

**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.*

[FR Doc. 02-9738 Filed 4-19-02; 8:45 am]

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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.*

[FR Doc. 02-9740 Filed 4-19-02; 8:45 am]

BILLING CODE 4510-30-M

**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

the production schedules were filled at the other facilities, since there were openings in the production schedule at those locations due to a lack of orders. The petitioner further alleges that a lack of orders resulted from a flood of paper imported from Brazil and South East Asia, resulting in the closure of the subject plant.

As noted above, the Department of Labor normally examines if "contributed importantly" test is met through a survey of the workers' firm's customers. A review of the survey results shows that the customers did not increase their imports of C2S Web Offset paper, while decreasing their purchases from the subject firm during the relevant period. The survey further shows that virtually all lost business was from other domestic sources and therefore imports of C2S Web paper did not contribute importantly to the layoffs at the subject plant. The customers purchasing uncoated envelope paper were not surveyed since there were no major declining customers of this product.

#### 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 decisions. Accordingly, the application is denied.

Signed at Washington, DC, this 22nd day of March, 2002.

**Edward A. Tomchick,**

*Director, Division of Trade Adjustment Assistance.*

[FR Doc. 02-9756 Filed 4-19-02; 8:45 am]

BILLING CODE 4510-30-M

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#### DEPARTMENT OF LABOR

##### Employment and Training Administration

[TA-W-38,855]

##### **Willamette Industries, Inc., Foster Plywood Division; Now Known as Weyerhaeuser Company, Sweet Home, Oregon; Amended Notice of Revised Determination on Reconsideration**

In accordance with section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Revised Determination on Reconsideration on September 28, 2001, applicable to workers of Willamette Industries, Inc., Foster Plywood Division, Sweet Home, Oregon. The notice was published in the **Federal Register** on October 19, 2001 (FR 66 53253).

At the request of the State agency, the Department reviewed the revised determination for workers of the subject firm. Information provided by the State and the company shows that Weyerhaeuser Company purchased Willamette Industries, Inc. in March 2002 and is now known as Weyerhaeuser Company.

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 Weyerhaeuser Company.

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

The intent of the Department's revised determination is to include all workers of Willamette Industries, Inc., Foster Plywood Division, now known as Weyerhaeuser Company who were adversely affected by increased imports.

The amended notice applicable to TA-W-38,855 is hereby issued as follows:

All workers engaged in the production of veneer core at Willamette Industries, Inc., Foster Plywood Division, now known as Weyerhaeuser Company, Sweet Home, Oregon who became totally or partially separated from employment on or after March 1, 2000, through September 28, 2003, are eligible to apply for adjustment assistance under section 223 of the Trade Act of 1974.

Signed at Washington, DC this 4th day of April, 2001.

**Edward A. Tomchick,**

*Director, Division of Trade Adjustment Assistance.*

[FR Doc. 02-9745 Filed 4-19-02; 8:45 am]

BILLING CODE 4510-30-M

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#### DEPARTMENT OF LABOR

##### Employment and Training Administration

[NAFTA-05043]

##### **Cooper Wiring Devices, Georgetown, SC; Amended Certification Regarding Eligibility To Apply for NAFTA Transitional Adjustment Assistance**

In accordance with section 250(A), Subchapter D, Chapter 2, Title II, of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Certification for NAFTA Transitional Adjustment Assistance on August 29, 2001, applicable to workers of Cooper Wiring Devices, Assembly Department, Georgetown, South Carolina. The notice was published in the **Federal Register** on September 11, 2001 (66 FR 47242).

At the request of the company, the Department reviewed the certification

for workers of the subject firm. Findings show that the Department limited its certification coverage to workers of the subject firm's Assembly Department.

New company information shows that worker separations are scheduled and the remaining production of molding and wall plating performed on the molding machines and wall plate wrapping machines is shifting to Mexico. The entire plant will be closing by the end of 2002.

It is the intent of the Department to include "all workers" of Cooper Wiring Devices adversely affected by a shift in production of molding machines and wall plant wrapping machines to Mexico.

The Department is amending the certification determination to identify the worker group to read "all workers."

The amended notice applicable to NAFTA-05043 is hereby issued as follows:

All workers of Cooper Wiring Devices, Georgetown, South Carolina who became totally or partially separated from employment on after June 26, 2000, through August 29, 2003, are eligible to apply for NAFTA-TAA under section 250 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.*

[FR Doc. 02-9746 Filed 4-19-02; 8:45 am]

BILLING CODE 4510-30-M

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#### DEPARTMENT OF LABOR

##### Employment and Training Administration

[NAFTA-5257]

##### **J.T. Fennell Company, Inc., Chillicothe, Illinois; Dismissal of Application for Reconsideration**

Pursuant to 29 CFR 90.18(C) an application for administrative reconsideration was filed with the Director of the Division of Trade Adjustment Assistance for workers at J.T. Fennell Company, Inc., Chillicothe, Illinois. The application contained no new substantial information which would bear importantly on the Department's determination. Therefore, dismissal of the application was issued.

NAFTA-5257; J.T. Fennell Company, Inc. Chillicothe, Illinois (March 21, 2002)