

[FR Doc. 2011-8968 Filed 4-13-11; 8:45 am]

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DEPARTMENT OF LABOR**Employment and Training
Administration****Investigations Regarding Certifications
of Eligibility To Apply for Worker
Adjustment Assistance and Alternative
Trade Adjustment Assistance**

Petitions have been filed with the Secretary of Labor under Section 221 (a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Division of Trade Adjustment Assistance, Employment

and Training Administration, has instituted investigations pursuant to Section 221 (a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment

Assistance, at the address shown below, not later than April 25, 2011.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than April 25, 2011.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, Room N-5428, 200 Constitution Avenue, NW., Washington, DC 20210.

Signed at Washington, DC this 6th day of April 2011.

Michael W. Jaffe,

Certifying Officer, Office of Trade Adjustment Assistance.

APPENDIX

[27 TAA petitions instituted between 3/21/11 and 4/1/11]

TA-W	Subject firm (petitioners)	Location	Date of institution	Date of petition
80057	Orchard Brands (Workers)	Athens, GA	03/21/11	03/17/11
80058	Alliance One International, Inc. (Workers)	Morrisville, NC	03/21/11	03/18/11
80059	Tyco Electronics (Company)	Fuquay-Varina, NC	03/22/11	03/21/11
80060	The Valspar Corporation (Workers)	High Point, NC	03/22/11	03/16/11
80061	Sara Lee (Workers)	Bensenville, IL	03/22/11	03/21/11
80062	Ericsson (State/One-Stop)	Kansas City, MO	03/22/11	03/21/11
80063	Stream International, Inc. (State/One-Stop)	Richardson, TX	03/23/11	03/22/11
80064	Wayne Trademark Printing and Packaging (Workers)	High Point, NC	03/23/11	03/22/11
80065	Genesis Furniture Industries (Workers)	Pontotoc, MS	03/23/11	03/22/11
80066	Ivex Packaging, LLC (Union)	Joliet, IL	03/23/11	03/18/11
80067	Lane Punch Corporation (Company)	Salisbury, NC	03/24/11	03/08/11
80068	New Enterprise Stone & Lime (Workers)	Erie, PA	03/24/11	03/16/11
80069	Hydro Aluminum North America (Company)	Ellenville, NY	03/25/11	03/24/11
80070	Reno Radiological Associates (State/One-Stop)	Reno, NV	03/25/11	03/24/11
80071	PCS Administration (USA), Inc. (Company)	Northbrook, IL	03/25/11	03/25/11
80072	Alcoa Rockdale Operations (State/One-Stop)	Rockdale, TX	03/25/11	03/24/11
80073	Ikano Communications (Workers)	Salt Lake City, UT	03/25/11	03/24/11
80074	AES Westover (Union)	Johnson City, NY	03/28/11	03/25/11
80075	Golden Technologies (Workers)	Old Forge, PA	03/29/11	03/29/11
80076	Nexergy, Inc. (Company)	Columbus, OH	03/29/11	03/28/11
80077	Federal Broach And Machine Company, LLC (Company)	Tempe, AZ	03/30/11	03/29/11
80078	First Boston Pharma (State/One-Stop)	Brockton, MA	03/30/11	03/28/11
80079	The Loomis Company (Workers)	Wyomissing, PA	03/30/11	03/29/11
80080	ViaTech Publishing Solutions (State/One-Stop)	Kalama, WA	03/30/11	03/28/11
80081	SuperMedia, LLC (State/One-Stop)	Dallas, TX	03/30/11	03/29/11
80082	United Furniture Industries (Workers)	Amory, MS	03/31/11	03/30/11
80083	The Genie Company (Union)	Shenandoah, VA	03/31/11	03/31/11

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DEPARTMENT OF LABOR**Employment and Training
Administration**

[TA-W-75,135]

**Flowserve Corporation, Albuquerque,
NM; Notice of Affirmative
Determination Regarding Application
for Reconsideration**

By application dated March 23, 2011, a State of New Mexico workforce official requested administrative reconsideration of the Department of

Labor's negative determination regarding eligibility to apply for Trade Adjustment Assistance (TAA), applicable to workers and former workers of the subject firm. The Department's Notice was issued on February 28, 2011 and published in the **Federal Register** on March 17, 2010 (76 FR 14693).

The negative determination of the TAA petition filed on behalf of workers at the subject firm was based on the finding that Criterion (1) has not been met because no workers were totally or

partially separated, or threatened with such separation.

In the request for reconsideration, the petitioner claimed that worker separations had occurred during the relevant time period and provided documentation in support of this allegation.

