

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 mis-interpretation of facts or of the law justified reconsideration of the decision.

The TAA petition, filed on behalf of workers at Fujitsu Network Communications (FNC), Inc., Raleigh, North Carolina were engaged in activities related to software programming and computer support. The petition was denied because the petitioning workers did not produce an article within the meaning of Section 222(3) of the Act.

The petitioner attempts to demonstrate that the subject plant workers produced a specific article. The petitioner indicates that the product is called "NETSMART" which is an operating system with a graphical user interface. The petitioner further indicates that most of the workers were software developers and some were assigned computer tasks that involved leasing of the developers computers, upgrading the developer's computers with the latest versions of third party software, and regularly developing code into a single functioning unit to be burned on to a compact disk for distribution.

The functions of programming, technical support and the other administrative functions depicted by the petitioner are not considered production activities. A review of the initial investigation shows no production of an article was ever performed at the subject facility during the relevant period.

The workers at the subject firm do not produce an article within the meaning of Section 222(3) of the Trade Act 1974.

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, DC, this 1st day of August, 2002.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 02-20199 Filed 8-8-02; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-41,004]

Glen Raven, Inc., Burnsville, NC; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on March 11, 2002, in response to a worker petition which was filed on behalf of workers at Glen Raven, Inc., Burnsville, North Carolina.

The petitioner has requested that the petition be withdrawn. Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed at Washington, DC this 2nd day of August 2002.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 02-20196 Filed 8-8-02; 8:45 am]

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Signed at Washington, DC this 5th day of August, 2002.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 02-20194 Filed 8-8-02; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-41,173]

Progress Lighting, Philadelphia, PA; Notice of Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, an investigation was initiated on March 25, 2002, in response to a worker petition which was filed on behalf of workers at Progress Lighting, Philadelphia, Pennsylvania.

An active certification covering the petitioning group of workers is already in effect (TA-W-38,307A, as amended). Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed in Washington, DC, this 25th day of July, 2002.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 02-20197 Filed 8-8-02; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-40,548 and TA-W-40,458A]

Handler Textile, a Division of Duro Industries, Inc., Stone Mountain, GA; and Duro Industries Sales Corporation, A Division of Duro Industries, Inc., Rochester, NY; 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 Handler Textile, a Division of Duro Industries, Inc., Stone Mountain, Georgia and Duro Industries Sales Corporation, a Division of Duro Industries, Inc., Rochester, New York. The application contained no new substantial information which would bear importantly on the Department's determination. Therefore, dismissal of the application was issued.

TA-W-40,458; Handler Textile, a Division of Duro Industries, Inc., Stone Mountain, Georgia and

TA-W-40,458A; Duro Industries Sales Corporation, a Division of Duro Industries, Inc., Rochester, New York (July 30, 2002)

Signed in Washington, DC, this 25th day of July, 2002.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 02-20197 Filed 8-8-02; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-40,099]

Shasta Paper Company, Shasta Acquisition, Plainwell Paper, Anderson, CA; 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 January 17, 2002, applicable to workers of Shasta Paper Company, Anderson, California. The notice was published in the **Federal Register** on January 31, 2002 (67 FR 4750).

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 coated and uncoated printing paper.

New information shows that Shasta Acquisition is the parent firm of Shasta Paper Company and Plainwell Paper.

Information also shows that some workers separated from employment at the subject firm had their wages reported under two separate unemployment insurance (UI) tax accounts; Shasta Acquisition and Plainwell Paper.

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

The intent of the Department's certification is to include all workers of Shasta Paper, Anderson, California who were adversely affected by increased imports.

The amended notice applicable to TA-W-40,099 is hereby issued as follows:

All workers of Shasta Paper Company, Shasta Acquisition and Plainwell Paper, Anderson, California, engaged in the production of coated and uncoated printing paper, who became totally or partially separated from employment on or after September 4, 2000, through January 17, 2004, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, DC this 25th day of July, 2002.

Edward A. Tomchick,
Director, Division of Trade Adjustment Assistance.

[FR Doc. 02-20193 Filed 8-8-02; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR

Employment and Training Administration

[NAFTA-04208 and NAFTA-04208A]

Progress Lighting, Cowpens, SC, and Progress Lighting, Philadelphia PA; 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, as amended (19 U.S.C. 2273), the Department of Labor issued a Certification of Eligibility to Apply for NAFTA Transitional Adjustment Assistance on October 31, 2000, applicable to workers of Progress Lighting, Cowpens, South Carolina. The notice was published in the **Federal Register** on November 16, 2000 (65 FR 69343).

At the request of the International Brotherhood of Electrical Workers, Local 2005, the Department reviewed the certification for workers of the subject firm. The company reports that worker separations occurred at the Philadelphia, Pennsylvania location of Progress Lighting. The Philadelphia, Pennsylvania location is a distribution

center for the lighting fixtures produced in Cowpens, South Carolina.

Based on these findings, the Department is amending the certification to include workers of the Philadelphia, Pennsylvania location of Progress Lighting.

The intent of the Department's certification is to include all workers of Progress Lighting Wesley Industries, Inc. affected by a shift in production of lighting fixtures to Mexico.

Accordingly, the Department is amending the certification to include workers of Progress Lighting, Philadelphia, Pennsylvania.

The amended notice applicable to NAFTA-04208 is hereby issued as follows:

All workers of Progress Lighting, Cowpens, South Carolina (NAFTA-04208) and Progress Lighting, Philadelphia, Pennsylvania (NAFTA-04208A) who became totally or partially separated from employment on or after October 6, 1999, through October 31, 2002, are eligible to apply for NAFTA-TAA under Section 250 of the Trade Act of 1974.

Signed in Washington, DC, this 25th day of July, 2002.

Edward A. Tomchick,
Director, Division of Trade Adjustment Assistance.

[FR Doc. 02-20201 Filed 8-8-02; 8:45 am]

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DEPARTMENT OF LABOR

Employment Standards Administration

Wage and Hour Division; Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR Part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR Part 1, Appendix, as well as such additional statutes as may from time to time be

enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedeas decisions thereto, contain no expiration dates and are effective from their date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon And Related Acts," shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department.

Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, NW., Room S-3014, Washington, DC 20210.