

Transitional Adjustment Assistance (NAFTA-TAA) under NAFTA-5853, applicable to workers and former workers of the subject firm. The denial notices were signed on June 24, 2002, and published in the **Federal Register** on July 9, 2002 (67 FR 45550 and 45551, respectively).

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

The TAA petition filed on behalf of workers at Tri-Way Manufacturing, Inc., El Paso, Texas, engaged in repair and production of injection molding 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 survey revealed no imports of injection molds. There were no company imports of injection molds during the relevant period.

The NAFTA-TAA petition for the same group of workers was denied because criteria (3) and (4) of the group eligibility requirements of paragraph (a)(1) of section 250 of the Trade Act, as amended, were not met. There were no customer or company imports of injection molds from Mexico or Canada, nor did the subject firm shift production from El Paso to Mexico or Canada.

The petitioner requested that the Department of Labor survey an additional major customer of the subject firm regarding their purchases of injection molds.

On further review, the U.S. Department of Labor conducted a survey of an additional customer of the subject firm regarding their purchases of injection molds during the 2000 and 2001 periods. The survey revealed that the customer did not purchase injection molds from the subject firm during the relevant period. In fact, upon further clarification from the customer, it was revealed that Tri-Way Manufacturing, Inc. only repaired injection molds for the 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 in Washington, DC, this 31st day of October, 2002.

**Edward A. Tomchick,**

*Director, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-41,672 and NAFTA-6243]

#### VMV Paducahbilt, VMV Enterprises, Paducah, KY; 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 VMV Paducahbilt, VMV Enterprises, Paducah, Kentucky. 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-41,672 and NAFTA-06243;  
VMV Paducahbilt, VMV  
Enterprises, Paducah, Kentucky  
(October 16, 2002)

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

**Edward A. Tomchick,**

*Director, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[NAFTA-06070 and NAFTA "06070A"]

#### Williamson Dickie Manufacturing Company, McAllen #9, McAllen, TX, and Williamson Dickie Manufacturing Company, Weslaco, TX; 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 July 2, 2002, applicable to workers of Williamson Dickie Manufacturing Company, McAllen #9, McAllen, Texas. The notice was published in the **Federal Register** on July 18, 2002 (67 FR 47401).

At the request of the company, the Department reviewed the certification for workers of the subject firm. New information shows that worker separations occurred at the Weslaco, Texas location of Williamson Dickie Manufacturing Company when the plant closed permanently in September, 2002. The workers were engaged in employment related to the production of men's work pants.

Accordingly, the Department is amending the certification to cover workers of Williamson Dickie Manufacturing Company, Weslaco, Texas.

The intent of the Department's certification is to include all workers of Williamson Dickie Manufacturing Company who were adversely affected by the transfer of production to Mexico.

The amended notice applicable to NAFTA-06070 is hereby issued as follows:

All workers of Williamson Dickie Manufacturing Company, McAllen #9, McAllen, Texas (NAFTA-06070) and Williamson Dickie Manufacturing Company, Weslaco, Texas (NAFTA-6070A) who became totally or partially separated from employment on or after April 9, 2001, through July 2, 2004, are eligible to apply for NAFTA-TAA under Section 250 of the Trade Act of 1974.

Signed at Washington, DC, this 4th day of October, 2002.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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