

**DEPARTMENT OF LABOR****Employment and Training  
Administration****Notice of Determinations Regarding  
Eligibility To Apply for Worker  
Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974, as amended (19 U.S.C. 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers by (TA-W) number issued during the period of March 18, 2013 through March 22, 2013.

In order for an affirmative determination to be made for workers of a primary firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(a) of the Act must be met.

I. Under Section 222(a)(2)(A), the following must be satisfied:

(1) A significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) the sales or production, or both, of such firm have decreased absolutely; and

(3) One of the following must be satisfied:

(A) Imports of articles or services like or directly competitive with articles produced or services supplied by such firm have increased;

(B) imports of articles like or directly competitive with articles into which one or more component parts produced by such firm are directly incorporated, have increased;

(C) imports of articles directly incorporating one or more component parts produced outside the United States that are like or directly competitive with imports of articles incorporating one or more component parts produced by such firm have increased;

(D) imports of articles like or directly competitive with articles which are produced directly using services supplied by such firm, have increased; and

(4) the increase in imports contributed importantly to such workers' separation or threat of separation and to the decline in the sales or production of such firm; or

II. Section 222(a)(2)(B) all of the following must be satisfied:

(1) A significant number or proportion of the workers in such workers' firm have become totally or partially

separated, or are threatened to become totally or partially separated;

(2) One of the following must be satisfied:

(A) There has been a shift by the workers' firm to a foreign country in the production of articles or supply of services like or directly competitive with those produced/supplied by the workers' firm;

(B) there has been an acquisition from a foreign country by the workers' firm of articles/services that are like or directly competitive with those produced/supplied by the workers' firm; and

(3) the shift/acquisition contributed importantly to the workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected workers in public agencies and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(b) of the Act must be met.

(1) A significant number or proportion of the workers in the public agency have become totally or partially separated, or are threatened to become totally or partially separated;

(2) The public agency has acquired from a foreign country services like or directly competitive with services which are supplied by such agency; and

(3) The acquisition of services contributed importantly to such workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected secondary workers of a firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(c) of the Act must be met.

(1) A significant number or proportion of the workers in the workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) The workers' firm is a Supplier or Downstream Producer to a firm that employed a group of workers who received a certification of eligibility under Section 222(a) of the Act, and such supply or production is related to the article or service that was the basis for such certification; and

(3) Either—

(A) The workers' firm is a supplier and the component parts it supplied to the firm described in paragraph (2) accounted for at least 20 percent of the production or sales of the workers' firm; or

(B) A loss of business by the workers' firm with the firm described in paragraph (2) contributed importantly to the workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected workers in firms identified by the International Trade Commission and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(f) of the Act must be met.

(1) The workers' firm is publicly identified by name by the International Trade Commission as a member of a domestic industry in an investigation resulting in—

(A) An affirmative determination of serious injury or threat thereof under section 202(b)(1);

(B) An affirmative determination of market disruption or threat thereof under section 421(b)(1); or

(C) An affirmative final determination of material injury or threat thereof under section 705(b)(1)(A) or 735(b)(1)(A) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)(1)(A) and 1673d(b)(1)(A));

(2) The petition is filed during the 1-year period beginning on the date on which—

(A) A summary of the report submitted to the President by the International Trade Commission under section 202(f)(1) with respect to the affirmative determination described in paragraph (1)(A) is published in the **Federal Register** under section 202(f)(3); or

(B) Notice of an affirmative determination described in subparagraph (1) is published in the **Federal Register**; and

(3) the workers have become totally or partially separated from the workers' firm within—

(A) The 1-year period described in paragraph (2); or

(B) Notwithstanding section 223(b)(1), the 1-year period preceding the 1-year period described in paragraph (2).

**Affirmative Determinations for Worker  
Adjustment Assistance**

The following certifications have been issued. The date following the company name and location of each determination references the impact date for all workers of such determination.

The following certifications have been issued. The requirements of Section 222(a)(2)(A) (increased imports) of the Trade Act have been met.

TA-W No.	Subject firm	Location	Impact date
82,427 .....	VT Fleece Co., Fleece to Please .....	Hyde Park, VT .....	February 6, 2012.
82,441 .....	OAI Electronics, LLC, Adecco, Resource Manufacturing and Bridge Employment Services.	Tulsa, OK .....	February 8, 2012.

The following certifications have been issued. The requirements of Section 222(a)(2)(B) (shift in production or services) of the Trade Act have been met.

