

Worker Adjustment Assistance and Alternative Trade Adjustment Assistance on June 20, 2008, applicable to workers of Valspar-Furniture Sales Group & International Color Design Center, a subsidiary of Valspar Global Wood Coatings, d/b/a/ Engineered Polymer Solutions, High Point, North Carolina. The notice was published in the **Federal Register** on July 14, 2008 (73 FR 40388). The certification was amended on October 21, 2008 to include an employee of the subject firm and location working out of Lafayette, Indiana. The notice was published in the **Federal Register** on November 3, 2008 (73 FR 65406).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The workers are engaged in the production of wood coatings (paints, lacquers, and stains).

New information shows that worker separations have occurred involving employees (Mr. Michael Cline, Mr. Mark Arrington and Mr. William B. Hampton) working on-site at American of Martinsville, Martinsville, Virginia, a customer of the subject firm. These workers are in support of and under the control of the High Point, North Carolina location of Valspar-Furniture Sales Group & International Color Design Center, a subsidiary of Valspar Global Wood Coatings, d/b/a/ Engineered Polymer Solutions.

Based on these findings, the Department is amending this certification to include employees in support of the High Point, North Carolina facility of the subject firm working on-site at American of Martinsville, Martinsville, Virginia.

The intent of the Department's certification is to include all workers of Valspar-Furniture Sales Group & International Color Design Center, a subsidiary of Valspar Global Wood Coatings, d/b/a Engineered Polymer Solutions, High Point, North Carolina who qualify as secondarily affected by increased imports of wood coatings (paints, lacquers, and stains).

The amended notice applicable to TA-W-63,139 is hereby issued as follows:

All workers of Valspar-Furniture Sales Group & International Color Design Center, a subsidiary of Valspar Global Wood Coatings, High Point, North Carolina, (TA-W-63,139), including employees in support of Valspar-Furniture Sales Group & International Color Design Center, a subsidiary of Valspar Global Wood Coatings, High Point, North Carolina working on-site at American of Martinsville, Martinsville, Virginia (TA-W-63,139E), who became totally or partially separated from employment on or after May 6, 2007, through June 20, 2010, are eligible to apply for adjustment assistance under Section 223 of

the Trade Act of 1974, and are also eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974.

Signed at Washington, DC this 14th day of November 2008.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade 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 (TA-W) number and alternative trade adjustment assistance (ATAA) by (TA-W) number issued during the period of *November 3 through November 7, 2008*.

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. Section (a)(2)(A) all of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

B. The sales or production, or both, of such firm or subdivision have decreased absolutely; and

C. Increased imports of articles like or directly competitive with articles produced by such firm or subdivision have contributed importantly to such workers' separation or threat of separation and to the decline in sales or production of such firm or subdivision; or

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

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

B. There has been a shift in production by such workers' firm or

subdivision to a foreign country of articles like or directly competitive with articles which are produced by such firm or subdivision; and

C. One of the following must be satisfied:

1. The country to which the workers' firm has shifted production of the articles is a party to a free trade agreement with the United States;

2. The country to which the workers' firm has shifted production of the articles to a beneficiary country under the Andean Trade Preference Act, African Growth and Opportunity Act, or the Caribbean Basin Economic Recovery Act; or

3. There has been or is likely to be an increase in imports of articles that are like or directly competitive with articles which are or were produced by such firm or subdivision.

Also, in order for an affirmative determination to be made for secondarily affected 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(b) of the Act must be met.

(1) Significant number or proportion of the workers in the workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) The workers' firm (or subdivision) is a supplier or downstream producer to a firm (or subdivision) that employed a group of workers who received a certification of eligibility to apply for trade adjustment assistance benefits and such supply or production is related to the article that was the basis for such certification; and

(3) Either—

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

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

In order for the Division of Trade Adjustment Assistance to issue a certification of eligibility to apply for Alternative Trade Adjustment Assistance (ATAA) for older workers, the group eligibility requirements of Section 246(a)(3)(A)(ii) of the Trade Act must be met.

1. Whether a significant number of workers in the workers' firm are 50 years of age or older.

2. Whether the workers in the workers' firm possess skills that are not easily transferable.

3. The competitive conditions within the workers' industry (i.e., conditions within the industry are adverse).

#### **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.  
*NONE*

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

*TA-W-64,115; Alcoa, Inc., Payroll Operations, Pittsburgh, PA: September 19, 2007.*

The following certifications have been issued. The requirements of section 222(b) (supplier to a firm whose workers are certified eligible to apply for TAA) of the Trade Act have been met.  
*NONE*

The following certifications have been issued. The requirements of section 222(b) (downstream producer for a firm whose workers are certified eligible to apply for TAA based on increased imports from or a shift in production to Mexico or Canada) of the Trade Act have been met.  
*NONE*

#### **Affirmative Determinations for Worker Adjustment Assistance and Alternative Trade 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) and Section 246(a)(3)(A)(ii) of the Trade Act have been met.

