

DEPARTMENT OF LABOR**Employment and Training
Administration**

[TA-W-71,903]

**JP Morgan Chase and Company, JP
Morgan Investment Banking Global
Corporate Financial Operations, New
York, NY; Notice of Affirmative
Determination Regarding Application
for Reconsideration**

By application dated October 12, 2009, a petitioner requested administrative reconsideration of the negative determination regarding workers' eligibility to apply for Trade Adjustment Assistance (TAA) applicable to workers and former workers of the subject firm. The determination was issued on September 24, 2009. The Notice of Determination will soon be published in the **Federal Register**.

The initial investigation resulted in a negative determination based on the finding that workers' separations or threat of separations was not related to an increase in imports or shift/acquisition of business research and clerical support operations to a foreign country.

In the request for reconsideration, the petitioner alleged that employment at the subject firm was negatively impacted by a shift in services from the subject firm to India. The petitioner also alleged that the services performed by workers of the subject firm were supplied to external customers.

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 27th day of October 2009.

Elliott S. Kushner,*Certifying Officer, Division of Trade
Adjustment Assistance.*

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DEPARTMENT OF LABOR**Employment and Training
Administration**

[TA-W-70,276]

**Ecoquest Holdings Corporation,
Greeneville, TN; Amended Certification
Regarding Eligibility To Apply for
Worker Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974, as amended ("Act"), 19 U.S.C. 2273, and Section 246 of the Trade Act of 1974 (26 USC 2813), as amended, the Department of Labor issued a Certification of Eligibility to apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance on July 1, 2009, applicable to workers of Ecoquest Holdings Corporation, Greeneville, Tennessee. The notice was published in the **Federal Register** on August 19, 2009 (74 FR 41932).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The workers are engaged in activity related to the production of air and water purification units.

Findings show that there was a previous certification, TA-W-60,799, issued on February 28, 2007, for the workers of the Greenville, Tennessee location of Ecoquest Holding Corporation. That certification expires February 28, 2009. To avoid an overlap in worker group coverage for the workers of the Greenville, Tennessee location of Ecoquest Holding Corporation, the certification is being amended to change the impact date from May 18, 2008 to March 1, 2009.

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

The intent of the Department's certification is to include all workers of Ecoquest Holding Corporation who were adversely affected by a shift in production of air and water purification units to China.

The amended notice applicable to TA-W-70,276 is hereby issued as follows:

All workers of Ecoquest Holdings Corporation, Greeneville, Tennessee who became totally or partially separated from employment on or after March 1, 2009, through July 1, 2011, 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 October, 2009.

Richard Church,*Certifying Officer, Division of Trade
Adjustment Assistance.*

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DEPARTMENT OF LABOR**Employment and Training
Administration**

[TA-W-70,045]

**Victoria and Company, Ltd, a Division
of Jones Apparel Group: Product
Development Group, East Providence,
RI; Determination Regarding Eligibility
To Apply for Worker Adjustment
Assistance and Alternative Trade
Adjustment Assistance**

On October 22, 2009, the Department issued an Affirmative Determination Regarding Application for Reconsideration applicable to workers and former workers of the subject firm.

The previous investigation initiated on May 18, 2009, resulted in a negative determination issued on September 10, 2009, and was based on the finding that imports of solid fragrance compacts did not contribute importantly to worker separations at the subject firm and no shift of production to a foreign source occurred.

In the request for reconsideration, the petitioners supplied additional information and alleged that the workers of the subject firm also designed and fabricated jewelry master models and that the subject firm shifted these functions to China during the relevant period. The petitioners' intention was to file a request for reconsideration for workers engaged in design and fabrication of master models.

The Department contacted a company official of the subject firm to address this allegation. Upon further investigation, it was revealed that the workers of the subject firm not only manufactured solid fragrance compacts, but also performed technical design utilizing CAD systems and were engaged in model making and product coordination during the relevant period. These workers were Model Makers, Product Coordinators and Technical Designers and were employees of the Product Development Group. The workers were separately identifiable from other workers at the subject firm by job classification. The investigation further revealed that the subject firm shifted technical design, model making and product coordination functions to a third party located in Asia and that the