TA-W No.	Subject firm	Location	Impact date
82,124 .....	Brunswick Corporation, Boat Group, Aerotek .....	Knoxville, TN .....	November 1, 2011.
82,271 .....	Nokia Siemens Networks US, LLC, Nokia Siemens Networks, B.V.	Arlington Heights, IL .....	November 18, 2011.
82,355 .....	Triumph Aerostructures, Vought Aircraft Division, Aerostructures Contract Employees, etc.	Dallas, TX .....	January 17, 2012.
82,355A .....	Triumph Aerostructures, Vought Aircraft Division, Aerostructures Contract Employees, etc.	Grand Prairie, TX .....	October 7, 2012.
82,425 .....	IBM Corporation, As Delivery/Communications Sector, 6C Division, ACT 1, Artech, etc.	Southbury, CT .....	February 6, 2012.
82,432 .....	Flextronics America, LLC, fka Solectron, Flextronics International USA, Aerotek Commercial Staffing.	Creedmoor, NC .....	August 6, 2012.
82,439 .....	StatSpin, Inc., d/b/a Iris Sample Processing, Kelly Services and Microtech.	Westwood, MA .....	February 7, 2012.
82,458 .....	REC Silicon, Inc., Express Employment Professionals, REC Solar Grade Silicon LLC.	Moses Lake, WA .....	February 12, 2012.
82,469 .....	Thermo Fisher Scientific—Matrix Technologies, LLC, 22 Friars Drive, Micro Tech.	Hudson, NH .....	January 16, 2012.
82,477 .....	Motorola Mobility, Inc., The Credit Management Department, Google, Inc.	Libertyville, IL .....	February 14, 2012.
82,477A .....	Motorola Mobility, Inc., The Credit Management Department, Google, Inc.	Plantation, FL .....	February 14, 2012.
82,494 .....	United Parcel Service, Inc., Des Moines Billing Site .....	Des Moines, IA .....	March 16, 2013.
82,528 .....	The Nielsen Company (US), LLC, Monitor Plus Systems Control Department, A.C. Nielsen Company LLC.	Shelton, CT .....	February 25, 2012.
82,552 .....	Ficosa North America Corporation, Ficosa International .....	Berne, IN .....	March 11, 2012.
82,567 .....	CyOptics, Inc., Express Employment Professionals and Aerotek.	Breinigsville, PA .....	March 15, 2012.

The following certifications have been issued. The requirements of Section 222(c) (supplier to a firm whose workers are certified eligible to apply for TAA) of the Trade Act have been met.

TA-W No.	Subject firm	Location	Impact date
82,462 .....	Hydratec, Inc. ....	Baltimore, MD .....	February 13, 2012.

The following certifications have been issued. The requirements of Section 222(f) (firms identified by the International Trade Commission) of the Trade Act have been met.

TA-W No.	Subject firm	Location	Impact date
82,484 .....	SolarWorld Industries America, Randstad .....	Hillsboro, OR .....	December 6, 2011.

#### Negative Determinations for Worker Adjustment Assistance

In the following cases, the investigation revealed that the eligibility

criteria for worker adjustment assistance have not been met for the reasons specified.

The investigation revealed that the criteria under paragraphs (a)(2)(A)

(increased imports) and (a)(2)(B) (shift in production or services to a foreign country) of section 222 have not been met.

TA-W No.	Subject firm	Location	Impact date
82,351 .....	Jensen Promotional Items, Inc. ....	Albemarle, NC .....	
82,406 .....	360 Enterprises, Inc., DBA Textlinkbrokers.com, National PEO, LLC.	Mesa, AZ .....	

TA-W No.	Subject firm	Location	Impact date
82,409 .....	Dominion Energy Kewaunee, Inc., Dominion Resources, Inc ..	Kewaunee, WI .....	
82,431 .....	Walterboro Veneer (Plant H1), Shaw Industries, Inc .....	Walterboro, SC .....	

#### Determinations Terminating Investigations of Petitions for Worker Adjustment Assistance

After notice of the petitions was published in the **Federal Register** and on the Department's Web site, as required by Section 221 of the Act (19

U.S.C. 2271), the Department initiated investigations of these petitions. The following determinations terminating investigations were issued in cases where these petitions were not filed in accordance with the requirements of 29 C.F.R. 90.11. Every petition filed by workers must be signed by at least three individuals of the

petitioning worker group. Petitioners separated more than one year prior to the date of the petition cannot be covered under a certification of a petition under Section 223(b), and therefore, may not be part of a petitioning worker group. For one or more of these reasons, these petitions were deemed invalid.

TA-W No.	Subject firm	Location	Impact date
82,430 .....	Genuent IT Fluency, Also known as Genuent, Segula Technologies.	Webster, NY .....	

The following determinations terminating investigations were issued because the petitioning groups of

workers are covered by active certifications. Consequently, further investigation in these cases would serve

no purpose since the petitioning group of workers cannot be covered by more than one certification at a time.

TA-W No.	Subject firm	Location	Impact date
82,460 .....	Recycling and Treatment Technologies of Baltimore, LLC, Magnus International Group, Steel Sparrows Point LLC.	Sparrows Point, MD .....	

I hereby certify that the aforementioned determinations were issued during the period of March 18, 2013 through March 22, 2013. These determinations are available on the Department's Web site [tradeact/taa/taa\\_search\\_form.cfm](http://tradeact/taa/taa_search_form.cfm) under the searchable listing of determinations or by calling the Office of Trade Adjustment Assistance toll free at 888-365-6822.

Dated: March 26, 2013.

**Elliott S. Kushner,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

[FR Doc. 2013-08136 Filed 4-8-13; 8:45 am]

**BILLING CODE 4510-FN-P**

#### DEPARTMENT OF LABOR

##### Employment and Training Administration

##### Investigations Regarding Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221 (a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to Section 221 (a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than April 19, 2013.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than April 19, 2013.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, Room N-5428, 200 Constitution Avenue NW., Washington, DC 20210.

Signed at Washington, DC this 27th day of March 2013.

**Michael W. Jaffe,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

#### APPENDIX

[23 TAA petitions instituted between 3/18/13 and 3/22/13]

TA-W	Subject firm (petitioners)	Location	Date of institution	Date of petition
82566 .....	Eastman/Solutia (Union) .....	Springfield, MA .....	03/18/13	03/15/13
82567 .....	CyOptics, Inc. (Company) .....	Breinigsville, PA .....	03/18/13	03/15/13