

Power Business Unit, Power Solutions Division, including on-site leased workers from Volt Workforces Solutions and Resource Tek, LaVergne, Tennessee, who became totally or partially separated from employment on or after February 13, 2010, through February 7, 2014, 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 at Washington, DC, this 16th day of November, 2012.

**Elliott S. Kushner,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

[FR Doc. 2013-00104 Filed 1-7-13; 8:45 am]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-80,405]

**Schweizer Aircraft Corporation, a Subsidiary of Sikorsky Aircraft Corporation, a Division of United Technologies, Inc., DBA Sikorsky Military Completion Center, Including On-Site Leased Workers From Adecco, Aerotek, Inc., Aquinas Consulting & Staffing Solutions, Belcan Engineering Group, Butler America, LLC., Cameron Mfg. and Design, Inc., Express Employment Professionals, Kelly Engineering, Kelly Services, Inc., New Era Recruiting, Normatec Consultings, Inc., RCM Technologies, Morris Protective Service, Inc., Pinkerton Government Services, Temco Service, Inc., and Wesco Distribution, Inc. and Including Dr. Marc Immerman and Mr. Dominic Insogna Horseheads, New York; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974, as amended (“Act”), 19 U.S.C. 2273, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on December 28, 2011, applicable to workers and former workers of Schweizer Aircraft Corporation, a subsidiary of Sikorsky Aircraft Corporation, a division of United Technologies, Inc., dba Sikorsky Military Completion Center, including on-site leased workers from Adecco, Aerotek, Inc., Aquinas Consulting & Staffing Solutions, Belcan Engineering Group, Butler America, LLC., Cameron Mfg. and Design, Inc., Express Employment Professionals, Kelly

Engineering, Kelly Services, Inc., New ERA Recruiting, Normatec Consultants, Inc., and RCM Technologies, Horseheads, New York.

Workers of Schweizer Aircraft Corporation, a subsidiary of Sikorsky Aircraft Corporation, a division of United Technologies, Inc., Horseheads, New York (Schweizer) are engaged in activities related to the production of helicopters and surveillance aircraft. The Department’s Notice of determination was published in the **Federal Register** on January 12, 2012 (77 FR 1951).

At the request of State of New York, the Department reviewed the certification for workers of Schweizer. New information from the subject firm shows that workers leased from Morris Protective Service, Inc., Pinkerton Government Services, Temco Service, Inc., and Wesco Distribution, Inc., and two individuals were employed on-site at Schweizer. The Department has determined that these workers were sufficiently under the control of the Horsehead, New York location to be considered leased workers.

The intent of the Department’s certification is to include all workers of Schweizer who were adversely affected by increased aggregate imports of helicopters and surveillance aircraft.

Based on these findings, the Department is amending this certification to include workers leased from Morris Protective Service, Inc., Pinkerton Government Services, Temco Service, Inc., and Wesco Distribution, Inc., and including Dr. Marc Immerman and Mr. Dominic Insogna, who worked on-site at the Horseheads, New York location of Schweizer. The amended notice applicable to TA-W-80,405 is hereby issued as follows:

“All workers from Schweizer Aircraft Corporation, a subsidiary of Sikorsky Aircraft Corporation, a division of United Technologies Corporation, dba Sikorsky Military Completion Center, including on-site leased workers from Adecco, Aerotek, Inc., Aquinas Consulting & Staffing Solutions, Belcan Engineering group, Butler America, LLC., Cameron Mfg. and Design, Inc., Express Employment Professionals, Kelly Engineering, Kelly Services, Inc., New Era Recruiting, Normatec Consultants, Inc., RCM Technologies, Morris Protective Services, Inc., Pinkerton Government Services, Temco Service, and Wesco Distribution, Inc., and including Dr. Marc Immerman and Mr. Dominic Insogna, Horseheads, New York, who became totally or partially separated from employment on or after August 30, 2010, through December 28, 2013, and all workers in the group threatened with total or partial separation from employment on December 28, 2011 through December 28, 2013, are eligible to apply for adjustment assistance under Chapter 2 of

Title II of the Trade Act of 1974, as amended.”

Signed at Washington, DC this 16th day of November, 2012.

**Elliott S. Kushner,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

[FR Doc. 2013-00103 Filed 1-7-13; 8:45 am]

**BILLING CODE 4510-FN-P**

## 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 November 13, 2012 through November 16, 2012.

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)(B) (shift in production or services) of the Trade Act have been met.