The Department has carefully reviewed the request for reconsideration and the existing record, and has determined that the Department will conduct further investigation to determine if the petitioning workers meet the eligibility requirements of the Trade Act of 1974, as amended.

Conclusion

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

Signed at Washington, DC, this 6th day of April 2011.

Del Min Amy Chen,

Certifying Officer, Office of Trade Adjustment Assistance.

[FR Doc. 2011-8981 Filed 4-13-11; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

Information about the DOL Notification Process for Worker Abandonment, or Termination for Cause for H-2A Temporary Agricultural Labor Certifications

AGENCY: Employment and Training Administration, Department of Labor.

ACTION: Notice.

SUMMARY: This Notice announces specific instructions employers must follow when notifying the Department of Labor's (Department) Office of Foreign Labor Certification (OFLC) that an H-2A worker certified on an *Application for Temporary Employment Certification* or a worker in corresponding employment has voluntarily abandoned employment, or was terminated for cause before the end of the work contract period.

DATES: This Notice is effective on April 14, 2011.

FOR FURTHER INFORMATION CONTACT: William L. Carlson, PhD, Administrator, Office of Foreign Labor Certification, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693-3010 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION:

I. Background

On February 12, 2010, the Department published a Final Rule on the Temporary Agricultural Employment of H-2A Aliens in the United States (U.S.), 75 FR 6884, Feb. 12, 2010 (2010 Final Rule). The H-2A nonimmigrant worker visa program enables U.S. agricultural employers to employ foreign workers on a temporary basis to perform agricultural labor or services, when willing and qualified U.S. workers are unavailable and the employment of the H-2A workers will not adversely affect the wages and working conditions of similarly employed workers in the United States.

Occasionally, H-2A workers or workers in corresponding employment voluntarily leave their employment or are terminated for cause before the specified contract term expires. The 2010 Final Rule provides that an employer will not be responsible for transportation and subsistence expenses and/or the three-fourths guarantee related to such an H-2A worker or worker in corresponding employment, where the H-2A worker or worker in corresponding employment abandons employment or is terminated for cause before the end date of the contract period, as specified in the *Application for Temporary Employment Certification*, if the employer notifies OFLC's National Processing Center (NPC) (and the Department of Homeland Security (DHS) in the case of an H-2A worker) of such abandonment or termination.

As set out in 20 CFR 655.122(n), in such instances, the employer must notify the NPC (and DHS in the case of an H-2A worker) in writing, or by any other method specified by the Department or DHS in a manner specified in a notice published in the **Federal Register**, no later than 2 working days after the abandonment or termination occurs. An abandonment begins after an H-2A worker or worker in corresponding employment fails to report for work at the regularly scheduled time for 5 consecutive work days without consent of the employer.

II. Notification Process

Beginning on the effective date of this Notice, the written notification, as set forth in 20 CFR 655.122(n), must be provided by one of the following means:

1. By electronic mail (e-mail) to: *H2A.abandonment&termination.chicago@dol.gov*, or
2. Employers without internet access may instead send written notification by:

- (a) Facsimile to: (312) 353-6666; or
- (b) U.S. Mail to: U.S. Department of Labor, Employment and Training Administration, Office of Foreign Labor Certification, Chicago National Processing Center, 536 South Clark Street, 9th floor, Chicago, Illinois 60605-1509.

In order to ensure prompt and effective processing of the notification, the Department requests that the employer's notice include at a minimum the following information:

1. The reason(s) for notification or late notification, if applicable;
2. The date of abandonment or termination;
3. The number of H-2A worker(s) and/or other worker(s) in corresponding employment who abandoned or was/ were terminated for cause, and the name of each such H-2A worker and/or worker in corresponding employment, each employee's last known address (other than employer-provided housing);
4. The Application/Certification number(s); and
5. The employer's name; address, telephone number, and Federal Employer Identification Number (FEIN).

The NPC will also accept a copy of the written notification of abandonment or termination for cause submitted by the employer to DHS as long as it contains all of the information listed above and is submitted to the NPC via one of the means enumerated in this Notice. Failure to provide notice or failure to provide timely notice may lead to a finding of noncompliance with the transportation and subsistence expenses and/or the three-fourths guarantee provisions as set forth in 20 CFR 655.122(n).

Signed in Washington, DC, this 8th day of April 2011.

Jane Oates,

Assistant Secretary, Employment and Training Administration.

[FR Doc. 2011-8969 Filed 4-13-11; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

Request for Certification of Compliance—Rural Industrialization Loan and Grant Program

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice.

SUMMARY: The Employment and Training Administration is issuing this