

IN THE MATTER OF CSX INTERMODAL, INC. AND ITS STATUS UNDER THE
RAILROAD RETIREMENT AND RAILROAD UNEMPLOYMENT INSURANCE ACTS

On September 24, 1996, the Board issued a decision in the above-captioned case in which a majority of the Board adopted the hearings examiner's recommended findings that CSX Intermodal, Inc. (CSXI) and its subsidiary CSX Services, Inc. were not employers under the Acts. In addition, the Board unanimously adopted the hearings examiner's recommended finding that O/O Truck Sales, Inc. was an employer under the Acts. However, the Board deferred a decision on CSXI's subsidiary, CSX Sea-Land Terminals, Inc. (CSLT).

After review of the evidence of record, the hearings examiner's report, and exceptions filed thereto, a majority of the Board affirms and adopts the recommended finding of the hearings examiner that, for the reasons stated in his report, the status of CSLT under the Acts be terminated. Accordingly, a majority of the Board finds that CSLT ceased to be an employer under the Acts effective, December 31, 1993.

Glen L. Bower

V. M. Speakman, Jr.

Jerome F. Kever

