

DEPARTMENT OF LABOR

Employment and Training
Administration

[TA-W-37,955]

**J.A. Thurston Co., Inc., Now Known as
Saunders Brothers Rumford, Rumford,
ME; Amended Certification Regarding
Eligibility To Apply for Worker
Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Certification of Eligibility To Apply for Worker Adjustment Assistance on August 28, 2000, applicable to workers of J.A. Thurston Co., Inc., Rumford, Maine. The notice was published in the **Federal Register** on September 22, 2000 (65 FR 57386).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The workers are engaged in the production of dowels. The company reports that in April, 2001, Saunders Brothers purchased J.A. Thurston Co., Inc., and became known as Saunders Brothers Rumford.

Information also shows that workers separated from employment at the subject firm, had their wages reported under a separate unemployment insurance (UI) tax account for Saunders Brothers Rumford.

Accordingly, the Department is amending the certification determination to properly reflect this matter.

The intent of the Department's certification is to include all workers of J.A. Thurston Co., Inc., now known as Saunders Brothers Rumford who were adversely affected by increased imports.

The amended notice applicable to TA-W-37,955 is hereby issued as follows:

All workers of J.A. Thurston Co., Inc., now known as Saunders Brothers Rumford, Rumford, Maine who became totally or partially separated from employment on or after August 4, 1999, through August 28, 2002, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, DC this 13th day of August, 2001.

Linda G. Poole,

*Certifying Officer, Division of Trade
Adjustment Assistance.*

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DEPARTMENT OF LABOR

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[TA-W-39, 364]

**Spartan International Rosemont Plant,
Jonesville, South Carolina; Notice of
Termination of Investigation**

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on June 4, 2001, in response to a worker petition which was filed on behalf of workers at Spartan International Rosemont Plant, Jonesville, South Carolina.

This case is being terminated because the Department was unable to locate an official of the Company to obtain the information necessary to issue a determination. Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed at Washington, DC this 20th day of August, 2001.

Linda G. Poole,

*Certifying Officer, Division of Trade
Adjustment Assistance.*

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DEPARTMENT OF LABOR

Employment and Training
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[TA-W-38,358 and NAFTA-4241]

**Tower Automotive, Kalamazoo,
Michigan; Notice of Negative
Determination Regarding Application
for Reconsideration**

By application dated March 30, 2001, the International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW), requested administrative reconsideration of the Department's negative determination regarding eligibility to apply for Trade Adjustment Assistance (TAA) and North American Free Trade Agreement—Transitional Adjustment Assistance (NAFTA-TAA), applicable to workers and former workers of the subject firm. The denial notices were signed on January 31, 2001, and published in the **Federal Register** on March 2, 2001 (66 FR 52539).

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 UAW asserts that for the NAFTA-TAA petition denial, the finding that the customers of Tower Automotive did not import stampings is incorrect. The UAW states that Ford Motor Company was one of the major customers and acknowledges moving work, including 72 different dies for metal stamped components, from the Kalamazoo facility to Hermosillo, Mexico. The UAW states that Ford reports that the parts made in Mexico are being used in the production of a non-U.S. market automobile. Further, the UAW believes that some portion of the Mexican parts production is being imported for use in the U.S. market, and that a survey should be conducted for each of those 72 components.

The Department issued the NAFTA-TAA denial to workers producing metal stampings at Tower Automotive, based on the finding that the subject firm did not shift production of those articles from Kalamazoo, Michigan, to Mexico or Canada, nor did the company or customers import articles like or directly competitive with those produced by the workers. If Ford did move the stamping production to Mexico, that is not a basis for certifying the Tower Automotive workers. Only if those stampings were being returned to the U.S. from Mexico could the worker group be certified for NAFTA-TAA. The survey of the major customers of the subject firm showed that none imported metal stampings from Canada or Mexico in 1999 or 2000. The survey conducted included articles like or directly competitive with those made by the workers at the subject firm and would include the articles made with the 72 dies cited by the UAW.

The UAW asserts that for the TAA petition denial, the Department was incorrect in basing the failure to meet criterion (3) of the group eligibility requirements of Section 222 of the Trade Act of 1974, solely on the finding that the company did not import metal stampings. The Department concurs with the UAW on this issue. The decision document for [TA-W-38,385] failed to include the results of the customer survey used for the petition investigation for [NAFTA-4241]. The Department's NAFTA customer survey asked the respondents to provide information not limited to import purchases of metal stampings from