

**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
74,819 .....	Analog Devices, Inc., Corporate Headquarters .....	Norwood, MA	
74,935 .....	Husqvarna Turf Care, Husqvarna A.B. ....	Beatrice, NE	
74,966 .....	Jerr-Dan Corporation, An Oshkosh Corporation, Fire and Emergency Division	Greencastle, PA	
75,011 .....	AJW Merchants, Inc. (AJW), TJX Companies, Leased Workers from Advanced Career Services.	Fall River, MA	
75,159 .....	BAE Systems, Land and Armaments, U.S. Combat Systems, Leased Workers of Spherion.	Lemont Furnace, PA	
75,248 .....	All Clad Metalcrafters, LLC, Groupe SEB, Warehouse Division .....	Canonsburg, PA	
75,273 .....	Harsco Rail .....	Fairmont, MN	

**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determinations terminating investigations were issued because the petitioner has requested that the petition be withdrawn.

TA-W No.	Subject firm	Location	Impact date
75,088 .....	Rieck Mechanical .....	Dayton, OH	

I hereby certify that the aforementioned determinations were issued during the period of March 21, 2011 through March 25, 2011. Copies of these determinations may be requested under the Freedom of Information Act. Requests may be submitted by fax, courier services, or mail to FOIA Disclosure Officer, Office of Trade Adjustment Assistance (ETA), U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210 or [tofoiarequest@dol.gov](mailto:tofoiarequest@dol.gov). These determinations also are available on the Department's Web site at <http://www.doleta.gov/tradeact> under the searchable listing of determinations.

Dated: April 1, 2011.

**Michael W. Jaffe,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

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**DEPARTMENT OF LABOR**

**Employment and Training Administration**

**Notice of Revised Determination on Reconsideration**

In the matter of: TA-W-74,347; NCR Corporation, United States Postal Service Help Desk, Customer Care Center, Including On-Site Leased Workers of Volt Consulting; West Columbia, South Carolina and TA-W-74,347A; NCR Corporation Call Center, Including On-Site Leased Workers of Volt

Consulting; West Columbia, South Carolina; Notice of Revised Determination on Reconsideration.

On October 7, 2010, the Department issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of NCR Corporation, Customer Care Center, United States Postal Service Help Desk, West Columbia, South Carolina. The Department's Notice was published in the **Federal Register** on October 25, 2010 (75 FR 65515).

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 initial negative determination was based on the findings that the worker separations, or threat of separation, were not due to either a shift in the supply of support service abroad by NCR Corporation, Customer Care Center, United States Postal Service Help Desk, or increased imports of services like or directly competitive with those supplied at NCR

Corporation, Customer Care Center, United States Postal Service Help Desk, West Columbia, South Carolina. The initial investigation also revealed that NCR Corporation, Customer Care Center, United States Postal Service Help Desk, West Columbia, South Carolina, did not supply a service to a firm that employed a worker group eligible to apply for Trade Adjustment Assistance (TAA).

A careful review of previously-submitted information confirmed that workers at NCR Corporation are separately identifiable by service supplied. As such, the Department determines that there are two worker groups at the West Columbia, South Carolina facility: the United States Postal Service (USPS) Help Desk within the Customer Care Center (TA-W-74,347) and the NCR Corporation's Call Center (TA-W-74,347A).

Therefore, for purposes of the Trade Act of 1974, as amended, the subject worker group of TA-W-74,347 consists of workers and former workers of USPS Help Desk who are engaged in employment related to the supply of technical support services for the USPS. This worker group excludes workers not assigned to the Customer Care Center and workers within the Customer Care Center who are assigned to other Help Desks. This worker group includes on-site leased workers of Volt Consulting.

Moreover, the subject worker group of TA-W-74,347A consists of workers and former workers of the Call Center who

are engaged in employment related to the supply of technical support services. This worker group excludes workers not assigned to the Call Center located in West Columbia, South Carolina. This worker group includes on-site leased workers of Volt Consulting.

Information obtained during the reconsideration investigation confirmed that, during the relevant period, NCR Corporation did not shift to a foreign country the supply of services like or directly competitive with the services supplied by the USPS Help Desk, nor has there been an acquisition from a foreign country by NCR Corporation of services like or directly competitive with those supplied by the USPS Help Desk. Rather, the services which were supplied by the workers at USPS Help Desk in West Columbia, South Carolina are being performed at other NCR Corporation facilities within the United States, per the client. Therefore, the Department determines that workers and former workers of NCR Corporation, Customer Care Center, United States Postal Service Help Desk, West Columbia, South Carolina have not met the eligibility criteria for TAA.

