

Negative Determinations for Alternative Trade Adjustment Assistance

In the following cases, it has been determined that the requirements of 246(a)(3)(A)(ii) have not been met for the reasons specified.

The Department has determined that criterion (1) of Section 246 has not been met. The firm does not have a significant number of workers 50 years of age or older.

None.

The Department has determined that criterion (2) of Section 246 has not been met. Workers at the firm possess skills that are easily transferable.

None.

The Department has determined that criterion (3) of Section 246 has not been met. Competition conditions within the workers' industry are not adverse.

None.

Negative Determinations for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance

In the following cases, the investigation revealed that the eligibility criteria for worker adjustment assistance have not been met for the reasons specified.

Because the workers of the firm are not eligible to apply for TAA, the workers cannot be certified eligible for ATAA.

The investigation revealed that criteria (a)(2)(A)(I.A.) and (a)(2)(B)(II.A.) (employment decline) have not been met.

TA-W-63,113; Custom Metal Spinning, Inc., Paramount, CA.

The investigation revealed that criteria (a)(2)(A)(I.B.) (Sales or production, or both, did not decline) and (a)(2)(B)(II.B.) (shift in production to a foreign country) have not been met.

TA-W-63,227; Belden, Mohawk Division, Leominster, MA.

The investigation revealed that criteria (a)(2)(A)(I.C.) (increased imports) and (a)(2)(B)(II.B.) (shift in production to a foreign country) have not been met.

TA-W-62,898; Finisar Corporation, Advanced Optical Components Division, Allen, TX.

TA-W-63,096; PolyVision Corporation, Corona, CA.

TA-W-63,169; Batavia Transmissions, LLC, A Subsidiary of Ford Motor Company, Batavia, OH.

TA-W-63,029; Carm Newsome Hosiery, Inc., Fort Payne, AL.

The workers' firm does not produce an article as required for certification under Section 222 of the Trade Act of 1974.

TA-W-63,074; Pfizer, Inc., Global Research and Development Division, Groton, CT.

TA-W-63,076; Aon Risk Services, Inc., Document Production Department, Saint Louis, MO.

TA-W-63,200; Ranco North America, Invensys Climate Controls Division, Brownsville, TX.

TA-W-63,254; Teva Neuroscience, Inc., Global Clinical Professional Resources Group, Horsham, PA.

TA-W-63,294; Hughes Lumber Company, White City, OR.

The investigation revealed that criteria of Section 222(b)(2) has not been met. The workers' firm (or subdivision) is not a supplier to or a downstream producer for a firm whose workers were certified eligible to apply for TAA.

None.

I hereby certify that the aforementioned determinations were issued during the period of May 5 through May 9, 2008. Copies of these determinations are available for inspection in Room C-5311, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210 during normal business hours or will be mailed to persons who write to the above address.

Dated: May 15, 2008.

Erin Fitzgerald,

Director, Division of Trade Adjustment Assistance.

[FR Doc. E8-11367 Filed 5-21-08; 8:45 am]

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DEPARTMENT OF LABOR**Employment and Training Administration**

[TA-W-63,075]

Russound Also Known as Folded Metal Products, Inc., Newmarket, NH; Notice of Negative Determination Regarding Application for Reconsideration

By application received May 7, 2008, a petitioner requested administrative reconsideration of the Department's negative determination regarding eligibility to apply for Trade Adjustment Assistance (TAA), applicable to workers and former workers of the subject firm. The denial notice was signed on April 11, 2008 and published in the **Federal Register** on April 23, 2008 (73 FR 21992).

Pursuant to 29 CFR 90.18(c) reconsideration may be granted under the following circumstances:

(1) If it appears on the basis of facts not previously considered that the determination complained of was erroneous;

(2) If it appears that the determination complained of was based on a mistake

in the determination of facts not previously considered; or

(3) If in the opinion of the Certifying Officer, a misinterpretation of facts or of the law justified reconsideration of the decision.

The negative TAA determination issued by the Department for workers of Russound, also known as Folded Metal Products, Inc., Newmarket, New Hampshire was based on the finding that the worker group does not produce an article within the meaning of Section 222 of the Trade Act of 1974.

The petitioner infers that employment at the subject firm was negatively impacted by the outsourcing of production by other companies to foreign sources. Following this shift of production abroad, jobs performed by workers of the subject firm (electronic, mechanical and industrial designers and engineers, supply chain managers, safety/compliance engineers) were also shifted or outsourced abroad. The petitioner also states that regardless of whether the workers of the subject firm produce a product or provide services, they should be certified eligible for Trade Adjustment Assistance.

The investigation revealed that the workers of Russound, also known as Folded Metal Products, Inc., Newmarket, New Hampshire are engaged in functions related to the design and distribution of audio-video systems and connectivity products. These functions, as described above, are not considered production of an article within the meaning of Section 222 of the Trade Act of 1974.