*TA-W-64,096; Hickory Hardware, Caster Assembly, Including Accountemps, Adecon, Kelly, etc, Nashville, TN: September 22, 2007.*  
*TA-W-64,241; The Baxter Corporation, Franklin Lakes, NJ: October 16, 2007.*

*TA-W-63,852; J. J. Digh Machine Co., Inc., Dallas, NC: August 11, 2007.*  
*TA-W-63,932; Irving Forest Products, Pinkham Sawmill, Fort Kent, ME: August 21, 2007.*

*TA-W-63,961; Saginaw Machine Systems, Inc., Think Resources and Aerotech, Saginaw, MI: August 27, 2007.*

*TA-W-64,070; Perfection Mold and Machine Company, Akron, OH: September 16, 2007.*

*TA-W-64,106; Wabash Magnetics, South Boston, VA: September 23, 2007.*

*TA-W-64,259; Kimro Manufacturing, Inc., Apparel Div., Trezevant, TN: October 17, 2007.*

*TA-W-64,193; A. Wimpfheimer & Bro., Inc., d/b/a/ American Velvet Co, Stonington, CT: October 8, 2007.*

*TA-W-64,355; VEM Trading, Inc., New York, NY: November 3, 2007.*

The following certifications have been issued. The requirements of Section 222(a)(2)(B) (shift in production) and Section 246(a)(3)(A)(ii) of the Trade Act have been met.

*TA-W-63,943; Dana Holding Corporation, Sealing Products Group, Paris, TN: August 27, 2007.*

*TA-W-64,012; Metropolitan Furniture Corporation, A Subsidiary of Steelcase, Oakland, CA: September 9, 2007.*

*TA-W-64,122; Imation Corporation, Camarillo, CA: September 19, 2007.*

*TA-W-64,144; B & S Hosiery, Sylvania, AL: September 29, 2007.*

*TA-W-64,202; Barco, Inc., Presentation and Simulation Division, Xenia, OH: October 9, 2007.*

*TA-W-64,284; Morse Automotive, Chicago, IL: October 22, 2007.*

*TA-W-64,296; Johnson Controls Interiors Manufacturing, Johnson Controls, Crosswell, MI: October 27, 2007.*

*TA-W-64,030; Fairchild Semiconductor, Wafer Fab Operations, South Portland, ME: September 10, 2007.*

*TA-W-64,117; Clariant Corporation, Pigments & Additives Division, Coventry, RI: November 25, 2008.*

*TA-W-64,223; Super Brands LLC, Henderson, NV: October 14, 2007.*

*TA-W-64,290; Hoya Lens of America, Inc, Maria Nugent and Viking Resource Group, Bethel, CT: October 27, 2007.*

The following certifications have been issued. The requirements of section 222(b) (supplier to a firm whose workers are certified eligible to apply for TAA) and section 246(a)(3)(A)(ii) of the Trade Act have been met.

*TA-W-63,859; Henkel Corporation, Olean, NY: July 15, 2007.*

*NONE*  
The following certifications have been issued. The requirements of section 222(b) (downstream producer for a firm

whose workers are certified eligible to apply for TAA based on increased imports from or a shift in production to Mexico or Canada) and section 246(a)(3)(A)(ii) of the Trade Act have been met.

*NONE*

#### **Negative Determinations for Alternative Trade Adjustment Assistance**

In the following cases, it has been determined that the requirements of 246(a)(3)(A)(ii) have not been met for the reasons specified.

The Department has determined that criterion (1) of Section 246 has not been met. The firm does not have a significant number of workers 50 years of age or older.

*TA-W-64,115; Alcoa, Inc., Payroll Operations, Pittsburgh, PA.*

The Department has determined that criterion (2) of section 246 has not been met. Workers at the firm possess skills that are easily transferable.

*NONE*

The Department has determined that criterion (3) of section 246 has not been met. Competition conditions within the workers' industry are not adverse.

*NONE*

#### **Negative Determinations for Worker Adjustment Assistance and Alternative Trade 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.

Because the workers of the firm are not eligible to apply for TAA, the workers cannot be certified eligible for ATAA.

The investigation revealed that criteria (a)(2)(A)(I.A.) and (a)(2)(B)(II.A.) (employment decline) have not been met.

*NONE*

The investigation revealed that criteria (a)(2)(A)(I.B.) (Sales or production, or both, did not decline) and (a)(2)(B)(II.B.) (shift in production to a foreign country) have not been met.

*TA-W-64,260; P.H. Glatfelter Co., d/b/a Glatfelter Ohio Operation, Chillicothe, OH.*

The investigation revealed that criteria (a)(2)(A)(I.C.) (increased imports) and (a)(2)(B)(II.B.) (shift in production to a foreign country) have not been met.

*TA-W-63,812; Progressive Molded Products, Inc., St. Joseph, MO.*

*TA-W-63,976; Stauble Machine and Tool Co., Louisville, KY.*

*TA-W-64,094; ASMO North Carolina, Inc., Statesville, NC.*

The workers' firm does not produce an article as required for certification under Section 222 of the Trade Act of 1974.

