

**EMPLOYER STATUS DETERMINATION**

**Chicago & Northwestern Transportation Company**

This is the determination of the Railroad Retirement Board concerning the status of Chicago & Northwestern Transportation Company (CNW) (BA No. 1603) 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).

According to information provided in a letter dated November 1, 1995, from Mr. B. R. Gutschewski, Assistant Vice President of Union Pacific Railroad Company (UP)<sup>1</sup>, on October 1, 1995, CNW merged into UP, with UP as the surviving organization. According to the Articles of Merger, upon the effective date of the merger (October 1, 1995), the separate existence of CNW "shall cease". In Interstate Commerce Commission (ICC) Finance Docket No. 32133, decided February 21, 1995, the ICC approved the merger. According to Mr. Gutschewski, on September 30, 1995, the CNW ceased operations and CNW employees last performed compensated service on that date. Information in the file indicates that former employees of CNW are now reported as employees of UP.

Based upon the information summarized above, it is determined that Chicago & Northwestern Transportation Company ceased to be a rail carrier employer under the RRA and RUIA effective October 1, 1995, the date that it merged into the Union Pacific Railroad Company.

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Glen L. Bower

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V. M. Speakman, Jr.

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Jerome F. Kever

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<sup>1</sup> UP has been found to be an employer covered by the Acts. B.A. No. 1715.

**TO** : The Board

**FROM** : Catherine C. Cook  
General Counsel

**SUBJECT:** Coverage Determination  
Chicago & Northwestern Railway Company

Attached is a proposed coverage ruling for Board approval.

Attachment