

DEPARTMENT OF LABOR**Employment and Training
Administration**

[TA-W-38,495; TA-W-38,495B]

VF Imagewear (East), Inc., Martinsville, VA; Including Employees of VF Imagewear (East), Martinsville, VA Located in Golden Valley, MN, Dallas, TX, Portland, OR and Salisbury, MD; VF Services, Inc., Martinsville, VA; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 (19 USC 2273) the Department Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on April 17, 2001, applicable to workers of VF Imagewear (East), Inc., Martinsville, Virginia. The notice was published in the **Federal Register** on May 3, 2001 (66 FR 22262). The certification was amended on December 14, 2001 to include employees of the Martinsville, Virginia facility of the subject firm located in Golden Valley, Minnesota, Dallas, Texas, Portland, Oregon and Salisbury, Maryland.

At the request of the company, the Department reviewed the certification for workers of the subject firm. The company reports that worker separations have occurred at VF Services, Inc., Martinsville, Virginia. The Martinsville, Virginia workers provide administrative functions and technical computer support for the subject firm's production facilities, including Martinsville, Virginia.

Accordingly, the Department is amending the certification to cover the workers of VF Services, Inc., Martinsville, Virginia.

The intent of the Department's certification is to include all workers of VF Imagewear (East), Inc. who were adversely affected by increased imports.

The amended notice applicable to TA-W-38,495 is hereby issued as follows:

All workers of VF Imagewear (East), Inc., Martinsville, Virginia, including workers of the Martinsville, Virginia facility located in Golden Valley, Minnesota, Dallas, Texas, Portland, Oregon and Salisbury, Maryland (TA-W-38,495) and VF Services, Inc., Martinsville, Virginia (TA-W-38,495B) who became totally or partially separated from employment on or after December 13, 1999, through April 17, 2003, are eligible to apply for adjustment assistance under section 223 of the Trade Act of 1974.

Signed at Washington DC this 8th day of March 2002.

Linda G. Poole,
*Certifying Officer, Division of Trade
Adjustment Assistance.*

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DEPARTMENT OF LABOR**Employment and Training
Administration**

[TA-W-39,976, TA-W-39,976C]

VF Imagewear (West), Inc., Harriman, Tennessee; VF Services, Inc., Nashville, TN; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 (19 USC 2273) the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on October 1, 2001, applicable to workers of VF Imagewear (West), Inc., Harriman, Tennessee. The notice was published in the **Federal Register** on October 19, 2001 (66 FR 5351).

At the request of the company, the Department reviewed the certification for workers of the subject firm. The company reports that worker separations have occurred at VF Services, Inc., Nashville, Tennessee. The Nashville, Tennessee workers provide administrative functions and technical computer support for the subject firm's production facilities, including Harriman, Tennessee.

Accordingly, the Department is amending the certification to cover the workers of VF Services, Inc., Nashville, Tennessee.

The intent of the Department's certification is to include all workers of VF Imagewear (West), Inc. who were adversely affected by increased imports.

The amended notice applicable to TA-W-39,976 is hereby issued as follows:

All workers of VF Imagewear (West), Inc., Harriman, Tennessee (TA-W-39,976) and VF Services, Inc., Nashville, Tennessee (TA-W-39,976C) who became totally or partially separated from employment on or after August 22, 2000, through October 1, 2003, are eligible to apply for adjustment assistance under section 223 of the Trade Act of 1974.

Signed at Washington DC this 8th day of March, 2002.

Linda G. Poole,
*Certifying Officer, Division of Trade
Adjustment Assistance.*

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DEPARTMENT OF LABOR**Employment and Training
Administration**

[TA-W-40,069]

**Westvaco Corporation, Tyrone, PA,
Notice of Negative Determination
Regarding Application for
Reconsideration**

By application of January 22, 2001, the Paper Allied-Industrial Chemical & Energy Workers International Union (PACE), requested administrative reconsideration of the Department's negative determination regarding eligibility for workers and former workers of the subject firm to apply for Trade Adjustment Assistance (TAA). The denial notice was signed on December 5, 2001 and published in the **Federal Register** on December 26, 2001 (66 FR 66428).

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 TAA petition, filed on behalf of workers at Westvaco Corporation, Tyrone, Pennsylvania engaged in the production of C2S web Offset paper and uncoated envelope paper, was denied because the "contributed importantly" group eligibility requirement of section 222(3) of the Trade Act of 1974, as amended, was not met. The "contributed importantly" test is generally demonstrated through a survey of the workers' firm's customers. The Department conducted a survey of the subject company's major customers regarding their purchases of CS2 Web Offset paper. The survey revealed that none of the customers increased their import purchases of C2S web offset paper, while reducing their purchases from the subject firm during the relevant period. The subject firm did not import this type of paper during the relevant period. The investigation further revealed that the dominant factor leading to the closure of the plant was related to a shift in plant production to two other domestic facilities.

The petitioner alleges that the shift in plant production to two other domestic affiliated locations was to ensure that