[FR Doc. 97–13342 Filed 5–20–97; 8:45 am]
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DEPARTMENT OF LABOR

Employment and Training Administration

Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 (''the Act'') and are identified in the Appendix to this notice. Upon receipt of these petitions, the Program Manager of the Office of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to Section 221(a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Program Manager, Office of Trade Adjustment Assistance, at the address shown below, not later than June 2, 1997.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Program Manager, Office of Trade Adjustment Assistance, at the address shown below, not later than June 2, 1997.

The petitions filed in this case are available for inspection at the Office of the Program Manager, Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

Signed at Washington, D.C. this 28th day of April, 1997.

Russell T. Kile,

Program Manager, Policy & Reemployment Services, Office of Trade Adjustment Assistance.

APPENDIX—PETITIONS INSTITUTED ON 4/28/97

TA–W	Subject firm (petitioners)	Location	Date of petition	Product(s)
33,436	Desert Cleaners (Wkrs)	El Paso, TX	03/20/97	Men's and Ladies' Denim Jeans.
33,437	Holiday Products (4/10/9)	El Paso, TX	04/10/97	Christmas Decorations.
33,438	General Electric (IUE)	Bucyrus, OH	04/14/97	Fluoresent Lamps.
33,439	Damrow Gea Group (Wkrs)	Fond du Lac, WI	04/07/97	Dairy Cheeze Making Equipment.
33,440	Pressman Gutman (Wkrs)	New York, NY	02/21/97	Administrative & Sales—Fabric.
33,441	Frolic Footwear (Co.)	Russellville, AR	04/08/97	Ladies' Footwear.
33,442	Colber Corporation (The) (Co.)	Irvington, NJ	04/08/97	Wirewound Resistors.
33,443	Kellogg Industries (Wkrs)	Jackson, MI	04/09/97	Cereal Food.
33,444	E-Lite Division (Wkrs)	Cameron, WV	04/15/97	Decorative Glassware for Lighting.
33,445	NCR St. Petersburg Repair (Wkrs)	St. Petersburg, FL	03/26/97	Repair of Defective Service Parts.
33,446	Quarles Drilling Corp (Co.)	Tulsa, OK	04/15/97	Oil, Gas Drilling, Exploration.
33,447	Quarles Drilling Corp (Co.)	Oklahoma City, OK	04/15/97	Oil, Gas Drilling & Exploration.
33,448	Quarles Drilling Corp (Co.)	Houston, TX	04/15/97	Oil, Gas Drilling & Exploration.
33,449	Quarles Drilling Corp (Co.)	Houma, LA	04/15/97	Oil, Gas Drilling & Exploration.
33,450	Techno Trim (Wkrs.)	Greencastle, IN	04/11/97	Automobile Seat Covers.
33,451	Hillco Trucking, Inc (Wkrs.)	Missoula, MT	04/14/97	Logging and Truck Transport.
33,452	Precision Scientific (USWA)	Chicago, IL	04/03/97	Incubators, Thelco Ovens, Vacuum Pumps.
33,453	Lion's Acquisition Co (Co.)	Gastonia, NC	04/17/97	Boys' Suits.
33,454	Sandvik Hard Materials (UAW)	Warren, MI	04/17/97	Carbide—Ball Point Pens, Dental Instr.
33,455	Mundet Hermetite (Co.)	Lexington, VA	04/16/97	Laser Perforated Cigarette Tipping Paper.
33,456	DMC Apparel (Wkrs.)	Knoxville, TN	04/16/97	Tee Shirts.
33,457	Rockwood Sportswear, Inc (Wkrs.)	Rockwood, TN	04/30/97	Leather & Wool Coats.
33,458	Northwest Food Service (Wkrs.)	Caldwell, ID	04/16/97	Provide Food Services.

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–33,024]

Eagle Nest, Incorporated, Van, West Virginia; Notice of Negative Determination Regarding Application for Reconsideration

By application dated February 19, 1997, one of the petitioners requested administrative reconsideration of the Department's negative determination regarding worker eligibility to apply for trade adjustment assistance. The denial notice applicable to workers of the subject firm located in Johnstown, Pennsylvania, was signed on January 31, 1997 and published in the **Federal Register** on February 13, 1997 (62 FR 6805).

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.

Findings of the initial investigation showed that workers of Eagle Nest, Incorporated, Mine Department located in Van, West Virginia produced coal. The Department's denial of TAA for workers of the subject firm was based on the fact ''that the contributed importantly'' test of the Group Eligibility requirements of Section 222 of the Trade Act of 1974 was not met.

