

**DEPARTMENT OF LABOR****Employment and Training Administration**

[TA-W-54,987]

**Remington Products Company, a Division of Rayovac Corporation, Including Leased Workers of Impact Personnel, Accountants, Inc., Mid-State Technical and Power Recruiting, Bridgeport, CT; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade 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 and Alternative Trade Adjustment Assistance on June 25, 2004, applicable to workers of Remington Products, including leased workers of Impact Personnel, Accountants, Inc., Mid-State Technical and Power Recruiting, Bridgeport, Connecticut. The notice was published in the **Federal Register** on August 3, 2004 (69 FR 46576).

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 electric shavers.

New information from the State shows that Remington Products was purchased by Rayovac Corporation and is now known as Remington Products Company, a division of Rayovac Corporation. Information also shows that as of April 2004, workers separated from employment at the subject firm had their wages reported under a separate unemployment insurance (UI) tax account for Rayovac Corporation.

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

The amended notice applicable to TA-W-54,987 is hereby issued as follows:

All workers of Remington Products Company, a division of Rayovac Corporation, including leased workers of Impact Personnel, Accountants, Inc., Mid-State Technical, and Power Recruiting, Bridgeport, Connecticut, engaged in employment related to the production of electric razors, who became totally or partially separated from employment on or after May 26, 2003, through June 25, 2006, are eligible to apply for adjustment assistance under section 223 of the Trade Act of 1974, and are also eligible to apply for alternative trade adjustment assistance under section 246 of the Trade Act of 1974.

Signed in Washington, DC this 30th day of August, 2004.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E4-2095 Filed 9-7-04; 8:45 am]

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**DEPARTMENT OF LABOR****Employment and Training Administration**

[TA-W-54,657]

**Sterling and Adams Bentwood, Inc., a Division of Leggett & Platt Corp., Including Leased Workers of Carolina Personnel and Atwork Temp Services, Thomasville, North Carolina; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade 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 and Alternative Trade Adjustment Assistance on April 22, 2004, applicable to workers of Sterling and Adams Bentwood, Inc., including leased workers of Carolina Personnel and Atwork Temp Services, Thomasville, North Carolina. The notice was published in the **Federal Register** on June 2, 2004 (69 FR 31137).

At the request of a company official, the Department reviewed the certification for workers of the subject firm. The workers are engaged in the production of curved plywood parts for furniture.

New information from the company shows that some of the workers separated from employment at the subject firm had their wages reported under the unemployment insurance (UI) tax account for the parent company, Leggett & Platt Corp.

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

The amended notice applicable to TA-W-54,657 is hereby issued as follows:

All workers of Sterling and Adams Bentwood, Inc., a division of Leggett & Platt Corp., including leased workers of Carolina Personnel and Atwork Temp Services, Thomasville, North Carolina, who became totally or partially separated from employment on or after March 22, 2003, through April 22, 2006, are eligible to apply for adjustment assistance under section 223 of the Trade Act of 1974, and are also eligible to apply for alternative trade adjustment

assistance under section 246 of the Trade Act of 1974.

Signed in Washington, DC this 27th day of August, 2004.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E4-2093 Filed 9-7-04; 8:45 am]

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**DEPARTMENT OF LABOR****Employment And Training Administration**

[TA-W-54,974]

**Tarkett, Inc., Whitehall, Pennsylvania; Notice of Negative Determination Regarding Application for Reconsideration**

By letter of August 4, 2004, the petitioner 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) and Alternative Trade Adjustment Assistance (ATAA). The negative determination was signed on June 16, 2004. Department's notice of determination was published in the **Federal Register** on July 7, 2004 (69 FR 40983).

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 initial petition was denied because the subject worker group did not produce an article within the meaning of section 222(3) of the Act. The Department determined that the workers sold imported sheet vinyl flooring and provided administrative and information technology (IT) support for the sales team.

Information supplied in the initial investigation indicate that production of sheet vinyl flooring at the subject facility ceased completely in 1999, that sheet vinyl flooring has not been made domestically since 1999, and that workers at the subject facility are engaged in the sale of sheet vinyl flooring produced entirely in Canada.

The investigation also revealed that sales, marketing, and customer service functions are being performed at the subject facility, and that certain sales and IT positions moved to Canada.

