

28661
SEC

SERVICE DATE - DECEMBER 1, 1997

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 31363 (Sub-No. 3)

UNION RAILROAD COMPANY AND BESSEMER AND LAKE
ERIE RAILROAD COMPANY—ARBITRATION REVIEW—
UNITED STEEL WORKERS OF AMERICA

Decided: November 26, 1997

On November 10, 1997, the United Steelworkers of America (USWA) filed a petition under 49 CFR 1115.8 seeking review of an arbitration decision rendered under the New York Dock Ry.—Control—Brooklyn Eastern Dist., 360 I.C.C. 60 (1979) labor protection conditions. Under 49 CFR 1104.13(a), responses are due December 1, 1997.

By motion filed on November 21, 1997, the Union Railroad Company (URR) and Bessemer and Lake Erie Railroad Company (BLE) request a 20-day extension to December 22, 1997, to file their response. URR and BLE state that additional time is necessary because of the press of other cases. According to URR and BLE, counsel for USWA has been informed and consents. The request is reasonable and will be granted.¹

This action will not significantly affect either the quality of the human environment or conservation of energy resources.

It is ordered:

1. URR and BLE's extension request is granted.
2. URR and BLE's response is due December 22, 1997.
3. This decision is effective on the date of service.

¹ On November 20, 1996, URR and BLE jointly filed a petition for a declaratory order in Union Railroad Company and Bessemer and Lake Erie Railroad Company—Petition, STB Finance Docket No. 31363 (Sub-No. 2), to determine whether the Board had jurisdiction to resolve a dispute relating to transfer of work from URR to BLE. USWA opposed the petition contending, among other things, that the Board does not have jurisdiction over the dispute. Action on the petition was deferred because the dispute had been submitted to arbitration. The jurisdictional issues raised in the declaratory order proceeding will be addressed when the Board reviews the arbitration decision in this proceeding.

STB Finance Docket No. 31363 (Sub-No. 3)

By the Board, Vernon A. Williams Secretary

Vernon A. Williams
Secretary

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