

Signed at Washington, DC, this 13th day of March, 2014.

Del Min Amy Chen,

Certifying Officer, Office of Trade Adjustment Assistance.

[FR Doc. 2014-06685 Filed 3-25-14; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-83,129]

International Paper Company, Courtland Alabama Paper Mill, Printing & Communications Papers Division, a Subsidiary of International Paper Company, Including On-Site Leased Worker From Manpower and Western Express, Courtland, Alabama; 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 February 6, 2014, applicable to workers of International Paper Company, Courtland Alabama Paper Mill, Printing & Communications Papers Division, a subsidiary of International Paper Company, including on-site leased workers from Manpower, Courtland, Alabama. The workers are engaged in activities related to the production of coated and uncoated freesheet paper, and are not separately identifiable by article produced. The notice was published in the **Federal Register** on February 24, 2014 (79 FR 10189).

At the request from the State of Tennessee, the Department reviewed the certification for workers of the subject firm. New information from the company shows that workers leased from Western Express were employed on-site at the Courtland, Alabama location of International Paper Company, Courtland Alabama Paper Mill, Printing & Communications Papers Division, a subsidiary of International Paper Company. The Department has determined that these workers were sufficiently under the control of International Paper Company, Courtland Alabama Paper Mill, Printing & Communications Papers Division, a subsidiary of International Paper Company to be considered leased workers.

The intent of the Department's certification is to include all workers of the subject firm who were adversely

affected by increased imports of coated and uncoated freesheet paper.

Based on these findings, the Department is amending this certification to include workers leased from Western Express working on-site at the Courtland, Alabama location of the subject firm.

The amended notice applicable to TA-W-83,129 is hereby issued as follows:

All workers from International Paper Company, Alabama Paper Mill, Printing & Communications Papers Division, a subsidiary of International Paper Company, including on-site leased workers from Manpower and Western Express, Courtland, Alabama, who became totally or partially separated from employment on or after October 10, 2012 through February 6, 2016, 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 13th day of March 2014.

Del Min Amy Chen,

Certifying Officer, Office 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

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 *March 3, 2014 through March 7, 2014*.

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)(A) (increased imports) of the Trade Act have been met.

TA-W No.	Subject firm	Location	Impact date
83,099	Niagara Ceramics	Buffalo, NY	September 19, 2012.
83,238	Keywell LLC	Chicago, IL	November 21, 2012.
83,334D	IBM Corporation, 200 MM Manufacturing, Micro Electronics, D&M, STG.	Essex Junction, VT	December 24, 2012.
83,355	J. Kinderman and Sons, Inc., T/A Brite Star Manufacturing Company.	Philadelphia, PA	August 20, 2013.
83,356	Convergys Customer Management Group, Inc	Brownsville, TX	December 31, 2012

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
83,131	Boston Scientific, Gemini Staffing Consultants, Advantage Resourcing, etc.	Arden Hills, MN	September 30, 2012.
83,131A	Boston Scientific, Gemini Staffing Consultants, Advantage Resourcing, etc.	Marlborough, MA	September 30, 2012.
83,208	The Longaberger Company, Longaberger Pottery Works	Buffalo, NY	November 7, 2012.
83,334	IBM Corporation, Technical Operations, Systems and Technology Group (STG), Software.	Essex Junction, VT	December 24, 2012.
83,334A	IBM Corporation, Division 47 Global Procurement, Integrated Supply, Systems and Tech, Software.	Essex Junction, VT	December 24, 2012.
83,334E	IBM Corporation, 200 MM Enablement, 200 MM Engineering, Micro Electronics, D&M, STG.	Essex Junction, VT	December 24, 2012

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
83,218	The Boeing Company, Information Technology Operations Center ..	Annapolis Junction, MD	
83,334B	IBM Corporation, Power System Technology, Enterprise Systems, Development.	Essex Junction, VT	
83,334C	IBM Corporation, Game Chip Design, OEM Microprocessors, Enterprise Systems, D&M, STG.	Essex Junction, VT	
83,345	Kaleidoscope Industries, Inc	Howell, MI	

I hereby certify that the aforementioned determinations were issued during the period of *March 3, 2014 through March 7, 2014*. These determinations are available on the Department's Web site tradeact/taa/taa_search_cfm under the searchable listing of determinations or by calling the Office of Trade Adjustment Assistance toll free at 888-365-6822.

