

Dated: March 14, 2007.

**Ralph DiBattista,**

*Director, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-60,688]

#### **Lego Systems, Inc. Including Former On-Site Leased Workers of Adecco USA, Inc. Currently Employed With Staff Management, Enfield, CT; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273), and Section 246 of the Trade Act of 1974 (26 U.S.C. 2813), as amended, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance on January 16, 2007, applicable to workers of LEGO Systems, Inc., including on-site leased workers of Staff Management, Enfield, Connecticut. The notice was published in the **Federal Register** on February 7, 2007 (72 FR 5748).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The workers were engaged in the assembly of LEGO toy model kits.

New information shows that in February 2006, the leased workers of Adecco USA, Inc., employed on-site at the Enfield, Connecticut location of LEGO Systems, Inc., became employees of Staff Management due to a change in contracting firms.

Accordingly, the Department is amending this certification to properly reflect this matter.

The intent of the Department's certification is to include all workers employed at LEGO Systems, Inc., Enfield, Connecticut who were adversely affected by a shift in production to Mexico.

The amended notice applicable to TA-W-60,688 is hereby issued as follows:

All workers of LEGO Systems, Inc., including former on-site leased workers of Adecco USA, Inc., currently employed with Staff Management, Enfield, Connecticut, who became totally or partially separated from employment on or after January 2, 2006, through January 16, 2009, are eligible to

apply for adjustment assistance under Section 223 of the Trade Act of 1974, and are also eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974.

Signed at Washington, DC, this 14th day of March 2007.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-60,078]

#### **Weyerhaeuser Company; Lebanon Lumber Division; Lebanon, OR; Notice of Negative Determination on Reconsideration**

On December 15, 2006, the Department issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of Weyerhaeuser Company, Lebanon Lumber Division, Lebanon, Oregon (the subject firm). The Department's Notice of affirmative determination was published in the **Federal Register** on December 21, 2006 (71 FR 76700).

The initial denial of the workers' eligibility to apply for Trade Adjustment Assistance (TAA) and Alternative Trade Adjustment Assistance (ATAA) was based on the Department's findings that the workers produce green softwood stud lumber; the subject firm neither imported green softwood stud lumber nor shifted production of green softwood stud lumber overseas during the relevant period; and the subject firm's major declining customers had negligible imports of green softwood stud lumber during the surveyed periods. The Department's Notice of determination was issued on October 19, 2006 and published in the **Federal Register** on November 6, 2006 (71 FR 65004).

The request for reconsideration, filed by the United Brotherhood of Carpenters and Joiners of America, Carpenters Industrial Council, Local 2791 (Union), alleges that Weyerhaeuser Company purchased a softwood lumber production facility in Canada, inferring that the subject firm has increased imports of lumber or articles like or directly competitive with lumber produced at the subject facility.

During the reconsideration investigation, the Department discussed the allegations with the Union, sought

clarification from the subject firm regarding Weyerhaeuser Company's Canadian lumber production facilities, and conducted a customer survey regarding imports of stud lumber and articles like or directly competitive with stud lumber produced at the subject firm during the relevant period.

During the reconsideration investigation, the Department determined that kiln-dried lumber and engineered wood products are like or directly competitive with green stud lumber. As such, the Department conducted an expanded customer survey to determine whether the subject firm's major declining customers had increased import purchases of green stud lumber and articles like or directly competitive with green stud lumber produced at the subject firm. The survey revealed no increased imports of green stud lumber or articles like or directly competitive with green stud lumber during the surveyed periods.

The reconsideration investigation also revealed that, contrary to the Union's allegation, Weyerhaeuser Company has not purchased any lumber production facilities in Canada during the relevant period. Further, an August 23, 2006 Weyerhaeuser Company news release (attached to the petition) states that the subject firm was replaced by a new, "world-class" sawmill in the Lebanon, Oregon area.

In the request for reconsideration, the Union requested that the Department review the articles submitted with the petition and the findings by the U.S. International Trade Commission (USITC) regarding Investigation Nos. 701-TA-414 and 731-TA-928.

"Increased imports means that imports have increased either absolutely or relative to domestic production compared to a representative base period. The representative base period shall be one year consisting of the four quarters immediately preceding the date which is twelve months prior to the date of the petition." 29 CFR Section 90.2 Because the petition is dated September 13, 2006, the Department determines that the relevant period is September 2005 through August 2006.

While "News Release," Weyerhaeuser, August 23, 2006, states that Weyerhaeuser Company "operates lumber mills in eight states and four provinces in Canada," it does not infer any shift of production to Canada or increased imports from Canada. Further, the article explains that the new sawmill to which production is shifting is also in the Lebanon, Oregon area.

While Weyerhaeuser Company's "Forward Looking Statement" (July 25, 2006) acknowledges that Weyerhaeuser