The allegation of a shift to another country might be relevant if it was determined that workers of the subject firm produced an article. Since the investigation determined that workers of Russound, also known as Folded Metal Products, Inc., Newmarket, New Hampshire do not produce an article, there cannot be imports nor a shift in production of an "article" abroad within the meaning of the Trade Act of 1974 in this instance.

The petitioner did not supply facts not previously considered; nor provide additional documentation indicating that there was either (1) a mistake in the determination of facts not previously considered or (2) a misinterpretation of facts or of the law justifying reconsideration of the initial determination.

After careful review of the request for reconsideration, the Department determines that 29 CFR 90.18(c) has not been met.

Conclusion

After review of the application and investigative findings, I conclude that there has been no error or misinterpretation of the law or of the facts which would justify reconsideration of the Department of Labor's prior decision. Accordingly, the application is denied.

Signed in Washington, DC, this 15th day of May 2008.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E8-11372 Filed 5-21-08; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-62,718]

Fraser Timber Limited Including On-Site Leased Workers of Tempo Employment Services; Ashland, ME; Notice of Revised Determination on Reconsideration

On April 28, 2008, the Department issued an Affirmative Determination Regarding Application on Reconsideration applicable to workers and former workers of the subject firm. The notice was published in the **Federal Register** on May 7, 2008 (73 FR 25772).

The previous investigation initiated on January 23, 2008, resulted in a negative determination issued on March 14, 2008, that was based on the finding that imports of lumber and woodchips did not contribute importantly to worker separations at the subject firm and no shift in production to a foreign source occurred. The denial notice was published in the **Federal Register** on March 26, 2008 (73 FR 16064).

In the request for reconsideration, the company official provided additional information regarding the subject firm's customers and also requested the Department of Labor conduct further analysis of imports of lumber and woodchips.

The Department reviewed responses of a sample customer survey conducted during the initial investigation. On further analysis, it has been determined that a significant number of customers increased their reliance on imports of lumber and woodchips while decreasing their purchases from the subject firm from 2006 to 2007.

In accordance with Section 246 of the Trade Act of 1974 (26 U.S.C. 2813), as amended, the Department of Labor herein presents the results of its

investigation regarding certification of eligibility to apply for alternative trade adjustment assistance (ATAA) for older workers.

In order for the Department to issue a certification of eligibility to apply for ATAA, the group eligibility requirements of Section 246 of the Trade Act must be met. The Department has determined in this case that the requirements of Section 246 have been met.

A significant number of workers at the firm are age 50 or over and possess skills that are not easily transferable. Competitive conditions within the industry are adverse.

The investigation revealed that Fraser Timber Limited leased workers from Tempo Employment Services to work on-site at the Ashland, Maine, plant.

Conclusion

After careful review of the additional facts obtained on reconsideration, I conclude that increased imports of articles like or directly competitive with those produced at Fraser Timber Limited, Ashland, Maine, contributed importantly to the declines in sales or production and to the total or partial separation of workers at the subject firm. In accordance with the provisions of the Act, I make the following certification:

All workers of Fraser Timber Limited, including on-site leased workers of Tempo Employment Services, Ashland, Maine, who became totally or partially separated from employment on or after January 19, 2007, through two years from the date of this certification, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974, and are eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974.

Signed in Washington, DC, this 13th day of May 2008.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E8-11369 Filed 5-21-08; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-63,207]

Automated Equipment, Inc., Paris, TN; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on April 17, 2008 in response to a petition filed by

a company official on behalf of workers at Automated Equipment, Inc., Paris, Tennessee.

The petitioner has requested that the petition be withdrawn. Consequently, the investigation has been terminated.

Signed at Washington, DC, this 15th day of May, 2008.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E8-11377 Filed 5-21-08; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-62,982]

Employment Giant, LLC, Warren, MI; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on March 11, 2008, in response to a petition filed by a State agency representative on behalf of workers of Employment Giant, LLC, Warren, Michigan, working at Thyssenkrupp Budd, Detroit, Michigan.

The petitioning worker group is covered by petition certification number TA-W-60,703, amended on May 15, 2008, to reflect that Thyssenkrupp Budd, Detroit, Michigan, began using the payroll service of Employment Giant, LLC to pay the wages of the workers at the producing firm.

Since the petitioning worker group is covered by amended TA-W-60,703, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed in Washington, DC, this 15th day of May 2008.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E8-11371 Filed 5-21-08; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-63,120]

Honeywell International, Inc., Honeywell Process Solutions Division, HPS Technology Subdivision, Phoenix, AZ; Notice of Termination of Investigation

In accordance with Section 221 of the Trade Act of 1974, as amended, an