

## APPENDIX

[18 TAA petitions instituted between 4/28/14 and 5/2/14]

TA-W	Subject firm (petitioners)	Location	Date of institution	Date of petition
85265	NCI Fort Wayne, LLC (Company)	Fort Wayne, IN	04/28/14	04/25/14
85266	Midwest Tool & Die Corp. (Company)	Fort Wayne, IN	04/28/14	04/25/14
85267	Support.com (State/One-Stop)	Redwood City, CA	04/28/14	04/18/14
85268	LexisNexis (Company)	Miamisburg, OH	04/28/14	04/25/14
85269	International Flight Training Academy (Workers)	Bakersfield, CA	04/29/14	04/04/14
85270	Honeywell International (Workers)	Phoenix, AZ	04/29/14	04/28/14
85271	Sanofi Pharmaceuticals (Company)	Kansas City, MO	04/29/14	04/28/14
85272	CES Group DBA: Mammoth, Inc. (Company)	Holland, MI	04/29/14	04/28/14
85273	Destination Rewards (State/One-Stop)	Boca Raton, FL	04/29/14	04/16/14
85274	Eternal Fortune Fashion LLC (State/One-Stop)	New York, NY	04/30/14	04/29/14
85275	Northland Tackle (State/One-Stop)	Ranier, MN	04/30/14	04/29/14
85276	Wiley (Company)	Indianapolis, IN	04/30/14	04/29/14
85277	Dentsu Aegis Network (Workers)	Boston, MA	05/01/14	04/08/14
85278	Swan Dyeing and Finishing Corp. (Union)	Fall River, MA	05/01/14	04/29/14
85279	Kaman Music Corp (KMC Music, Inc) (State/One-Stop)	New Hartford, CT	05/01/14	04/30/14
85280	ClearEdge Power (State/One-Stop)	South Windsor, CT	05/02/14	05/01/14
85281	John Wiley and Sons, Inc. (Company)	Hoboken, NJ	05/02/14	05/01/14
85282	Standard Register Co. (State/One-Stop)	Salisbury, MD	05/02/14	05/01/14

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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 28, 2014 through May 2, 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. 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.

85,118, *Cameron International Corporation, Buffalo, New York, March 4, 2013.*

85,146, *KEE Action Sports LLC, Clearwater, Florida. March 13, 2013.*

#### **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.

85,157, *TT Electronics LLC, Smithfield, North Carolina. March 18, 2013.*

85,171, *Rosboro, LLC., Springfield, Oregon. March 22, 2013.*

85,191, *Soy Basics, LLC., New Hampton, Iowa. March 31, 2013.*

85,204, *Avalon Laboratories LLC, Rancho Dominguez, California, January 28, 2014.*

85,210, *Voith Hydro, Inc., York, Pennsylvania. April 4, 2013.*

#### **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 (2) of Section 246 has not been met. Workers at the firm possess skills that are easily transferable.

85,118, *Cameron International Corporation, Buffalo, New York. March 4, 2013.*

85,146, *KEE Action Sports LLC, Clearwater, Florida. March 13, 2013.*

#### **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.

85,012, *SANYO Solar (USA) LLC, Carson, California.*

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.

85,077, *Caterpillar, Inc., Pulaski, Virginia.*

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

85,173, *Xerox State and Local Solutions, Inc., Waite Park, Minnesota.*

85,217, *JP Morgan Chase and Company, Florence, South Carolina.*

85,241, *Institute Career Development, Merrillville, Indiana.*

#### **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.

85,143, *Fives Giddings & Lewis, LLC, Fond Du Lac, Wisconsin.*

85,179, *Fifty Third Bancorp, Cincinnati, Ohio.*

The following determinations terminating investigations were issued in cases where these petitions were not filed in accordance with the requirements of 29 CFR 90.11. Every petition filed by workers must be signed by at least three individuals of the

petitioning worker group. Petitioners separated more than one year prior to the date of the petition cannot be covered under a certification of a petition under Section 223(b), and therefore, may not be part of a petitioning worker group. For one or more of these reasons, these petitions were deemed invalid.

85,207, *Lifetouch Inc., Eden Prairie, Minnesota.*

The following determinations terminating investigations were issued because the petitioning groups of workers are covered by active certifications. Consequently, further investigation in these cases would serve no purpose since the petitioning group of workers cannot be covered by more than one certification at a time.

85,142, *JP Morgan Chase and Company, Florence, South Carolina.*

85,164, *JP Morgan Chase and Company, Florence, South Carolina.*

85,201, *JP Morgan Chase and Company, Florence, South Carolina.*

85,202, *JP Morgan Chase and Company, Florence, South Carolina.*

The following determinations terminating investigations were issued because the petitions are the subject of ongoing investigations under petitions filed earlier covering the same petitioners.

85,255, *Citigroup, Tampa, Florida.*

I hereby certify that the aforementioned determinations were issued during the period of *April 28, 2014 through May 2, 2014*. These determinations are available on the Department's Web site *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.

Signed at Washington, DC, this 8th day of May 2014.

**Michael W. Jaffe,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

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## **DEPARTMENT OF LABOR**

### **Office of Workers' Compensation Programs**

#### **Division of Coal Mine Workers' Compensation; Proposed Collection; Comment Request**

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden,