

Adjustment Assistance under Section 246 of the Trade Act of 1974.

Signed at Washington, DC this 2nd day of June 2006.

**Richard Church,**

*Certifying Officer, 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 May 2006.

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 county 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 and Alternative Trade 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, and section 246(a)(3)(A)(ii) of the Trade Act have been met.

TA-W-59,188; *Bosch Rexroth Corporation, Wooster Division, Wooster, OH: April 10, 2005*  
 TA-W-59,319; *Parker and Harper, Inc., Worcester, MA: May 2, 2005*  
 TA-W-59,094; *U.S. Baird Corporation (The), Stratford, CT: March 27, 2005*  
 TA-W-59,121; *Rhodia, Inc., CDI, Coworx Staffing & Kelly Services, Deepwater, NJ: March 30, 2005*  
 TA-W-59,362; *Mount Vernon Mills, Trion Denim Mill Division, Trion, GA: May 9, 2005*

The following certifications have been issued. The requirements of (a)(2)(B) (shift in production) of section 222 and section 246(a)(3)(A)(ii) of the Trade Act have been met.

TA-W-59,406; *Jakel, Inc., Highland, IL: April 1, 2006*  
 TA-W-59,264; *JohnsonDiversey, Inc., U.S. Institutional Division, On-Site Leased Workers of ADECCO Manpower and Erg, East Stroudsburg, PA: April 15, 2005*  
 TA-W-59,299; *Bayer Clothing Group, Inc., Clearfield, PA: June 4, 2006*  
 TA-W-59,304; *DeRoyal Industries, Inc., DeRoyal Patient Care, Dryden, VA: May 28, 2006*  
 TA-W-59,329; *Optical Electro Forming, Oracle Lenses, Clearwater, FL: May 2, 2005*  
 TA-W-59,333; *Superior Industries International, Inc., Van Nuys Plant, Van Nuys, CA: May 4, 2005*  
 TA-W-59,355; *Quebecor World, Leased Workers of Westaff and DC Staffing Services, Brookfield, WI: May 8, 2005*  
 TA-W-59,371; *Sony Electronics, Display Device, On-Site Leased Workers of Staffmark and Remedy, San Diego, CA: April 21, 2005*  
 TA-W-59,376; *Indian Industries, dba Escalade Sports, Billiard Tables Division, Evansville, IN: May 9, 2005*  
 TA-W-59,275; *Progressive Maintenance Technologies, Inc., On-Site at Elementis Pigments, Inc., Saint Louis, MO: April 11, 2005*

The following certification has been issued. The requirement of supplier to a trade certified firm and section 246(a)(3)(A)(ii) of the Trade Act have been met.

*None*

The following certification has been issued. The requirement of downstream producer to a trade certified firm and section 246(a)(3)(A)(ii) of the Trade Act have been met.

*None*

**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 criterion (a)(2)(A)(I.A) and (a)(2)(B)(II.A) (no employment decline) has not been met.

TA-W-59,237; *Easton Sports, Inc., A Division of Easton-Bell Sports, Van Nuys, CA.*

TA-W-59,237A; *Easton Sports, Inc., A Division of Easton-Bell Sports, Long Beach, CA.*

The investigation revealed that criteria (a)(2)(A)(I.B.) (Sales or production, or both, did not decline) and (a)(2)(B)(II.B) (shift in production to a foreign country) have not been met.

None  
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-59,317; *Ascent/Son Manufacturing, San Jose, CA.*

TA-W-59,321; *Vails Gate Manufacturing, LLC, Tarkett, Inc., New York, NY.*

TA-W-59,324; *Hiawathaland Tool, Inc., Kasson, MN.*

TA-W-59,350; *Central Minnesota Tool and Stamping, Little Falls, MN.*

The investigation revealed that criteria (a)(2)(A)(I.C.) (Increased imports) and (a)(2)(B)(II.C) (has shifted production to a foreign country) have not been met.

