

Signed at Washington, DC this 17th day of September 2009.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E9-25786 Filed 10-26-09; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-70,631]

Electronic Data Systems, an HP Company, Plano, TX; Notice of Negative Determination Regarding Application for Reconsideration

By application postmarked September 14, 2009, a petitioner requested administrative reconsideration of the Department's negative determination regarding eligibility to apply for Trade Adjustment Assistance (TAA), applicable to workers and former workers of the subject firm. The denial notice was signed on September 2, 2009 and will soon be published in the **Federal Register**.

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 negative TAA determination issued by the Department for workers of Electronic Data Systems, an HP Company, Plano, Texas was based on the finding that the subject firm 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.

The petitioner stated that he was separated from the employment during May 2009 at which time his position was shifted to Brazil.

When assessing eligibility for TAA, the Department determines whether each required criterion is met. In order for the criteria (a)(2)(A)(i) and 222(c)(1) to be met, the Department exclusively considers the relevant employment data (for one year prior to the date of the petition and any imminent layoffs) for the facility where the petitioning worker group was employed.

In case at hand, the investigation revealed that employment levels at Electronic Data Systems, an HP Company, Plano, Texas declined by two during the relevant period and there was no threat of separations. Significant number or proportion of the workers in a firm or appropriate subdivision means at least three workers in a workforce of fewer than 50 workers, five percent of the workers in a workforce of over 50 workers, or at least 50 workers. Therefore, criterion I of Section 222(a) and criterion (1) of Section 222(c) of the Act were not met.

The petitioner also alleged that there was a shift in services provided by the workers of the subject firm to Brazil.

The allegation of the shift in services to Brazil would have been relevant if it was determined that all other criteria have been met. However, it was revealed that there was no significant employment decline at the subject facility during the relevant period.

Should conditions change in the future, the petitioner is encouraged to file a new petition on behalf of the worker group which will encompass an investigative period that will include these changing conditions.

The petitioner did not supply facts not previously considered; nor provide additional documentation indicating that there was either (1) a mistake in the determination of facts not previously considered or (2) a misinterpretation of facts or of the law justifying reconsideration of the initial determination.

After careful review of the request for reconsideration, the Department determines that 29 CFR 90.18(c) has 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 in Washington, DC, this 15th day of October 2009.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E9-25789 Filed 10-26-09; 8:45 am]

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LEGAL SERVICES CORPORATION

Sunshine Act Meeting of the Board of Directors and the Board's Six Committees; Notice

DATE AND TIME: The Legal Services Corporation Board of Directors and the Board's six Committees will meet on October 30-31, 2009 in the order set forth in the following schedule. The first meeting scheduled for October 30, will commence at 2 p.m. Eastern Time. Each meeting thereafter will commence promptly upon adjournment of the immediately preceding meeting, except that meetings of the Provisions and Audit Committees will run concurrently and the meeting of the Search Committee will commence at 4:30 p.m. and for a period of time run concurrently with the meeting of the Operations and Regulations Committee. The first meeting scheduled for October 31, will commence at 8:30 a.m., and each meeting thereafter will commence promptly upon adjournment of the immediately preceding meeting.

LOCATION: Particular attention should be given to the fact that the location of the meetings on Friday, October 30th is different from the location of meetings on Saturday, October 31st as follows:

Friday, October 30, 2009

Rutgers School of Law—Camden, 217 North Fifth Street, Camden, New Jersey 08102.

Saturday, October 31, 2009

Crown Plaza Philadelphia-Center City, 1800 Market Street, Philadelphia, PA 19103.

PUBLIC OBSERVATION: Three committee meetings will be open in their entirety to public observation, but portions of three other committee meetings and a portion of the full board meeting will not be open to the public. For all meetings and portions thereof open to public observation, members of the public who are unable to attend but wish to listen to the proceedings may do so by the following the telephone call-in directions given below. You are asked to keep your telephone muted to eliminate background noises. From time to time, comments from the public may be solicited by the presiding Chairman.

Call-in Directions for Open Session

Friday, October 30, 2009

- Call toll-free number: 1-800-247-9979;
- When prompted, enter the following numeric pass code: 34833626;
- When connected to the call, please "MUTE" your telephone immediately.