

Signed in Washington, DC this 6th day of June, 2011.

**Del Min Amy Chen,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-70,124; TA-W-70,124A]

**Hutchinson Technology, Inc., Including On-Site Workers Leased From Doherty, Including Workers Whose Unemployment Insurance (UI) Wages Are Paid Through Aramark Business Facilities, LLC, Hutchinson, MN; Hutchinson Technology, Inc., Including On-Site Workers Leased From Doherty, Including Workers Whose Unemployment Insurance (UI) Wages Are Paid Through Aramark Business Facilities, LLC, Plymouth, MN; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974, as amended ("Act"), 19 U.S.C. 2273, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on September 18, 2009, applicable to workers of Hutchinson Technology, Inc., including on-site leased workers from Doherty, Hutchinson, Minnesota and Hutchinson Technology, Inc., including on-site leased workers of Doherty, Plymouth, Minnesota. The notice was published in the **Federal Register** on November 5, 2009 (74 FR 57337).

At the request of the petitioners, the Department reviewed the certification for workers of the subject firm. Workers at the Hutchinson, Minnesota location of the subject firm (TA-W-70,124) produce suspension assemblies for computer disk drives. Workers at the Plymouth, Minnesota location of the subject firm produce stampings of components incorporated into finished suspension assemblies produced by workers at the Hutchinson, Minnesota facility.

Information shows that on-site workers from Aramark Business Facilities, LLC became employees of Hutchinson Technology, Inc., in February 2011. Some workers separated from employment at the Hutchinson and Plymouth, Minnesota locations of the subject firm had their wages reported under a separate unemployment insurance (UI) tax

account under the name Aramark Business Facilities, LLC.

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

The intent of the Department's certification is to include all workers of Hutchinson Technologies who were adversely affected by increased imports of suspension assemblies for computer disk drives and the components used in the finished suspension assemblies.

The amended notice applicable to TA-W-70,124 and TA-W-70,124A are hereby issued as follows:

All workers of Hutchinson Technology, Incorporated, including on-site leased workers from Doherty, including workers whose unemployment insurance (UI) wages are paid through Aramark Business Facilities, LLC, Hutchinson, Minnesota (TA-W-70,124), and Hutchinson Technology, Incorporated, including on-site leased workers from Doherty, including workers whose unemployment insurance (UI) wages are paid through Aramark Business Facilities, Plymouth, Minnesota (TA-W-70,124A), who became totally or partially separated from employment on or after May 18, 2008 through September 18, 2011, 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 at Washington, DC this 6th day of June 2011.

**Del Min Amy Chen,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

TA-W-72,673

**Weather Shield Manufacturing, Inc. Corporate Office, Medford, WI; Notice of Amended Negative Determination**

On May 3, 2011, the United States Court of International Trade (USCIT) granted the Department of Labor's request for voluntary remand to complete the administrative record and to file a determination that provides a detailed explanation of its reliance upon the five types of documents inadvertently omitted from the previously filed administrative record in *Former Employees of Weather Shield Manufacturing, Inc. v. United States Secretary of Labor* (Court No. 10-00299).

On July 16, 2009, the Department of Labor (Department) issued a Negative

Determination regarding eligibility to apply for Trade Adjustment Assistance (TAA) applicable to workers and former workers of Weather Shield Manufacturing, Inc., Corporate Office, Medford, Wisconsin (subject facility) covered by TA-W-72,673. Amended Administrative Record (AAR) 64. Workers at the subject facility (subject worker group) supply administrative support services related to the production of doors and windows at various domestic locations of Weather Shield Manufacturing, Inc. AAR 67. The Department's Notice of determination was published in the **Federal Register** on August 2, 2009 (75 FR 45163). AAR 77.

The authority for these issuances is the Trade Act of 1974, as amended by the Trade and Globalization Adjustment Assistance Act of 2009 (Division B, Title I, Subtitle I of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5), hereafter referred to as TGAAA.

As explained in the determination, workers of a firm who filed a petition for TAA under TGAAA may be eligible for worker adjustment assistance, under the statutory criteria in effect at the time this petition was filed, if they satisfy the criteria of subsection (a), (c) or (f) of Section 222 of the Act, 19 U.S.C. 2272(a), (c), (f) (2009).

For the Department to issue a certification for workers under Section 222(a) of the Act, 19 U.S.C. 2272(a) (2009), the following three criteria must be met:

- I. The first criterion (set forth in Section 222(a)(1) of the Act, 19 U.S.C. 2282(a)(1)) requires that a significant number or proportion of the workers in the workers' firm must have become totally or partially separated or be threatened with total or partial separation.
- II. The second criterion (set forth in Section 222(a)(2) of the Act, 19 U.S.C. 2272(a)(2)) may be met in one of two ways:
  - (A) *Increased Imports Path:*
    - (i) Sales or production, or both, at the workers' firm must have decreased absolutely, AND
    - (ii) (I) Imports of articles or services like or directly competitive with articles or services produced or supplied by the workers' firm have increased, OR (II)(aa) Imports of articles like or directly competitive with articles into which the component part produced by the workers' firm was directly incorporated have increased; OR (II)(bb) Imports of articles like or directly competitive with articles which are produced directly using the services supplied by the workers' firm have increased; OR
    - (III) Imports of articles directly incorporating component parts not produced in the U.S. that are like or directly competitive with the article into