting her intervention regarding OSHA inadequacies, since the D.O.L. oversees OSHA. After receiving little satisfaction and assistance from OSHA, it seemed I needed to appeal to a higher authority.

Document # 44

Newspaper article, Butler Eagle, Butler, PA, dated 11-8-02, which details the Union's complaints against AK Steel. Among the complaints: AK's 'management style,' numerous firings and suspensions; steelworkers' fears about reporting injuries; extreme stress and mental anguish of

working at AK; profit losses and spending; and the call for the Union to be treated with “respect and dignity.” The article calls for Union solidarity and attendance at a public Union rally held 11-11-02.

Document # 45

Article found on the web site of the United Steelworkers of America (USWA), which represents AK steelworkers at its Mansfield (OH) plant. This article details allegations of AK Steel CEO Richard Wardrop’s involvement in a committee investigated by the Ohio Elections Committee for soliciting funds to initiate a smear campaign against Ohio Supreme Court Justice Alice Robie Resnick during a recent election. Justice Resnick is well known as a supporter of workers’ rights. [<http://www.uswa.org/steelabor/novdec00/aksmear.htm>.]

Document # 46

Article found on the United Steelworkers of America (USWA) web site. Page 2 details AK Steel CEO Wardrop “arrogantly ‘snubbing’ the ten U.S. congressmen from Ohio who requested a meeting with him” regarding the community impact of AK’s 3-year long employee lockout at its Mansfield (OH) plant. [<http://www.uswa.org/news/armco/ak050800.html>.]

Document # 47

Article found on the USWA web site which tells of AK’s CEO Wardrop receiving the first “Green Cross for Safety” Medallion, despite substantial OSHA violations and fines totaling nearly \$100,000. The article also mentions that the Department of Justice filed suit against AK for violating air and water pollution standards in Ohio. The U.S. Environmental Protection Agency ordered AK to provide safe drinking water to the community of Zelenople (PA) following AK’s discharge of nitrates into Connoquenessing Creek at the Butler facility. [<http://www.uswa.org/press/aksteel071400.html>.]

Document # 48

Article on the USWA web site (1-26-00) which details AK’s substantially conflicting reports to shareholders, saying that the company set new records with shipments to appliance and automotive customers. Yet, in 1999, AK realized a \$264.3 million profit loss, resulting in the lowest stock price in 4 years. [<http://www.uswa.org/news/armco/aksteel012600.html>.]

Document # 49

Article in the Dayton Business Journal (6-23-00), which discusses exorbitant CEO pay scales, and specifically mentions AK Steel CEO Richard Wardrop, whose salary increased by more than 100 % while AK’s profit was down by 42%. [<http://dayton.bizjournals.com/dayton/stories/2000/06/26/story1.html>.]

Document # 50

An article from *Forbes.com*, called “Heroes or Zeros? Best Value Bosses,” (4-26-01) which compares CEO salaries with the profitability of their respective companies. This details, in effect, the “best boss for the buck.” Not surprisingly, AK Steel CEO Richard Wardrop was ranked #5 on the “worst value” list of CEOs. [<http://forbes.com/2001/04/26/ceoindex.html>.]