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ENTERED
Office of Proceedings
July 2, 2020
Part of
Public Record

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July 2, 2020

VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W., Room 1034
Washington, DC 20423-0001

Re: **Docket No. FD 36419**
New Orleans Public Belt Railroad Commission for the
Port of New Orleans -- Acquisition and Operation Exemption --
New Orleans Public Belt Railroad Corporation

Dear Ms. Brown:

Pursuant to 49 C.F.R. § 1150.32(e), New Orleans Public Belt Railroad Commission for the Port of New Orleans ("Railroad Commission") hereby certifies that on July 2, 2020, the attached Notice was posted at the following workplaces of employees of the New Orleans Public Belt Railroad Corporation ("NOPB"):

4822 Tchoupitoulas Street
New Orleans, LA 70115

940 Central Avenue
Jefferson, LA 70121

5403 Coffee Drive
New Orleans, LA 70115

4545 North Claiborne Avenue
New Orleans, LA 70117

The Railroad Commission also certifies that on July 2, 2020, the attached Notice was served by first class mail, postage prepaid, on the national offices of the labor unions representing NOPB employees, at the following addresses:

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Mr. Jeremy R. Ferguson
President, Transportation Division
International Association of Sheet Metal, Air, Rail &
Transportation Workers
24950 Country Club Road, Suite 340
North Olmsted, OH 44070-5333

Mr. Robert A. Scardelletti
National President
Transportation • Communications Union/IAM
3 Research Place
Rockville, MD 20850-3279

Mr. Freddie N. Simpson
President
Brotherhood of Maintenance of Way Employees Division, IBT
41475 Gardenbrook Road
Novi, MI 48375-1328

Mr. Robert G. Martinez, Jr.
International President
International Association of Machinists & Aerospace Workers
9000 Machinists Place
Upper Marlboro, MD 20772

If you have any questions regarding this filing, please feel free to contact me.
Thank you for your assistance on this matter.

Respectfully submitted,

R. A. Wimbish

Robert A. Wimbish
Attorney for New Orleans Public Belt
Railroad Commission of the Port of New Orleans

RAW:ah

Attachment

**NEW ORLEANS PUBLIC BELT RAILROAD COMMISSION FOR
THE PORT OF NEW ORLEANS
4822 Tchoupitoulas Street
New Orleans, LA 70115**

NOTICE

New Orleans Public Belt Railroad Commission for the Port of New Orleans (“Railroad Commission”), a political subdivision of the State of Louisiana pursuant to Article VI, Section 19 and Article VI, Section 44(2) of the Louisiana Constitution of 1974, and La. Rev. Stat. 33:4530, *et seq.*, hereby provides notice to the employees of the New Orleans Public Belt Railroad Corporation (“NOPB”) that the Railroad Commission intends to acquire and operate the railroad operating assets of NOPB, including all of its owned and/or operated rail lines, trackage rights, and ancillary tracks. Upon consummation of the transaction, the Railroad Commission will be a Class III switching and terminal railroad and will continue to provide neutral local and intermediate switching service to shippers and six connecting Class I railroads in the New Orleans area in place of NOPB. This notice is provided pursuant to the regulations of the Surface Transportation Board (“STB”) at 49 C.F.R. § 1150.32(e).

The transaction that is the subject of this notice involves the transfer of all of the assets and contractual rights and obligations of NOPB – a corporate subsidiary of the Board of Commissioners of the Port of New Orleans (the “Port”) – to the Railroad Commission, a state political subdivision that will operate in conjunction with the Port. NOPB employees will be unaffected by the transaction, as all employees automatically will be extended the same positions under the same terms and conditions as their current employment, consistent with current collective bargaining agreements. No employment application is required. The Railroad

Commission will not discriminate in hiring or employment based on race, color, religion, sex (including pregnancy), sexual orientation, national origin, age, disability or genetic information.

All responsibilities and job functions currently performed by or under the direction of NOPB will remain with the Railroad Commission. No current positions at NOPB will be eliminated because of the proposed transaction. Future employment levels at the Railroad Commission may be affected by traffic, market and other conditions. All responsibilities and job functions currently performed by or under the direction of the Port will remain with the Port and will not be assumed or performed by the Railroad Commission.

The Railroad Commission's acquisition of the railroad assets of NOPB will be undertaken in accordance with Louisiana state law, including La. R.S. 33:4536 and the requirement to "recognize and maintain the rights of these employees under existing labor contracts and applicable law." A notice of exemption to authorize the proposed acquisition and operation transaction will be filed with the STB on or after July 23, 2020 in Docket No. FD 36419.

Any NOPB employee seeking more information about the transaction, or wishing to opt out of employment with the Railroad Commission, may contact:

Human Resources
4822 Tchoupitoulas Street
New Orleans, LA 70115
(504) 896-7416