

DEPARTMENT OF LABOR**Employment and Training
Administration**

[TA-W-82,598]

**Amphenol Backplane Systems,
Including On-Site Leased Workers
From Technical Needs and National
Engineering, Nashua, New Hampshire;
Notice of Revised Determination on
Reconsideration**

On June 22, 2013, the Department of Labor (Department) issued a Notice of Affirmative Determination Regarding Application for Reconsideration applicable to workers and former workers of Amphenol Backplane Systems, Nashua, New Hampshire (hereafter referred to as either "Amphenol" or "subject firm"). The subject firm is engaged in activities related to the production of electrical connectors and backplane assemblies. The subject worker group includes on-site leased workers from Technical Needs and National Engineering.

Workers of the subject firm were eligible to apply for Trade Adjustment Assistance (TAA) under TA-W-70,972 (certification expired on November 13, 2011).

Based on a careful review of previously-submitted information and additional information obtained during the reconsideration investigation, the Department determines that the petitioning worker group, including on-site leased workers from Technical Needs and National Engineering, has met the eligibility criteria set forth in the Trade Act of 1974, as amended.

Section 222(a)(1) has been met because a significant number or proportion of the workers at Amphenol have become totally or partially separated, or are threatened to become totally or partially separated.

Section 222(a)(2)(B) has been met because the workers' firm has shifted to a foreign country a portion of the production of articles like or directly competitive with the electrical connectors and backplane assemblies produced by the subject worker group, which contributed importantly to worker group separations at Amphenol.

Conclusion

After careful review of previously-submitted facts and the additional facts obtained during the reconsideration investigation, I determine that workers of Amphenol Backplane Systems, Nashua, New Hampshire, meet the worker group certification criteria under Section 222(a) of the Act, 19 U.S.C. 2272(a). In accordance with Section 223

of the Act, 19 U.S.C. 2273, I make the following certification:

"All workers of Amphenol Backplane Systems, including on-site leased workers from Technical Needs and National Engineering, Nashua, New Hampshire, who became totally or partially separated from employment on or after March 16, 2012, through two years from the date of this certification, and all workers in the group threatened with total or partial separation from employment on date of certification through two years from the date of certification, are eligible to apply for adjustment assistance under Chapter 2 of Title II of the Trade Act of 1974, as amended."

Signed in Washington, DC, this 8th day of November, 2013.

Del Min Amy Chen,

Certifying Officer, Office of Trade Adjustment Assistance.

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DEPARTMENT OF LABOR**Employment and Training
Administration**

[TA-W-82,838]

**Apria Healthcare LLC, Billing
Department, Overland Park, Kansas;
Notice of Negative Determination
Regarding Application for
Reconsideration**

By application dated September 19, 2013, a former worker of Apria Healthcare LLC, Billing Department, Overland Park, Kansas (TA-W-82,838) 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 Apria Healthcare LLC, Billing Department, Overland Park, Kansas (hereafter referred to as "Apria-Billing"). Workers of Apria-Billing are engaged in activities related to the supply of medical billing services. On September 5, 2013, the Department issued a negative determination applicable to workers and former workers of Apria-Billing and issued a certification applicable to workers and former workers of Apria Healthcare LLC, Document Imaging Department, Overland Park, Kansas (TA-W-82,838A). The Department's Notice of determination of TA-W-82,838 and TA-W-82,838A was published in the **Federal Register** on October 3, 2013 (78 FR 61392).

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 mis-interpretation of facts or of the law justified reconsideration of the decision.

The negative determination applicable to workers and former workers of Apria-Billing was based on the Department's findings that neither increased of billing services like or directly competitive with the medical billing services supplied by the subject workers, a shift in the supply of such services to a foreign country by the workers' firm, nor an acquisition of such services from a foreign country by the workers' firm, contributed importantly to worker group separations at Apria-Billing. In addition, the investigation revealed that the petitioning worker group did not meet the criteria set forth in Section 222(a) and Section 222(e) of the Trade Act of 1974, as amended.

The request for reconsideration states that the separated worker "did the N and K report which was electronic rejections from India and my job was to tell them how to get the claim to go through. Lots of times the claims had to be dropped onshore (meaning United States) . . . I do have documentation and emails . . . to support my facts." Following the receipt of the request for reconsideration, the Department received several electronic messages (emails) from the separated worker with additional information, which included emails from Apria management to the worker, an explanation of the worker's responsibilities, and the assertion that the worker's separation was due to outsourcing to "Emdeon and India."

The Department has carefully reviewed the information provided by the worker seeking reconsideration, previously-submitted information, and information regarding Emdeon, and has determined that the request for reconsideration did not supply facts not previously considered and did not 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.

Based on these findings, the Department determines that, with