

Kehoe MSS
Box 89

August 23, 1946

Dr. Graham Edgar,
Ethyl Corporation,
Chrysler Building,
New York City 17.

Dear Graham:

The matter raised in the letter attached to yours of August 9 is one of obvious importance. It is a difficult matter to solve, and I am inclined to feel that it would be settled substantially in accordance with one's social philogophy, modified perhaps by one's immediate interest in avoiding trouble. Thus I am sure that Mr. Pettegrew would welcome an answer that would simplify his problem in dealing with the men, while at the same time his own point of view is obviously against paternalism.

I agree that it is wise to find out what other companies are doing. On the other hand, I am not sure that it is necessary to be guided too much thereby. My own point of view is based on the following facts and general considerations:

1. The plant at Baton Rouge is not sufficiently varied in its activities to provide a highly diversified type of employment with respect to partially disabled individuals;
2. Much of the work is hazardous, and therefore disabled people in certain categories have to be kept away from exposure to these hazards;
3. The creation of a job merely for the purpose of employing men whose services are not needed is an essentially dishonest and uneconomical procedure which is justified only in the rarest circumstance. Even when so limited, it is an objectionable practice, and one very likely to cause trouble with other workmen.

In view of these facts I am disposed to feel that men whose disabilities arise from natural causes and who are not employable in valid jobs in the plant, should have their employment terminated. Men with occupational disabilities which disqualify them for work on the plant should also have their employment terminated.

The question of disposition of these cases after termination of employment divides itself into two categories. The men whose disabilities are of natural origin should be given every reasonable consideration with respect to terminal compensation or pension, and every assistance that can be given in obtaining positions which they can hold down. The pension or terminal compensation should, I think, be related to the length and perhaps

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the quality of the service during employment. The assistance in obtaining further employment is merely an expression of good will plus a proper interest in the sound economy of the community in which the company does business. For example, it is not wise, so far as it can be avoided, to turn one's employees out on the public for support. On the other hand, in the final analysis, an individual industry cannot take the place of the community as a whole without assuming ^{improper} responsibilities.

In the case of the occupationally disabled worker, the situation is quite different. Here the industry has the responsibility. The State or the Community, as such, has assumed some of this responsibility through its creation of various forms of compensation insurance. To the extent that such insurance cares for the disabled employee the industry is absolved from responsibility. However, it is my feeling that any failure on the part of the State to take the full responsibility requires an additional effort on the part of the industry to make the individual whole.

I trust that what I have said above does not sound either oracular or academic. Since you have asked my opinion, I am merely stating the principles by which I would be guided in such matters. I hope what I have said may be somewhat helpful.

Very truly yours,

Robert A. Kehoe, M. D.

FAK ef

cc: Mr. A. P. Stover

ETHYL CORPORATION

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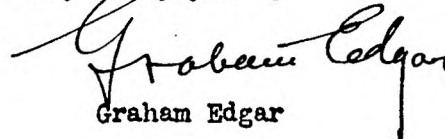
August 9, 1946

Dr. Robert A. Kehoe
College of Medicine
Kettering Laboratory of Applied Physiology
Eden Avenue
Cincinnati, 19
Ohio

My dear Bob:

The enclosed letter raises a broad question which has been brought before the Administrative Committee for consideration. While any action in this matter is entirely beyond the authority of the Administrative Committee, it appears probable that the Company should adopt some general policy which we might recommend to the management. A study is being made of the ways in which other companies handle the problem but I should also like to have you give us the benefit of your opinions in the matter.

Very truly yours,


Graham Edgar

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Enclosure

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PERSONAL & CONFIDENTIAL

Mr. J. H. Schaefer

New York

M. E. Pettegrew

Baton Rouge

Sam Polito and Other Cases of
Physically Handicapped Employees

July 17, 1946

This letter is to give you the facts in the case of one of our employees, Sam Polito, whose adjusted service date is October 19, 1936.

Mr. Polito was originally hired by du Pont Construction as pipefitter helper - 2nd class on October 19, 1936, and was transferred on May 4, 1938, to TEL, where he progressed through to pipefitter - 1st class, reaching that classification May 4, 1941.

