

DEPARTMENT OF LABOR**Employment and Training
Administration****[Docket No. TA-W-38,784]****Schlessinger Industries, et al.; Notice
of Negative Determination Regarding
Application for Reconsideration**

By application postmarked May 21, 2001, the petitioners 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 23, 2001, and published in the **Federal Register** on May 9, 2001 (66 FR 23733).

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 determination issued by the Department on behalf of the workers of the subject firm in Ridgefield, New Jersey, was based on the finding that the "contributed importantly" test of the worker group eligibility requirements of Section 222 of the Trade Act of 1974 was not met for workers at Joseph L. Schlessinger, T/A Schlessinger Industries, Ridgefield Machine, Inc., and P&G Machinery Repair Corp., Ridgefield, New Jersey producing parts for Schiffli Embroidery Machines. The "contributed importantly" test is generally demonstrated through a survey of the workers' firm's customers. The Department of Labor surveyed the major customers of the subject firm regarding their purchases of Schiffli Embroidery Machine parts. There were no company or customer imports of parts for embroidery machines.

The petitioner asserts that the customers are not running the machines, but they are selling them to foreign countries. Petitioners also attached a "Spare Parts of Embroidery Lace Machine." The petition investigation, however, revealed that the major customers of the subject firm do not import products like or directly competitive with that which was produced in Ridgefield, New Jersey.

The petitioner adds that another firm, Swiss Maid, Inc., was sold at a bankruptcy sale because Champion went to Mexico. The Department notes that Swiss Maid, Inc., has no relevance in this case.

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 at Washington, DC, this 1st day of August 2001.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 01-20547 Filed 8-14-01; 8:45 am]

BILLING CODE 4510-30-M

DEPARTMENT OF LABOR**Employment and Training
Administration****[TA-W-39,042, et al.]****Agilent Technologies, Inc. Basic
Electronics Systems, & Test Unit
Including Temporary Workers of Staff
Mark Loveland, Colorado, et al.;
Amended Certification Regarding
Eligibility To Apply for Worker
Adjustment Assistance**

In accordance with section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on May 25, 2001, applicable to workers of Agilent Technologies, Inc., Basic Electronics Systems & Test Unit, Loveland, Colorado, Agilent Technologies, Inc., Design Validation Unit, Colorado Springs, Colorado and Agilent Technologies, Inc., Network System and Test Division, Colorado Springs, Colorado. The notice was published in the **Federal Register** on June 14, 2001 (66 FR 32389).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. New information provided by the State agency shows that some employees of Agilent Technologies, Inc., Basic Electronic Systems & Test Unit, Loveland, Colorado were temporary workers from Staff Mark employed to produce volt meters and bench-top instruments at the Loveland, Colorado location of the subject firm.

Information also shows that some employees of Agilent Technologies, Inc.,

Design Validation Unit and the Network System & Test Division, Colorado Springs, Colorado were temporary workers from Volt Technical Services to produce oscilloscopes and logic analyzers; and, test equipment to telecommunications applications respectively at the Colorado Springs, Colorado locations of the subject firm.

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

The intent of the Department's certification is to include all workers of Agilent Technologies, Inc., Basic Electronics Systems & Test Unit, Loveland, Colorado; and, Agilent Technologies, Inc., Design Validation Unit and the Network System & Test Division, Colorado Springs, Colorado, adversely affected by increased imports.

The amended notice applicable to TA-W-39,042, TA-W-39,042A and TA-W-39,042B are hereby issued as follows:

All workers of Agilent Technologies, Inc., Basic Electronics Systems & Test Unit, including temporary workers of Staff Mark, Loveland, Colorado, who were engaged in the production of volt meters and bench-top instruments at Agilent Technologies, Basic Electronics Systems & Test Unit, Loveland, Colorado (TA-W-39,042); and, all workers of Agilent Technologies, Design Validation Unit, including temporary workers of Volt Technical Services, Colorado Springs, Colorado, who were engaged in the production of oscilloscopes and logic analyzers at Agilent Technologies, Design Validation Unit, Colorado Springs, Colorado (TA-W-39,042A); and, all workers of Agilent Technologies, Network Systems & Test Division, including temporary workers of Volt Technical Services, Colorado Springs, Colorado, who were engaged in the production of test equipment for telecommunications applications at Agilent Technologies, Network Systems & Test Division, Colorado Springs, Colorado (TA-W-39,042B), who became totally or partially separated from employment on or after March 30, 2000, through May 25, 2003, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, DC this 3rd day of August, 2001.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 01-20541 Filed 8-14-01; 8:45 am]

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