§ 90.3 Applicability of part.

This part 90 generally relates to certifications of eligibility made under the Act. Subpart B specifically applies to the initiation and conduct of worker investigations and the issuance of determinations and certifications of eligibility to apply for adjustment assistance. Subpart C applies to studies of workers in industries which are the subject of investigations for industry import relief. Subpart D contains general provisions with respect to filing of documents and public availability of documents.

Subpart B—Petitions and Determinations of Eligibility To Apply for Adjustment Assistance

§ 90.11 Petitions.

(a) Who may file petitions. A petition under section 221(a) of the Act and this subpart B shall be filed by a group of workers for a certification of eligibility to apply for adjustment assistance or by their certified or recognized union or other duly authorized representative.

(b) Identification of petitioners. Every petition filed with the Department shall clearly state the group of workers on whose behalf the petition is filed and the name(s) and address(es) of the person(s) by whom the petition is filed. Every petition shall be signed by at least three individuals of the petitioning group or by an official of a certified or recognized union or other duly authorized representative. Signing of a petition shall constitute acknowledgment that each signer has read the entire petition, that to the best of the signer’s knowledge and belief the statements therein are true, and that each signer is duly authorized to sign such a petition.

(c) Contents. Petitions may be filed on a U.S. Department of Labor form. Copies of the form may be obtained at a local office of a State workforce agency or by writing to the Division of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington DC 20210. Every petition shall include:
§ 90.13 Public hearings.

(a) When held. A public hearing shall be held in connection with an investigation instituted under §90.12 whenever, not later than ten (10) days after the date of publication in the Federal Register of the notice of receipt of the petition, such a hearing is requested in writing by:

(1) The petitioner; or

(2) Any other person found by the Director to have a substantial interest in the proceedings. Such petitioner and other interested persons shall be afforded an opportunity to be present, to produce evidence, and to be heard.

(b) Form of request. A request for public hearing shall be filed in the same manner as provided for filing of petitions and other documents under §90.31(a). A request by a person other than the petitioner shall contain:

(1) The name, address, and telephone number of the person, organization, or group requesting the hearing; and

(2) A complete statement of the relationship of the person, organization, or group requesting the hearing to the petitioner or the subject matter of the investigation.

Office of the Secretary of Labor