The Department of Labor surveyed the major declining customers of the subject firm regarding their purchases of coal. The respondents reported no imports in the relevant period.

The investigation also revealed that the closing of the facility and separation of the workers was because the company was sold on August 31, 1996.

On reconsideration the Department learned that the petition was intended to be filed on behalf of workers at the mine site which was located in Van, West Virginia. The Johnstown, Pennsylvania location of Eagle Nest, Incorporated is an administrative office.

In order to determine worker eligibility, the Department must examine imports of products like or directly competitive with those articles produced at the Van, West Virginia mine. In this case, the product produced at Van was metallurgical coal. The end use of the coal by the customer was for making coke and steel. Metallurgical coal cannot be considered like or directly competitive with coke and steel.

The request for reconsideration claims that the Department did not consider Eagle Nest's production of steel which is being produced by the subject plant's major customer.

Conclusion

After review of the application and investigative findings, I conclude that there has been no error or misinterpretation of the law or of the facts which would justify reconsideration of the Department of Labor's prior decision. Accordingly, the application is denied.

Signed at Washington, D.C. this 5th day of May 1997.

Russell T. Kile,

Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.

[FR Doc. 97–13350 Filed 5–20–97; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–33, 279]

Johnson Controls, Incorporated, Ann Arbor Plant, Ann Arbor, Michigan; Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) as amended by the Omnibus Trade and Competitiveness Act of 1988 (Pub. L. 100–418), the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Act must be met:

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated, or are threatened to become totally or partially separated;

(2) That sales or production, or both, of the firm or subdivision have decreased absolutely; and

(3) That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

The investigation was initiated on February 18, 1997 in response to a petition filed on behalf of former workers at the Ann Arbor plant of Johnson Controls, Incorporated, located in Ann Arbor, Michigan. The workers produced power seat tracks for auto seats.

The investigation revealed that criterion (3) has not been met.

Sales of power seat tracks for auto seats at the Ann Arbor Plant of Johnson Controls, Incorporated in FY 1996 compared to FY 1995.

Employment at the Ann Arbor Plant of Johnson Controls, Incorporated increased in FY 1996 compared to FY 1995.

In early 1996, Johnson Controls, Incorporated made a business decision to transfer its production of power seat tracks for auto seats from its Ann Arbor Plant located in Ann Arbor, Michigan facility to another domestic facility.

Conclusion

After careful review, I determine that all workers of the Ann Arbor Plant of Johnson Controls, Incorporated, Ann Arbor, Michigan are denied eligibility to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed in Washington, D.C. this 17th day of April 1997.

Russell T. Kile,

Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.

[FR Doc. 97–13344 Filed 5–20–97; 8:45 am]

BILLING CODE 4510–30–M

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–33,054]

Kerr-McGee Corporation, Headquartered in Oklahoma City, Oklahoma and Operating in Various Locations Throughout the States of: TA–W–33,054A, Oklahoma, TA–W–33,054B, Texas, TA–W–33,054D, Wyoming, TA–W–33,054E, North Dakota; Notice of Revised Determination on Reconsideration

On February 28, 1997, the Department issued a Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance, applicable to all workers of Kerr-McGee Corporation, Oklahoma City, Oklahoma and various locations throughout the States of Oklahoma, Texas, Louisiana, Wyoming and North Dakota. The notice was published in the **Federal Register** on March 21, 1997 (62 FR 13709).

By letter dated March 18, 1997, the company official requested administrative reconsideration of the Department's findings for workers of Kerr-McGee Corporation, Oklahoma City, Oklahoma and the various locations operating throughout the States of Oklahoma, Texas, Wyoming and North Dakota. The company official requested that the Louisiana location (TA–W–33,054C), which is part of the Gulf of Mexico Region Offshore operations be excluded because the workers are separately identifiable from those in the US Onshore Region.

The initial denial of TAA for the workers of Kerr-McGee Corporation, Oklahoma City, Oklahoma and the various locations throughout the States of Oklahoma, Texas, Louisiana, Wyoming and North Dakota for Trade Adjustment Assistance was based on the fact that criterion (2) of the Group Eligibility requirements of Section 222 of the Trade Act of 1974 was not met; production and revenues from crude oil and natural gas increased. New information provided on reconsideration shows that revenues at the subject facilities decreased in the relevant period. The workers were engaged in the exploration and production of natural gas and crude oil and are not separately identifiable by product. Other findings show that U.S. aggregate imports for crude oil increased absolutely in 1995 compared with the same period in 1994 and in 1996 compared with the same period in 1995. The imports/shipments ratio for crude oil was over 105% in both 1995 and 1996.