During 1941 he began to experience some difficulty with hypertension, and our Medical Department has since kept track of his condition. In the summer of 1945 he took off about five weeks and went to a clinic for a complete examination. The clinical record shows that one of his kidneys has completely ceased to function, he has extremely high blood pressure (both diastolic and systolic), and has a very serious cardiac condition. After this clinical report, Mr. Polito's case was watched very closely by our Medical Department, and it was finally decided by them that his condition would not improve. They then recommended that he be put on restricted work. He was removed from his classification as pipefitter - 1st class and made an insulator - 1st class on April 22, 1946. Subsequently, the Medical Department determined that he should not be permitted to do any climbing or any type of work requiring strenuous exercise and should not be allowed to contact toxic materials. Under these limitations, we have no opening on the plant that Mr. Polito can fill satisfactorily so we have placed him on disability. If nothing can be done to aid him further, we feel that it will be necessary to terminate his services at the end of the disability period.

This particular case is somewhat typical of at least twenty other employees whom we now have on the plant assigned to restricted work as a result of recommendations by the Medical Department. Some of these employees are suffering from "off-the-plant" illnesses or accidents and others from difficulties caused by occupational hazards. These men vary in service from one year up to, as in Polito's case, approximately nine and one-half years.

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In attempting to arrive at some final disposition of such cases, several factors should be considered.

First: Disabilities Caused by Occupation on the Plant

In these cases the men have some ailment which precludes the possibility of their being employed on their regular jobs and gives them a very limited usefulness on the plant. It has been my experience that such cases drag along for several years, the men are placed on restricted work, are paid wages for doing practically nothing, and generally end up by suing the Company for a disability payment under the Workmen's Compensation Laws. This is particularly true of "back" cases, which are almost impossible to prove one way or the other but which the courts in this State generally adjudicate on the basis of the employee's claims. The question arises as to whether the Company should discharge such employees immediately and pay the resulting compensation award or pay them wages for several years and end up by paying the compensation award anyway.

Second: Cases of Disability from Outside Causes

These cases are generally heart, lung, or stomach disorders which if allowed to remain on the plant may lead to more serious complications for the employee and, as in the instant case of Polito, may result in definite hazard to fellow workers because of possible fainting spells or actual death. In view of this, consideration should be given as to how far the Company's liability extends in taking care of such employees because of long Company service and whether or not they should be kept on the plant when their physical condition makes them subject to more serious complications for which the Company may be held responsible.

Summing up the above, it would appear that it is necessary for the Company to institute some policy which will clearly define what it considers to be its responsibility toward both occupational and non-occupational disability cases.

If the Company feels that as a matter of employee and public good will it should make some provision for such employees outside of any legal obligations, it is my opinion that this policy should be stated in such a way that it can be published so that all employees will be aware of how they will be treated in the event they become subject to the procedures outlined in the policy.

Mr. J. H. Schaefer

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The Unions on the plant have stated that they feel that something more than the regular disability provision should be made to take care of employees with cases similar to that of Polito's after they have served the Company long and faithfully. They will not, however take a definite stand on this so that I cannot give you any idea of what they consider to be proper. It is my opinion that where such provisions are made it would probably be necessary to tie them in with a Pension Plan. However, Pension Plans normally require retirement at the age of sixty-five and are generally predicated on fifteen or more years of Company service, and the amount of any pension that could be paid to an employee like Polito with slightly less than ten years' service, who is only forty years of age, would be quite small. I personally am not sympathetic with the philosophy that merely because a man works for a Company the Company is in any way obligated to care for him for life regardless of what happens. I believe that outside of some nominal help from the Company the man's condition becomes the problem of his family and, in extenuating circumstances, the public.

We certainly are in no position on this plant to continue to make jobs for people with limited capacity. There are very few such jobs on the plant. If the occupants of such jobs are paid anything approaching a decent wage, they immediately become factors in lowering the morale of other workers who feel that they are working hard for their wages while the limited employee is doing nothing and getting paid approximately the same money they are.

We would appreciate it very much if you would review this whole situation and advise us as to the possibility of setting up a Company policy to deal with all such cases and also advise us at your earliest convenience as to what disposition should be made of Sam Polito's case.

M. E. Pettegrew
Industrial Relations Manager

MEP/wr