

EMPLOYER STATUS DETERMINATION

Rahway Valley Company

This is the determination of the Railroad Retirement Board concerning the continuing status of Rahway Valley Company (RVC) (B.A. No. 3310) as an employer under the Railroad Retirement Act (45 U.S.C. § 231, et seq.) (RRA) and the Railroad Unemployment Insurance Act (45 U.S.C. § 351, et seq.) (RUIA). RVC has been an employer under the RRA and RUIA with service creditable from February 27, 1909.

According to Nathan Fenno, President, New York, Susquehanna and Western Railway Corporation (NYSWR), B.A. No. 3251, RVC ceased operations in 1992. See Interstate Commerce Commission (ICC) Docket No. AB-211, service date August 27, 1992. The ICC decision allowed abandonment only after certain environmental conditions were met. RVC employees were always paid by the NYSWR payroll and when abandonment took place, RVC employees were absorbed into NYSWR. RVC was dissolved as a legal entity in 1995.

Section 202.11 of the Board's regulations provides that:

The employer status of any company or person shall terminate whenever such company or person loses any of the characteristics essential to the existence of an employer status.

Based on the information set forth above, it is the determination of the Railroad Retirement Board that Rahway Valley Company ceased being an employer under the RRA and RUIA on December 31, 1992, the last date of the year in which RVC ceased operation by abandonment.

Original signed by:

FOR THE BOARD
Beatrice Ezerski
Secretary to the Board