TA-W-64,055; GMGO, Division of The Gorman Group, Shreveport, LA.

TA-W-64,128; EBI Holdings, LLC, d/b/a Biomet Spine, Trauma, Osteobiologics, Parsippany, NJ.

The investigation revealed that criteria of Section 222(b)(2) has not been met. The workers' firm (or subdivision) is not a supplier to or a downstream producer for a firm whose workers were certified eligible to apply for TAA. NONE

I hereby certify that the aforementioned determinations were issued during the period of November 3 through November 7, 2008. Copies of these determinations are available for inspection in Room C-5311, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210 during normal business hours or will be mailed to persons who write to the above address.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade 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 Division 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, Division of Trade Adjustment Assistance, at the address shown below, not later than December 5, 2008.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Division of Trade Adjustment Assistance, at the address shown below, not later than December 5, 2008.

The petitions filed in this case are available for inspection at the Office of the Director, Division of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, Room C-5311, 200 Constitution Avenue, NW., Washington, DC 20210.

Signed at Washington, DC, this 12th day of November 2008.

**Erin Fitzgerald,**

*Director, Division of Trade Adjustment Assistance.*

#### Appendix

#### TAA PETITIONS INSTITUTED BETWEEN 10/27/08 AND 10/31/08

TA-W	Subject firm (petitioners)	Location	Date of institution	Date of petition
64279	Tekni-Plex, Inc. dba Dolco Packaging (Comp)	Troy, OH	10/27/08	10/24/08
64280	Phoenix Leather, Inc. (State)	Brockton, MA	10/27/08	10/01/08
64281	International Paper (State)	Warren, MI	10/27/08	10/27/08
64282	Allied Systems (Union)	Moraine, OH	10/27/08	10/15/08
64283	STEC, Inc. (Comp)	Santa Ana, CA	10/27/08	10/22/08
64284	Morse Automotive (Wkrs)	Chicago, IL	10/27/08	10/22/08
64285	ITT Corporation—Interconnect Solutions and Flow Control (Comp).	Santa Ana, CA	10/27/08	10/24/08
64286	MTD Acquisition, Inc. (Comp)	Chisholm, MN	10/27/08	10/24/08
64287	Logistics Services (UAW)	Fenton, MO	10/27/08	10/23/08
64288	Wabash Magnetics/Rurz Rasch (Wkrs)	Wabash, IN	10/27/08	10/24/08
64289	Hendricks Furniture Group LLC (Comp)	Conover, NC	10/28/08	10/13/08
64290	Hoya Lens of America, Inc. (State)	Bethel, CT	10/28/08	10/27/08
64291	Rosti (State)	Shreveport, LA	10/28/08	10/27/08
64292	PHB, Inc. (USW)	Fairview, PA	10/28/08	10/27/08
64293	Statton Furniture Manufacturing Company, Inc. (Comp)	Hagerstown, MD	10/28/08	10/27/08
64294	Global Tech Building Services Corporation (Wkrs)	Eugene, OR	10/28/08	10/27/08
64295	Coupled Products, LLC (UAW)	Upper Sandusky, OH	10/28/08	10/23/08
64296	Johnson Controls Interiors Manufacturing (Comp)	Croswell, MI	10/28/08	10/27/08
64297	Hewlett-Packard, Graphic Solutions Business (Comp)	Minnertonka, MN	10/28/08	10/22/08
64298	Steel Technologies (Wkrs)	Flint, MI	10/28/08	10/27/08
64299	Hofmann Industries (USW)	Sinking Spring, PA	10/29/08	10/27/08
64300	US Marine Bayliner (State)	Pipestone, MN	10/29/08	10/28/08
64301	Window Fashions, Inc. (Comp)	National Heights, PA	10/29/08	10/22/08
64302	International Paper, Cincinnati Division (USW)	Mason, OH	10/29/08	10/23/08
64303	ITG Automotive Safety (Wkrs)	South Hill, VA	10/29/08	10/22/08
64304	American Die Corporation (Comp)	Chesterfield, MI	10/30/08	10/10/08
64305	Summit Polymers, Inc. (Comp)	Shelbyville, TN	10/30/08	10/29/08
64306	Ainsworth Engineered (State)	Bemidji, MN	10/30/08	10/29/08
64307	Wallace Technologies/King Controls (State)	Bloomington, MN	10/30/08	10/29/08
64308	DLJ Production (Wkrs)	Brooklyn, NY	10/30/08	10/27/08
64309	General Motors (UAW)	Janesville, WI	10/30/08	10/29/08
64310	Dana Corp (State)	Longview, TX	10/30/08	10/29/08
64311	Chrysler Corp (UAW)	Toledo, OH	10/30/08	10/29/08
64312	Acme-McCrary Corp (Comp)	Asheboro, NC	10/30/08	10/29/08
64313	GE Consumer and Industrial Luclox Plant (Comp)	Willoughby, OH	10/31/08	10/29/08