

any affiliated firm controlled or substantially beneficially owned by substantially the same persons, may be considered a single firm." 29 CFR 90.2 (definition of "firm")

During the remand investigation, the Department obtained additional information that establishes that although Brawer Bros, Inc. and the subject firm are separate entities, they are controlled by the same owners. Further, because the function performed by Warp Processing Company, Inc. supports the production of knit fabric at Brawer Bros, Inc., the subject workers are engaged in activity related to the production of knit fabric. Therefore, the Department determines that, in the case at hand, the subject firm is "Warp Processing Company, Inc. and Brawer Bros, Inc.," Warp Processing Company, Inc. is an affiliate of the firm, and the article at issue is knit fabric.

A careful review of the administrative record reveals that a significant number or proportion of workers at Warp Processing Company, Inc. has been separated or threatened with separation. Therefore, the Department determines that the first criterion of Section 222(a)(2)(A) has been met.

A careful review of the administrative record reveals that sales and production at Warp Processing Company, Inc. have absolutely declined. Therefore, the Department determines that the second criterion of Section 222(a)(2)(A) has been met.

During the remand investigation, the Department conducted a survey of the subject firm's major declining customers. The survey revealed increased imports during the relevant period of articles like or directly competitive with those produced by the subject firm which contributed importantly to worker separations at Warp Processing Company, Inc. and to the subject firm's sales/production declines. Therefore, the Department determines that the third criterion of Section 222(a)(2)(A) has been met.

Based on the above information, the Department determines that the petitioning workers are eligible to apply for TAA and, therefore, it is moot whether or not the workers are eligible to apply for TAA as adversely affected secondary workers.

In accordance with Section 246 of the Trade Act of 1974 (26 USC 2813), as amended, the Department herein presents the results of its investigation regarding certification of eligibility to apply for ATAA. The Department has determined in this case that the group eligibility requirements of Section 246 have been met.

A significant number of workers at Warp Processing Company, Inc. are age 50 or over and possess skills that are not easily transferable. Competitive conditions within the knit fabric industry are adverse.

#### Conclusion

After careful review of the facts developed in the remand investigation, I determine that there was a separation of a significant number or proportion of workers at the subject firm or appropriate subdivision, that there were subject firm sales and production declines, and that increased imports of articles like or directly competitive with knit fabric produced by the subject firm contributed importantly to the subject firm's declines and the workers' separations.

In accordance with the provisions of the Act, I make the following certification:

"All workers of Warp Processing Company, Inc., Exeter, Pennsylvania, who became totally or partially separated from employment on or after January 9, 2007, through two years from this revised determination, are eligible to apply for Trade Adjustment Assistance under Section 223 of the Trade Act of 1974, and are eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974."

Signed at Washington, DC this 1st day of May 2009.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-64,647]

#### Trane US, Inc., Residential Systems Division, Tyler, TX; Notice of Affirmative Determination Regarding Application for Reconsideration

By application dated March 20, 2009, the International Union of Electronics, Electrical, Salaried Machine and Furniture Workers (IUE), AFL-CIO, Local 86782 requested administrative reconsideration of the negative determination regarding workers' eligibility to apply for Trade Adjustment Assistance (TAA) and Alternative Trade Adjustment Assistance (ATAA) applicable to workers and former workers of the subject firm. The determination was issued on February 13, 2009. The Notice of Determination

was published in the **Federal Register** on March 3, 2009 (74 FR 9279).

The initial investigation resulted in a negative determination based on the finding that imports of air conditioning units did not contribute importantly to worker separations at the subject firm. The investigation revealed that the subject firm did not shift production of air conditioning units to foreign countries during the period under investigation.

In the request for reconsideration, the petitioner alleged that the workers of the subject firm manufactured components for air conditioners and that the subject firm shifted production of these components to Mexico during the relevant period. The petitioner also alleged that the subject firm has shifted production to China and that there was an increase in imports of air conditioning units from China.

The Department has carefully reviewed the request for reconsideration and the existing record and has determined that the Department will conduct further investigation to determine if the workers meet the eligibility requirements of the Trade Act of 1974.

#### Conclusion

After careful review of the application, I conclude that the claim is of sufficient weight to justify reconsideration of the U.S. Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, DC, this 1st day of May 2009.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-64,643; TA-W-64,643A; TA-W-64,643B]

#### Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance

TA-W-64,643

Chrysler LLC, Headquarters, Including On-Site Leased Workers from Aerotek, Ajilon, Argos, Bartech Group, CDI Information Services, Computer Consultants of America, Inc., Computer Engrg Services, Epitex Group, Inc., GTECH Professional