

## APPENDIX—Continued

[TAA petitions instituted between 3/30/09 and 4/3/09]

TA-W	Subject firm (petitioners)	Location	Date of institution	Date of petition
65724	Ryerson, Inc. (Wkrs)	Portland, OR	04/01/09	03/26/09
65725	Roseburg Forest Products, EWP (Union)	Riddle, OR	04/01/09	03/27/09
65726	Caterpillar (Wkrs)	Aurora, IL	04/01/09	03/17/09
65727	Tesco Tech (Comp)	Auburn Hills, MI	04/01/09	03/31/09
65728	NCI Group, Inc. (ILWU)	Lockeford, CA	04/01/09	03/31/09
65729	Niagara Cutter, Inc. (Wkrs)	Reynoldsville, PA	04/01/09	03/31/09
65730	Bridgestone APM Plant 1 (Wkrs)	Carey, OH	04/01/09	03/30/09
65731	Maverick Tube LLC (Comp)	Counce, TN	04/02/09	02/18/09
65732	Essilor Laboratories of America (Comp)	St. Petersburg, FL	04/02/09	04/01/09
65733	Wausau Paper Specialty Products, LLC (State)	Jay, ME	04/02/09	04/01/09
65734	Meridian Automotive Systems—Plant #5 (Comp)	Grand Rapids, MI	04/02/09	03/20/09
65735	Johnson Controls, Inc. (State)	Holland, MI	04/02/09	03/01/09
65736	Idex Solutions (State)	Portland, OR	04/02/09	04/01/09
65737	Compute Science Corporation (Wkrs)	Caledonia, MI	04/02/09	03/25/09
65738	Weyerhaeuser Longview Lumber (IAMAW)	Longview, WA	04/02/09	03/17/09
65739	Eos Airlines Incorporated (Wkrs)	Purchase, NY	04/02/09	03/30/09
65740	Best Shingle Sales, Inc. (Wkrs)	Hoquiam, WA	04/03/09	04/03/09
65741	3M Company (Comp)	Columbia, MO	04/03/09	04/02/09
65742	Koppy Corporation (State)	Orion, MI	04/03/09	03/04/09
65743	Lionbridge US, Inc (State)	Waltham, MA	04/03/09	03/27/09
65744	Marin Independent Journal (Comp)	Novato, CA	04/03/09	03/31/09
65745	Delphi (Union)	Flint, MI	04/03/09	04/03/09
65746	Plum Creek Northwest Plywood, Inc. (Comp)	Kalispell, MT	04/03/09	04/02/09
65747	Parker Hannifin/Nichols Portland Div. (Wkrs)	Portland, ME	04/03/09	03/30/09
65748	Elkay Manufacturing Company (Comp)	Oak Brook, IL	04/03/09	04/02/09

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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 *April 6 through April 10, 2009*.

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.

*None*

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-64,889; Columbia Machine, Inc., Vancouver, WA: January 12, 2008.*

*TA-W-65,142; Nyloncraft of Michigan, Jonesville, MI: January 29, 2008.*

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-65,127; MWV Calmar, Addeco, Washington Courthouse, OH: February 2, 2008.*

*TA-W-65,234; Kaz, Inc., Talent Force, Memphis, TN: February 11, 2009.*

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-65,323; Woodbridge Corporation, Brodhead, WI: February 16, 2008.*

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.

*None*

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.

*TA-W-64,992; AK Steel Corporation, Butter Works Division, Butler, PA.*

*TA-W-65,014; Ralphs Frame Works, Inc., High Point, NC.*

*TA-W-65,265; Advanced Energy Industries, Inc.—Austin, Austin, TX.*

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.

*None*

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-64,271; Knight Celotex, LLC, A Subsidiary of Knight Industries, LLC, Lisbon Falls, ME.*

*TA-W-64,906; Fabric Trends International, LLC, West Hartford, CT.*

*TA-W-64,994; Clear Lake Lumber, Inc., Spartansburg, PA.*

*TA-W-65,050; Ball Corporation, Kansas City, MO.*

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

*TA-W-65,000; ConMed Electrosurgery, El Paso, TX.*

*TA-W-65,035; Align Technology, Inc., Santa Clara, CA.*

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 April 6 through April 10, 2009. Copies of these determinations are available for inspection in Room N-5428, 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.

Dated: April 15, 2009.

**Linda G. Poole,**  
Certifying Officer, Division of Trade Adjustment Assistance.

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