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

[TA-W-72,949]

**Western Digital Technologies, Inc., Corporate Headquarters/Hard Drive Development Division, Lake Forest, CA; Notice of Negative Determination on Reconsideration**

On October 7, 2010, the Department of Labor issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of Western Digital Technologies, Inc., Corporate Headquarters/Hard Drive Development Division, Lake Forest, California (Western Digital Technologies). The Department's Notice was published in the **Federal Register** on October 25, 2010 (75 FR 65517). The subject workers supply engineering (development) services in support of hard drive (also known as disk drive) manufacturing.

The initial negative determination was based on the Department's findings that that the subject firm did not increase imports of like or directly competitive services and did not shift to a foreign country the supply of these services. The investigation also revealed that the subject firm does not supply services that were directly used in the production of an article by a firm that employed a worker group eligible to apply for TAA. Because the services were supplied internally, no customer survey was conducted.

The request for reconsideration alleges that increased imports of articles that were produced directly using the services supplied by the subject workers contributed importantly to separations at the subject firm.

Information obtained during the reconsideration investigation confirmed that, during the relevant period, the workers' firm did not shift to a foreign country the supply of services like or directly competitive with the engineering services supplied by the workers nor has there been an acquisition by the subject firm from a foreign country of like or directly competitive services; that the subject firm did not increase services like or directly competitive with the engineering services supplied by the workers; and the subject firm did not increase imports of articles that were produced directly using services supplied by the subject workers.

**Conclusion**

After reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of Western Digital Technologies, Inc., Corporate Headquarters/Hard Drive Development Division, Lake Forest, California.

Signed in Washington, DC, on this 4th day of February, 2011.

**Del Min Amy Chen,***Certifying Officer, Office of Trade Adjustment Assistance.*

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

[TA-W-72,554]

**General Motors Company, Pontiac Assembly; Pontiac, MI; Notice of Negative Determination on Reconsideration**

On October 7, 2010, the Department of Labor (Department) issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of General Motors Company, Pontiac Assembly, Pontiac, Michigan (GM-Pontiac). The Department's Notice of determination was published in the **Federal Register** on October 25, 2010 (75 FR 65513). Workers at GM-Pontiac are engaged in employment related to the production of the GMC Sierra and Chevrolet Silverado vehicles.

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 mis-interpretation of facts or of the law justified reconsideration of the decision.

The initial investigation resulted in a negative determination based on the finding that there was no increase in imports by the subject firm or its customers or a shift to/acquisition from a foreign country by the workers' firm of articles like or directly competitive with the automobiles produced by the workers. The investigation also revealed that the workers did not produce a

component part that was used by a firm that both employed workers eligible to apply for Trade Adjustment Assistance and directly incorporated the component parts into the article that was the basis for the TAA certification.

In the request for reconsideration, the International Union of United Automobile, Aerospace, and Agricultural Implement Workers of America (UAW) stated that production of standard cab and extended cab GMC Sierra and Chevrolet Silverado vehicles shifted to an affiliated GM facility in Mexico ("Pontiac Assembly ceased producing \* \* \* production from Pontiac \* \* \* shifted, at least in part, to Silao, Mexico."

Information obtained during the reconsideration investigation confirmed that the subject firm did not shift to/acquire from an affiliated facility in Mexico or any other foreign country the production of standard cab and extended cab GMC Sierra and Chevrolet Silverado vehicles (or like or directly competitive articles). The company official also confirmed that production of the aforementioned vehicles was shifted to affiliated locations within the United States.

**Conclusion**

After reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of General Motors, Pontiac Assembly, Pontiac, Michigan.

Signed in Washington, DC, on this 4th day of February, 2011.

**Del Min Amy Chen,***Certifying Officer, Office of Trade Adjustment Assistance.*

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

[TA-W-73,488]

**Hewlett Packard (HP), Global Product Development, Engineering Workstation Refresh Team, Working On-Site at General Motors Corporation, Milford, MI; Notice of Revised Determination on Reconsideration**

On June 8, 2010, the Department issued a Notice of Termination of Investigation, stating that the petitioning worker group is part of an on-going investigation (TA-W-72,851). On June 30, 2010, the Department issued a Notice of Revised Termination of