

## APPENDIX—TAA—Continued

[Petitions instituted between 12/4/06 and 12/8/06]

TA-W	Subject firm (petitioners)	Location	Date of institution	Date of petition
60565 .....	Briggs and Stratton, P.P.G. (Wkrs) .....	Jefferson, WI .....	12/08/06	11/20/06
60566 .....	E Trade Mortgage Corporation (Wkrs) .....	Coraopolis, PA .....	12/08/06	12/06/06
60567 .....	Accordis Chicago Service Ctr. (Wkrs) .....	Chicago, IL .....	12/08/06	12/04/06

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## DEPARTMENT OF LABOR

## Employment and Training Administration

[TA-W-60,083]

**QPM Aerospace, Inc. Portland, OR; Notice of Negative Determination Regarding Application for Reconsideration**

By application of November 1, 2006, a petitioner representative requested administrative reconsideration of the Department's negative determination regarding eligibility for workers and former workers of the subject firm to apply for Trade Adjustment Assistance (TAA). The denial notice was signed on September 29, 2006 and published in the **Federal Register** on October 16, 2006 (71 FR 60763).

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 TAA petition, which was filed by a State agency representative on behalf of workers at QPM Aerospace, Inc., Portland, Oregon engaged in the production of aircraft precision machine parts, was denied based on the findings that during the relevant time periods, the subject company did not separate or threaten to separate a significant number or proportion of workers, as required by Section 222 of the Trade Act of 1974.

In the request for reconsideration, the petitioner states that there were seven workers laid off from the subject firm during the relevant time period.

For companies with a workforce of over fifty workers, a significant proportion of worker separations or threatened separations is five percent. Significant number or proportion of the workers in a firm or appropriate subdivision with a workforce of fewer than 50 workers is at least three workers. In determining whether there were a significant proportion of workers separated or threatened with separations at the subject company during the relevant time periods, the Department requested employment figures for the subject firm for 2004, 2005, January–August 2005 and January–August 2006. A careful review of the information provided in the initial investigation revealed that there were layoffs at the subject during the relevant time period, however, overall employment has increased during the relevant time period.

A review of the initial investigation also revealed that the subject company sales and production increased from 2004 to 2005, and also increased during January through August of 2006 when compared with the same period in 2005, and that the subject company did not shift production abroad.

As employment levels, sales and production at the subject facility did not decline in the relevant period, and the subject firm did not shift production to a foreign country, criteria (a)(2)(A)(I.A), (a)(2)(B)(II.A), (a)(2)(A)(I.B), and (a)(2)(B)(II.B) have 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 at Washington, DC, this 15th day of December, 2006.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

## Employment and Training Administration

[TA-W-60,572; TA-W-60,572A]

**Senco Products, Inc. Plant 1 and 2; Cincinnati, OH; Notice of Termination of Investigation**

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on December 11, 2006 in response to a petition filed on behalf of workers at Senco Products, Plant 1, Cincinnati, Ohio (TA-W-60,572) and Senco Products, Plant 2, Cincinnati, Ohio (TA-W-60,572A).

The petitioning workers are covered by a certification of eligibility to apply for worker adjustment assistance and alternative trade adjustment assistance issued on December 12, 2006 (TA-W-60,250 and TA-W-60,250A). Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed at Washington, DC, this 12th day of December 2006

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

## Employment and Training Administration

[TA-W-60,056]

**Short Bark Industries, Tellico Plains, TN; Notice of Negative Determination Regarding Application for Reconsideration**

By application of October 20, 2006 a petitioner requested administrative reconsideration of the Department's negative determination regarding eligibility for workers and former workers of the subject firm to apply for Trade Adjustment Assistance (TAA) and Alternative Trade Adjustment Assistance (ATAA). The denial notice was signed on October 3, 2006 and