

DEPARTMENT OF LABOR**Employment and Training Administration**

[TA-W-58,217]

Carolina Mills, Inc. Plant No. 9, Valdese, NC; 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 Carolina Mills, Inc., Plant No. 9, Valdese, North Carolina. The application did not contain new information supporting a conclusion that the determination was erroneous, and also did not provide a justification for reconsideration of the determination that was based on either mistaken facts or a misinterpretation of facts or of the law. Therefore, dismissal of the application was issued.

TA-W-58,217; Carolina Mills, Inc., Plant No. 9, Valdese, North Carolina (December 28, 2005).

Signed at Washington, DC this 28th day of December 2005.

Erica R. Cantor,

Director, Division of Trade Adjustment Assistance.

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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 December 2005.

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.

Affirmative Determinations for Worker Adjustment Assistance

The following certifications have been issued; the date following the company name and location of each determination references the impact date for all workers of such determination.

The following certifications have been issued. The requirements of (a)(2)(A) (increased imports) of Section 222 have been met.

TA-W-58,072; Engineered Specialty Plastics, Hot Springs, AR, 10/25/2004.

TA-W-58,188; Staley Fabricators, Inc., D/B/A Wright's Furniture, Staley, NC, 8/9/2005.

TA-W-58,251; Foamex LP, Consumer Products Group, Leased Workers—TEC Staffing, Fort Smith, AR, 11/17/2004.

TA-W-58,252; Flair Design Limited, Also known as FDL, Inc., Alexandria, IN, 11/17/2004.

TA-W-58,265; VF Jeanswear Service Support Center, Greensboro, NC, 11/21/2004.

TA-W-58,285; Sax Hosiery, Inc., Gibsonville, NC, 1/28/2005.

TA-W-58,293; DeV Vaughn Woodworks, Inc., Marietta, MS, 11/29/2004.

TA-W-58,332; Vera and Bob Holte Associate, Inc., d/b/a Holte, Los Angeles, CA, 11/23/2004.

TA-W-58,352; Cavert Wire Co., Lemont Furnace, PA, 10/4/2004.

TA-W-58,368; Coherent, Inc., Electronic Products—Auburn Div., Auburn, CA, 10/21/2004.

TA-W-58,376; Lati USA, Inc., Summerville, SC, 11/1/2004.

TA-W-58,376A; Lati USA, Inc., Summerville, SC, Louisville, KY, 10/31/2004.

TA-W-58,389; Glass Group, Inc. (The), New Mold Shop, Millville, NJ, 10/9/2004.

TA-W-58,400; MoltechPower Systems, Inc., Subsidiary of Shanghai Tire and Rubber Company, Alachua, FL, 10/31/2004.

TA-W-58,422; Western Forge, Murphy, NC, 12/6/2004.

TA-W-58,434; Burlen Corporation, Plant #1, Tifton, GA, 12/10/2005.