Signed at Washington, DC, this 13th day of March 2014.

Hope D. Kinglock,

Certifying Officer, Office of Trade Adjustment Assistance.

[FR Doc. 2014-06677 Filed 3-25-14; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-83,058]

Sysco Denver LLC, A Subsidiary of Sysco Corporation, Information Technology (IT) Department, Denver, Colorado; Notice of Negative Determination on Reconsideration

On November 27, 2013, the Department of Labor issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of Sysco Denver LLC, a subsidiary of Sysco Corporation, Information Technology (IT) Department, Denver, Colorado (Sysco Denver-IT Department). The Department's Notice of determination was published in the **Federal Register** on December 10, 2013 (78 FR 74162).

The Sysco Denver-IT Department worker group is engaged in activities related to the supply of information technology (IT) services. The Sysco Denver-IT Department is separately identifiable from other groups within Sysco Denver LLC, Denver, Colorado.

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 investigation resulted in a negative determination based on the findings that a significant number or proportion of the workers in such workers' firm or appropriate subdivision have not become totally or partially separated, nor are they threatened with such separation.

Significant number or proportion of the workers means that: (a) In most cases the total or partial separations, or both, in a firm or appropriate subdivision thereof, are the equivalent to a total unemployment of five percent (5 percent) of the workers or 50 workers, whichever is less; or (b) At least three workers in a firm (or appropriate subdivision thereof) with a work force of fewer than 50 workers would ordinarily have to be affected. 29 CFR 90.2

In the case at hand, fewer than three workers were totally or partially separated or threatened with such separation.

The request for reconsideration states that the two workers separated at Sysco Denver-IT Department were part of a larger worker group (those supplying IT services at various Sysco Corporation facilities) and that IT functions are being outsourced to India. The request also referenced a certification applicable to another worker group (TA-W-82,383; Sysco Boston LLC, Plympton, Massachusetts).

The reconsideration investigation revealed that the workers of Sysco Denver-IT Department were not part of a larger IT worker group nor did they report to any other firm locations.

During the reconsideration investigation, the subject firm confirmed that the subject workers did not report to nor were they part of the Sysco Boston LLC, Plympton, Massachusetts worker group. Consequently, the Department determined that an amendment to the TA-W-82,383 certification is not appropriate. Further, the reconsideration investigation revealed that the workers of Sysco Denver-IT Department reported to

individuals within the Sysco Denver Operating Company and received wages as employees of Sysco Denver LLC. Sysco Corporation did not employ these individuals nor did Sysco Corporate control or direct their daily activities.

The request for reconsideration implies that since individuals and pairs of workers constitute a worker group, the subject workers constitute a worker group. 29 CFR 90.2 defines a group of workers as three or more workers in a firm or appropriate subdivision thereof. The petitioning worker group in TA-W-82,383 met the requirements of a group.

Information obtained during the reconsideration investigation confirmed that with respect to Section 222(a) and Section 222(b) of the Act, Criterion (1) has not been met because a significant number or proportion of the workers in such workers' firm have not become totally or partially separated, nor are they threatened to become totally or partially separated.

A careful review of previously-submitted information and information obtained during the reconsideration investigation revealed that the worker group consisting of Sysco Denver LLC, a subsidiary of Sysco Corporation, Information Technology (IT) Department, Denver, Colorado, did not meet this requirement.

The workers' firm has not been publically identified by name by the International Trade Commission as a member of a domestic industry in an investigation resulting in an affirmative finding of serious injury, market disruption, or material injury, or threat thereof.

Therefore, after careful review of the request for reconsideration, the Department determines that 29 CFR 90.18(c) has not been met.

Conclusion

After careful review of previously-submitted information and information obtained during the reconsideration investigation, I affirm the notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of Sysco Denver LLC, a subsidiary of Sysco Corporation, Information Technology (IT) Department, Denver, Colorado, in