Information obtained during the initial investigation revealed that a significant number of workers at NCR Corporation, Call Center, West Columbia, South Carolina have been totally or partially separated, or are threatened with such separation; that NCR Corporation has shifted to a foreign country the supply of services like or directly competitive with the services supplied by the Call Center; and that the shift to India has contributed importantly to worker separations (total or partial), or threat of such separations, at NCR Corporation, Call Center, West Columbia, South Carolina. Therefore, the Department determines that workers and former workers of NCR Corporation, Call Center, West Columbia, South Carolina have met the eligibility criteria for TAA.

#### Conclusion

After careful review of the additional facts obtained during the reconsideration investigation, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of NCR Corporation, Customer Care Center, United States Postal Service Help Desk, West Columbia, South Carolina (TA-W-74,347) and determine that workers and former workers of NCR Corporation, Call Center, West Columbia, South Carolina (TA-W-74,347A), meet the worker group certification criteria under Section 222(a) of the Act, 19 U.S.C.

2272(a). In accordance with Section 223 of the Act, 19 U.S.C. 2273, I make the following certification:

“All workers of NCR Corporation, Call Center, including on-site leased workers of Volt Consulting, West Columbia, South Carolina (TA-W-74,347A), who became totally or partially separated from employment on or after June 18, 2009, through two years from the date of this revised certification, and all workers in the group threatened with total or partial separation from employment on date of certification through two years from the date of certification, are eligible to apply for adjustment assistance under Chapter 2 of Title II of the Trade Act of 1974, as amended.”

Signed in Washington, DC, this 1st day of April, 2011.

**Del Min Amy Chen,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Notice of Revised Determination on Reconsideration

TA-W-74,551

Vaughan Furniture Company, Inc.,  
Vaughan Administrative Building,  
816 Glendale Road, Galax, Virginia

TA-W-74,551A

Vaughan Furniture Company, Inc.,  
B.C. Vaughan Factory/Chestnut  
Creek Veneer Building, 255  
Creekview Drive, Galax, Virginia

TA-W-74,551B

Vaughan Furniture Company, Inc.,  
T.G. Vaughan Distribution Center,  
100 T.G. Vaughan, Jr. Road, Galax,  
Virginia

On December 3, 2010, the Department of Labor issued an Affirmative Determination Regarding Application for Reconsideration for workers of Vaughn Furniture Company, Inc., 816 Glendale Road, Galax, Virginia. The Department's Notice was published in the **Federal Register** on December 13, 2010 (75 FR 77664). The subject workers supplied services in support of furniture production.

The workers at Vaughan Administrative Building (TA-W-74,551) supply support services to B.C. Vaughan Factory/Chestnut Creek Veneer Building (TA-W-74,551A) and T.G. Vaughan Distribution Center (TA-W-74,551B). The workers at all three locations are engaged in employment related to the production of furniture.

Workers at the 255 Creekview Drive facility who were separated on/after

October 3, 2006 through October 12, 2009 are eligible to apply for Trade Adjustment Assistance and Alternative Trade Adjustment Assistance under TA-W-62,250 (Vaughan Furniture Company, Inc., 255 Creekview Drive, Galax, Virginia).

The investigation revealed that the three aforementioned worker groups of Vaughan Furniture Company, Inc., Galax, Virginia, have met the criteria for certification.

More than five percent of workers at each of the Galax, Virginia facilities have been totally or partially separated, or threatened with such separation.

Vaughan Furniture Company, Inc. had shifted to a foreign country the production of articles like or directly competitive with furniture produced by the subject firm in Galax, Virginia.

The shift of production contributed importantly to the separations within the three aforementioned worker groups of Vaughan Furniture Company, Inc., Galax, Virginia.

#### Conclusion

After careful review of the facts obtained in the reconsideration investigation, I determine that the three aforementioned worker groups of Vaughan Furniture Company, Inc., Galax, Virginia, meet the worker group certification criteria under Section 222(a) of the Act, 19 U.S.C. 2272(a). In accordance with Section 223 of the Act, 19 U.S.C. 2273, I make the following certification:

“All workers of Vaughn Furniture Company, Inc., Vaughan Administrative Building, 816 Glendale Road, Galax, Virginia (TA-W-74,551) and Vaughn Furniture Company, Inc., T.G. Vaughan Distribution Center, 100 T.G. Vaughan, Jr. Road, Galax, Virginia (TA-W-74,551B) who became totally or partially separated from employment on or after August 17, 2009, through two years from the date of certification, and all workers in the group threatened with total or partial separation from employment on date of certification through two years from the date of certification, are eligible to apply for adjustment assistance under Chapter 2 of Title II of the Trade Act of 1974, as amended; and all workers of Vaughn Furniture Company, Inc., B.C. Vaughan Factory/Chestnut Creek Veneer Building, Galax, Virginia (TA-W-74,551A), who became totally or partially separated from employment on or after October 13, 2009, through two years from the date of certification, and all workers in the group threatened with total or partial separation from employment on date of certification through two years from the date of certification, are eligible to apply for adjustment assistance under Chapter 2 of Title II of the Trade Act of 1974, as amended.”