TA-W No.	Subject firm	Location	Impact date
81,952	American Airlines, Dallas-FT. Worth International Airport, Aerotek, Cornerstone RPC, etc.	DFW International Airport, TX	September 6, 2011.
81,990	American Airlines, Tulsa International Airport, Aerotek, Cornerstone Staff, RPC Staffing, etc.	Tulsa, OK	September 19, 2011.
81,999	Ferrara Candy Company, Inc., Formerly Known as Farley's & Sathers Candy Company, Inc.	Round Lake, MN	August 13, 2012.
81,999A	Ferrara Candy Company, Inc., Formerly Known as Farley's & Sathers Candy Company, Inc.	Chicago, IL	September 21, 2011.
82,018	American Airlines, Alliance Maintenance Base, Aerotek, Cornerstone, RPC, Henderson, etc.	Fort Worth, TX	September 26, 2011.
82,034	DB Hedgeworks, LLC, Deutsche Bank, AG, Advantage Professional	Santa Ana, CA	October 2, 2011.
82,069	UTC Aerospace Systems, fka Hamilton Sundstrand, Air Management Systems Division.	Windsor Locks, CT	October 9, 2011.
82,094	Anthem Insurance Companies, Inc., Wellpoint, Inc., Bluecard Home Claims Operations Division.	Cape Girardeau, MO	June 9, 2012.
82,094A	Anthem Insurance Companies, Inc., Wellpoint, Inc., Group Claims Operations Division.	Springfield, MO	June 9, 2012.

TA-W No.	Subject firm	Location	Impact date
82,094B .....	Anthem Insurance Companies, Wellpoint, Inc., Group Claims Operations Division.	Platteville, WI .....	June 9, 2012.
82,094C .....	Anthem Insurance Companies, Inc., Wellpoint, Inc., Enrollment and Billing Division.	Cape Girardeau, MO .....	June 9, 2012.
82,098 .....	Choice Hotels International, Inc., Call Center Operations .....	Grand Junction, CO .....	October 18, 2011.
82,103 .....	American Airlines, O'Hare International Airport, Aerotek, Cornerstone, RPC, Henderson, Johnson.	Chicago, IL .....	October 18, 2011.
82,115 .....	Cinch Connectors, Inc., Belfuse, Express Personnel Services, and Penmac Personnel Services.	Vinita, OK .....	October 29, 2011.
82,116 .....	Heraeus Kulzer, LLC, People Link Staffing and Forge Staffing .....	South Bend, IN .....	October 30, 2011.
82,120 .....	Welch Allyn Inc., Finance Department, Kelly Services and Contemporary Personnel.	Skaneateles Falls, NY .....	October 31, 2011.
82,126 .....	Covidien Plc, Cash Application and Invoice Adjustments Department, Kelly Services.	Mansfield, MA .....	November 1, 2011.

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
82,024 .....	Thermo King Corporation, Ingersoll-Rand, Manpower and Aerotek Professional Services.	Louisville, GA .....	October 1, 2011.
82,031 .....	Kinder Morgan Bulk Terminals, Inc., 1575 Sparrows Point Boulevard, Baltimore, MD, 21219.	Baltimore, MD .....	September 28, 2011.
82,114 .....	BRP US, Inc., Bombardier Recreational Products, Outboard Engine Division, Manpower.	Spruce Pine, NC .....	October 31, 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 criterion under paragraph (a)(1), or

(b)(1), or (c)(1) (employment decline or threat of separation) of section 222 has not been met.

TA-W No.	Subject firm	Location	Impact date
82,104 .....	Kohler Company .....	Kohler, WI .....	
82,104A .....	Sauk Technologies, Generator Division .....	Saukville, WI .....	

The investigation revealed that the criteria under paragraphs (a)(2)(A)(i) (decline in sales or production, or both) 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
82,109 .....	ArcelorMittal Georgetown, Inc., ArcelorMittal USA .....	Georgetown, SC .....	

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
82,107 .....	Sub-Zero Group, Inc., UI Wages Through Sub-Zero, Inc. & Wolf Appliances, Inc.	Madison, WI .....	

I hereby certify that the aforementioned determinations were issued during the period of November 13, 2012 through November 16, 2012. 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: November 26, 2012.

**Elliott S. Kushner,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

[FR Doc. 2013-00100 Filed 1-7-13; 8:45 am]

BILLING CODE 4510-FN-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Guam Military Base Realignment Contractor Recruitment Standards

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Final notice.

**SUMMARY:** The U.S. Department of Labor's (Department) Employment and Training Administration (ETA) is issuing this notice to announce recruitment standards that construction contractors are required to follow when recruiting United States (U.S.) workers for Guam military base realignment projects funded through the National Defense Authorization Act (NDAA) for Fiscal Year 2010.