TA-W-59,235; *Oakwood International, Employed at Delphi Corp., Electtronics and Safety Division, Kokomo, IN.*

TA-W-59,257; *Systems West Computer Resource, On-Site at Exelon Corp. Commercial Center, Oakbrook, IL.*

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

TA-W-59,262; *Nokia Enterprise Solutions, Operations/Demand Fullfillment Team, Service Operations and Quality Div., Irving, TX.*

TA-W-59,310; *Motorola, Inc., Energy Systems Group, Lawrenceville, GA.*

TA-W-59,357; *Dole Fruit Co., Gulfport Purchasing Department, Gulfport, MS.*

TA-W-59,359; *Science Applications International Corp. (SAIC), Piscataway, NJ.*

The investigation revealed that criteria (2) has not been met. The workers firm (or subdivision) is not a

supplier or downstream producer to trade-affected companies.

None

**Affirmative Determinations for Alternative Trade Adjustment Assistance**

In order for the Division of Trade Adjustment Assistance to issue a certification of eligibility to apply for Alternative Trade Adjustment Assistance (ATAA) for older workers, the group eligibility requirements of section 246(a)(3)(A)(ii) of the Trade Act must be met.

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 determinations.

In the following cases, it has been determined that the requirements of section 246(a)(3)(ii) have been met.

I. Whether a significant number of workers in the workers' firm are 50 years of age or older.

II. Whether the workers in the workers' firm possess skills that are not easily transferable.

III. The competitive conditions within the workers' industry (*i.e.*, conditions within the industry are adverse).

**Negative Determinations for Alternative Trade Adjustment Assistance**

In order for the Division of Trade Adjustment Assistance to issued a certification of eligibility to apply for Alternative Trade Adjustment Assistance (ATAA) for older workers, the group eligibility requirements of section 246(a)(3)(A)(ii) of the Trade Act must be met.

In the following cases, it has been determined that the requirements of section 246(a)(3)(ii) have not been met for the reasons specified.

Since the workers are denied eligibility to apply for TAA, the workers cannot be certified eligible for ATAA.

TA-W-59,237; *Easton Sports, Inc., A Division of Easton-Bell Sports, Van Nuys, CA.*

TA-W-59,237A; *Easton Sports, Inc., A Division of Easton-Bell Sports, Long Beach, CA.*

TA-W-59,317; *Ascent/Son Manufacturing, San Jose, CA.*

TA-W-59,321; *Vails Gate Manufacturing, LLC, Tarkett, Inc., New York, NY.*

TA-W-59,324; *Hiawathaland Tool, Inc., Kasson, MN.*

TA-W-59,350; *Central Minnesota Tool and Stamping, Little Falls, MN.*

TA-W-59,235; *Oakwood International, Employed at Delphi Corp.,*

*Electtronics and Safety Division, Kokomo, IN.*

TA-W-59,257; *Systems West Computer Resource, On-Site at Exelon Corp. Commercial Center, Oakbrook, IL.*

TA-W-59,262; *Nokia Enterprise Solutions, Operations/Demand Fullfillment Team, Service Operations and Quality Div., Irving, TX.*

TA-W-59,310; *Motorola, Inc., Energy Systems Group, Lawrenceville, GA.*

TA-W-59,357; *Dole Fruit Co., Gulfport Purchasing Department, Gulfport, MS.*

TA-W-59,359; *Science Applications International Corp. (SAIC), Piscataway, NJ.*

The Department as determined that criterion (1) of section 246 has not been met. Workers at the firm are 50 years of age or older.

None

The Department has determined that criterion (2) of section 246 has not been met. Workers at the firm possess skills that are easily transferable.

None

The Department has determined that criterion (3) of section 246 has not been met. Competition conditions within the workers' industry are not adverse.

TA-W-59,371; *Sony Electronics, Display Device, On-Site Leased Workers of Staffmark and Remedy, San Diego, CA.*

I hereby certify that the aforementioned determinations were issued during the month of May 2006. Copies of These determinations are available for inspection in Room C-5311, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210 during normal business hours or will be mailed to persons who write to the above address.

Dated: June 9, 2006.

**Erica R. Cantor,**

*Director, Division of Trade Adjustment Assistance.*

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