

Signed in Washington, DC, on this 4th day of March 2011.

**Del Min Amy Chen,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

[FR Doc. 2011-6185 Filed 3-16-11; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-72,355]

#### **Flanders Tool Company, Inc., Flanders, NJ; Notice of Negative Determination on Reconsideration**

On January 4, 2010, the Department of Labor issued a Negative Determination Regarding Eligibility to apply for worker adjustment assistance for the workers and former workers of Flanders Tool Company, Flanders, New Jersey (the subject firm). The Department's Notice was published in the **Federal Register** on February 16, 2010 (75 FR 7039).

By application dated February 12, 2010, the petitioner requested administrative reconsideration of the negative determination regarding workers' eligibility to apply for Trade Adjustment Assistance (TAA) applicable to workers and former workers of the subject firm. At the request of the petitioners, the Department conducted further investigation to determine if the workers meet the eligibility requirements of the Trade Act of 1974, as amended. Workers are engaged in employment related to the production of precision cutting tools and drills.

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 initial negative determination was based on the findings that there was no increase in imports by the workers' firm or customers of articles like or directly competitive with precision cutting tools and drills, or a shift to/ acquisition from a foreign country by the workers' firm in the production of articles like or directly competitive with precision cutting tools and drills, and

that the workers' firm did not produce and supply directly component parts (or services) to a firm that both employed a worker group eligible to apply for TAA and directly used the component parts (or services) in the production of the article or in the supply of the service that was the basis for the TAA certification.

The request for reconsideration stated that the subject firm supplies products to certified customers.

Information obtained during the reconsideration investigation confirmed that the subject firm did not produce and supply directly component parts to a firm that both employed a worker group eligible to apply for TAA and directly used the component parts in the production of the article or in the supply of the service that was the basis for the TAA certification.

While tools and capital equipment are used in the production of an article, they are not component parts.

Information obtained during the reconsideration investigation confirmed that, during the relevant period, the major declining customers of the subject firm did not directly or indirectly import articles like or directly competitive with the precision cutting tools and drills produced by the subject firm.

#### **Conclusion**

After reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of Flanders Tool Company, Flanders, New Jersey.

Signed in Washington, DC, on this 4th day of March 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-72,493]

#### **Ananke, Inc., Providence, RI; Notice of Negative Determination on Reconsideration**

On December 1, 2010, the Department of Labor issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of Ananke, Inc., Rhode Island (subject firm). The Department's Notice was published in the **Federal Register** on December 13, 2010 (75 FR

77664). The workers at the subject firm supplied on-site application packaging services to a financial services firm located in Boston, Massachusetts. Therefore, the worker group includes workers who report to the subject firm but are located in Massachusetts; however, the worker group does not include any on-site leased or temporary workers.

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 initial negative determination was based on the findings that neither the subject firm nor a declining customer imported services like or directly competitive with the application packaging services supplied by the subject workers; that the subject firm did not shift to/acquire from a foreign country the supply of services like or directly competitive with the application packaging services supplied by the subject workers; and that workers of the subject firm are not adversely affected secondary workers.

The request for reconsideration states that "Ananke Inc. performed application packaging services for John Hancock \* \* \* In September 2009, John Hancock replaced \* \* \* Ananke Inc. with \* \* \* Cognizant Technology Solutions (an offshoring/outsourcing company)" and included support documentation.

Information obtained during the reconsideration investigation confirmed that, during the relevant period, neither the subject firm nor a client firm shifted to/acquired from a foreign country the supply of services like or directly competitive with the application packaging services supplied by the workers. Rather, the shift in the supply of services that is alleged by the petitioner is related to services that are neither like nor directly competitive with those supplied by the subject workers.

#### **Conclusion**

After reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of Ananke, Inc., Rhode Island.