The petitioner alleges that their job functions are being performed by workers at an affiliated Canadian facility. The petitioner infers that the same circumstances that supported a previous certification for the subject firm (TA-W-39,469; signed July 31, 2001) should support the current application.

The petitioner also alleges that the subject worker group supports an affiliated, TAA-certified facility (Tarkett, Inc., Newburgh, New York; signed March 24, 2003; TA-W-50,982). The petitioner further alleges that the closing of the New York site contributed to worker separations at the subject facility.

The petitioner has not presented any new facts or made any allegation that facts used in determining TAA eligibility were erroneous or that there was a misinterpretation of facts. Thus, the Department reaffirms the determination that 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 in Washington, DC, this 26th day of August, 2004.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E4-2094 Filed 9-7-04; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974, as amended, (19 U.S.C. 2273), the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers (TA-W) number and alternative trade adjustment assistance (ATAA) by

(TA-W) number issued during the periods of August 2004.

In order for an affirmative determination to be made and a certification of eligibility to apply for directly-impacted (primary) worker adjustment assistance to be issued, each of the group eligibility requirements of section 222(a) of the Act must be met.

I. Section (a)(2)(A)—all of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

B. The sales or production, or both, of such firm or subdivision have decreased absolutely; and

C. Increased imports of articles like or directly competitive with articles produced by such firm or subdivision have contributed importantly to such workers' separation or threat of separation and to the decline in sales or production of such firm or subdivision; or

II. Section (a)(2)(B)—both of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

B. There has been a shift in production by such workers' firm or subdivision to a foreign country of articles like or directly competitive with articles which are produced by such firm or subdivision; and

C. One of the following must be satisfied:

1. The country to which the workers' firm has shifted production of the articles is a party to a free trade agreement with the United States;

2. The country to which the workers' firm has shifted production of the articles to a beneficiary country under the Andean Trade Preference Act, African Growth and Opportunity Act, or the Caribbean Basin Economic Recovery Act; or

3. There has been or is likely to be an increase in imports of articles that are like or directly competitive with articles which are or were produced by such firm or subdivision.

Also, in order for an affirmative determination to be made and a certification of eligibility to apply for worker adjustment assistance as an adversely affected secondary group to be

issued, each of the group eligibility requirements of section 222(b) of the Act must be met.

(1) Significant number or proportion of the workers in the workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) The workers' firm (or subdivision) is a supplier or downstream producer to a firm (or subdivision) that employed a group of workers who received a certification of eligibility to apply for trade adjustment assistance benefits and such supply or production is related to the article that was the basis for such certification; and

(3) Either—

(A) The workers' firm is a supplier and the component parts it supplied for the firm (or subdivision) described in paragraph (2) accounted for at least 20 percent of the production or sales of the workers' firm; or

(B) A loss or business by the workers' firm with the firm (or subdivision) described in paragraph (2) contributed importantly to the workers' separation or threat of separation.

#### Negative Determinations for Worker Adjustment Assistance

In the following cases, the investigation revealed that the criteria for eligibility have not been met for the reasons specified.

The investigation revealed that criteria (a)(2)(A)(I.C.)(increased imports) and (a)(2)(B)(II.B) (No shift in production to a foreign country) have not been met.

TA-W-55,171; *TW Metals, Flat Steel Processing Facility, Cambridge, OH.*  
TA-W-55,323; *Promark International, d/b/a Smith-Victor Corporation, Griffith, IN.*

TA-W-55,216; *ITW Insulation Systems, Nitro, WV.*

TA-W-55,351; *D.T. Swiss, Inc., Grand Junction, CO.*

TA-W-55,252; *Fiberglass Products, Inc., d/b/a FPI Systems, North Haven, CT.*

The workers firm does not produce an article as required for certification under section 222 of the Trade Act of 1974.

TA-W-55,265; *ATI Research Silicon Valley, Inc., Product Test Group, Santa Clara, CA.*

TA-W-55,230 & A; *GGG Information Services, Technical Publication Division, York, PA and Book Services Division, York, PA.*

TA-W-55,381; *Med Data, Inc., Seattle, WA.*

TA-W-55,261; *Sony Electronics, Inc., AOEM Service Center, Farmington Hills, MI.*