

**DEPARTMENT OF LABOR****Employment and Training  
Administration**

[TA-W-56,536, TA-W-56,536A, and TA-W-56,536B]

**Butler Manufacturing Company, Subsidiary of Bluescope Steel, LTD, Buildings Division, Wall and Roof Panels Production, Galesburg, IL; Buildings Division, Trim and Components Production, Galesburg, IL; Buildings Division, Secondaries Production, Galesburg, IL; Notice of Affirmative Determination Regarding Application for Reconsideration**

By application of April 1, 2005, members of the subject worker group requested administrative reconsideration of the Department of Labor's Notice of Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance, applicable to workers of the subject firm. The negative determination was signed on March 2, 2005 and the Notice of determination was published in the **Federal Register** on April 1, 2005 (70 FR 16847). The workers produced parts for pre-engineered metal buildings systems. Workers are separately identifiable by product line.

The petition was denied because the subject firm did not shift production abroad and there were no increased imports by the subject company or its customers during the relevant period.

The request for reconsideration alleges that the workers are not separately identifiable by product line, that the subject firm will shift of production to India and China in May/June 2005 and import pre-engineered metal buildings from those facilities, that the shift to Mexico will continue, and that the subject firm has increased imports from Mexico, Australia, China and India.

The Department has carefully reviewed the petitioner's request for reconsideration and shall further investigate the matter based on new information provided by the petitioners.

**Conclusion**

After careful review of the application, I conclude that the claim is of sufficient weight to justify reconsideration of the Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, DC, this 6th day of April 2005.

**Elliott S. Kushner,**  
*Certifying Officer, Division of Trade  
Adjustment Assistance.*

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**DEPARTMENT OF LABOR****Employment and Training  
Administration**

[TA-W-55,607]

**Creo Americas, Inc., U.S. Headquarters, a Subsidiary of Creo, Inc., Billerica, MA; Notice of Revised Determination on Remand**

On February 22, 2005, the United States Court of International Trade (USCIT) granted the Department's motion for voluntary remand for further investigation in *Former Employees of Creo Americas, Inc. v. U.S. Secretary of Labor* (Court No. 05-0021).

The Department's denial of the initial petition for Trade Adjustment Assistance (TAA) was issued on October 20, 2004. The Notice of determination was published in the **Federal Register** on November 12, 2004 (69 FR 65462).

The negative determination was based on the finding that the predominant cause of separations at the subject facility was the consolidation of administrative and support functions to the subject firm's corporate headquarters in Canada.

Administrative reconsideration was not requested.

By letter dated January 8, 2005, the petitioner filed an appeal with the USCIT, alleging that worker separations were due to the subject firm's shift of production to Canada. In order to carry out the intent of the statute and to safeguard the interests of the petitioners, the Department requested, and was granted, a voluntary remand to further investigate the matter.

During the remand investigation, the Department raised additional questions and obtained detailed supplemental responses from the company. In particular, the new information provided by the company officials revealed that the subject firm is an integrated organization which coordinates all activities at the subject facility and that the subject worker group supported domestic subject firm production, including the subject firm's production facility in Lynwood, Washington (TA-W-55,165; certified on July 12, 2004) during 2003 and January through September 2004.

The Department also investigated whether Creo Americas, Inc., Creo Seattle Division, A Subsidiary of Creo, Inc., Lynwood, Washington was TAA-certifiable during the relevant period. The investigation revealed that the Lynwood, Washington facility experienced a shift of production to Canada during the relevant period and that the shift of production contributed importantly to the employment declines at the subject facility.

**Conclusion**

After careful review of the newly-obtained facts generated during the remand investigation, I determine that a shift of production contributed importantly to the total or partial separation of workers at the subject facility. In accordance with the provisions of the Act, I make the following certification:

All workers of Creo Americas, Inc., U.S. Headquarters, A Subsidiary of Creo, Inc., Billerica, Massachusetts, who became totally or partially separated from employment on or after September 7, 2003, through two years from the issuance of this determination, are eligible to apply for Trade Adjustment Assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, DC this 5th day of April 2005.

**Elliott S. Kushner,**  
*Certifying Officer, Division of Trade  
Adjustment Assistance.*

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**DEPARTMENT OF LABOR****Employment and Training  
Administration**

[TA-W-55,826]

**Dendrite International Stroudsburg, PA; Notice of Negative Determination on Reconsideration**

On January 31, 2005, the Department of Labor issued its Notice of Affirmative Determination Regarding Application for Reconsideration for workers and former workers of the subject firm. The Department's Notice was published in the **Federal Register** on February 22, 2005 (70 FR 8638).

The Department's initial determination was issued on the basis that the workers did not produce an article within the meaning of section 222(a)(2) of the Trade Act.

In the request for reconsideration, the petitioner alleged that the workers produced an article, licensed pharmaceutical sales software sold in a physical medium, such as CD-ROM.