**DATES:** This notice is effective upon publication in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Anthony D. Dais or Frank Gallo, Office of Workforce Investment, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue NW, Room S-4231, Washington, DC 20210. Telephone (202) 693-2784 or (202) 693-3755, respectively (this is not a toll-free number). Individuals with hearing or speech impairments may access the telephone number above via TTY by calling the toll-free Federal Information Relay Service at 1-877-889-5627 (TTY/TDD). Fax: 202-693-3015. Email: [dais.anthony@dol.gov](mailto:dais.anthony@dol.gov) or [gallo.frank@dol.gov](mailto:gallo.frank@dol.gov).

**SUPPLEMENTARY INFORMATION:** Section 2834(a) of the NDAA for Fiscal Year 2010 (Pub. L. 111-84, enacted October 28, 2009) amended Section 2824(c) of the Military Construction Authorization Act (Pub. L. 110-417, Division B) by adding a new subsection (6). This provision prohibits contractors engaged in construction projects related to the realignment of U.S. military forces from Okinawa to Guam from hiring workers holding H-2B visas under the Immigration and Nationality Act, 8 U.S.C. 1101(a)(15)(H)(ii)(b), unless the Governor of Guam (Governor), in consultation with the Secretary of Labor (Secretary), certifies that: (1) There is an insufficient number of U.S. workers that are able, willing, qualified, and

available to perform the work; and (2) that the employment of workers holding H-2B visas will not have an adverse effect on either the wages or the working conditions of workers in Guam.

In order to allow the Governor to make this certification, the NDAA requires contractors to recruit workers in the U.S., including in Guam, the Commonwealth of the Northern Mariana Islands, American Samoa, the U.S. Virgin Islands, and Puerto Rico, according to the terms of a recruitment plan developed and approved by the Secretary. That recruitment plan has been reproduced in full in Section I below ("Contractor Recruitment Standards").

The Department has developed the Contractor Recruitment Standards in full consultation with, and with the approval of, the Guam Department of Labor (GDOL). Although the Department has developed the recruitment standards, it has assigned oversight of the Contractor Recruitment Standards and the NDAA-required consultation with the Governor to GDOL through a Memorandum of Understanding between the Department and GDOL, effective November 22, 2011 (the MOU can be found on the [RegInfo.gov](http://RegInfo.gov) Web site listed at the end of this **Federal Register** Notice).

Under the NDAA, no Guam base realignment construction project work may be performed by a person holding an H-2B visa under the Immigration and Nationality Act until the contractor complies with the Department's Contractor Recruitment Standards, and the Governor of Guam issues the certification noted above.

The Department issued interim recruitment standards in the **Federal Register** on January 24, 2012 (77 FR 3503).

This Final Notice has made several changes to the interim contractor recruitment standards, the most significant of which reduced the data collection burden and clarified the information that contractors must include in the construction job postings. These changes include the following.

1. Eliminating the requirement that contractors post the job openings on a separate Internet job bank in addition to the other posting requirements. The posting on the Guam Job Bank will be widely available through the US.jobs Web site (formerly the National Labor Exchange). The Department determined that this posting was sufficient, and that additional Internet postings would be redundant.

2. Eliminating the requirement to advertise job opportunities in an American Samoa newspaper, in favor of

Internet job postings. This change was made because the Department determined that utilization of the American Samoa job bank for recruitment no longer requires supplementation by newspaper advertising, as a result of improvements made to that job bank.

3. Adding a statement to the job posting requirement concerning whether the contractor will pay for worker transportation to Guam. This change was made to conform the information included in advertisements placed under this recruitment standard with information commonly included in job orders submitted to the GDOL.

4. Clarifying the overtime pay requirement for the job postings. This change was made to clarify that contractors must include a statement regarding the availability and payment of overtime wages in their advertisements, if overtime is required by law.

5. Adding a statement to the job posting requirement regarding board, lodging, and fringe benefit information. This change was made to conform the information included in advertisements placed under this recruitment standard with information commonly included in job orders submitted to the GDOL.

6. Eliminating the requirement that the recruitment report describe the dates that the newspaper advertisements appeared in an American Samoa newspaper. The Department eliminated this requirement, because the removal of the requirement to advertise in an American Samoa newspaper rendered this requirement moot.

7. Clarifying that contractors do not need to provide their recruitment report in a narrative form. This change was made in order to clarify that contractor recruitment reports may be in other formats, including a table or spreadsheet, rather than only in a narrative form.

As required by Section 2834(b)(2) of the NDAA for Fiscal Year 2010, the Department assessed, among other things, the opportunities to expand the recruitment of workers in the U.S. (including Guam, the Commonwealth of the Northern Mariana Islands, American Samoa, the Virgin Islands, and the Commonwealth of Puerto Rico), and the ability of labor markets to support the Guam realignment. This assessment is included in *U.S. Department of Labor Report to Congress Required by the National Defense Authorization Act for Fiscal Year 2010* (July 29, 2011). The Department submitted this assessment to the Senate Committees on Health, Education, Labor, and Pensions, and Armed Services; and the House of