

www.dol.gov/ILAB/programs/ocft/tvpra.htm.

II. Executive Order No. 13126 (E.O. 13126) declared that it was “the policy of the United States Government * * * that the executive agencies shall take appropriate actions to enforce the laws prohibiting the manufacture or importation of goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part by forced or indentured child labor.” Pursuant to E.O. 13126, and following public notice and comment, the Department of Labor published in the January 18, 2001, Federal Register, a final list of products (the “List”), identified by country of origin, that the Department, in consultation and cooperation with the Departments of State (DOS) and Treasury [relevant responsibilities now within the Department of Homeland Security (DHS)], had a reasonable basis to believe might have been mined, produced or manufactured with forced or indentured child labor (66 FR 5353). In addition to the List, the Department also published on January 18, 2001, “Procedural Guidelines for Maintenance of the List of Products Requiring Federal Contractor Certification as to Forced or Indentured Child Labor,” which provide for maintaining, reviewing, and, as appropriate, revising the List (66 FR 5351). Based on DOL research and information submitted by the public, DOL issued an initial determination on September 11, 2009, announcing proposed updates to the E.O. 13126 list and requesting public comments. Public comments were received and reviewed by all relevant agencies, and a final determination was issued on July 20, 2010, that included all products proposed in the initial determination except for carpets from India (75 FR 42164). Further DOL research was conducted in 2010 and a new initial determination was published December 16, 2010, proposing to remove one good from the current list (charcoal from Brazil) and add another (textiles from Ethiopia). The current E.O. 13126 List, Procedural Guidelines, and related information can be accessed on the Internet at <http://www.dol.gov/ILAB/regs/eo13126/main.htm>. Pursuant to Sections D through G of the Procedural Guidelines, the EO 13126 List may be updated through consideration of submissions by individuals or through OCFT’s own initiative.

III. The Trade and Development Act of 2000 (TDA), Public Law 106–200 (2002), established a new eligibility criterion for receipt of trade benefits under the Generalized System of Preferences (GSP), Caribbean Basin

Trade and Partnership Act (CBTPA), and Africa Growth and Opportunity Act (AGOA). The TDA amends the GSP reporting requirements of Section 504 of the Trade Act of 1974, 19 U.S.C. 2464, to require that the President’s annual report on the status of internationally recognized worker rights include “findings by the Secretary of Labor with respect to the beneficiary country’s implementation of its international commitments to eliminate the worst forms of child labor.” Title II of the TDA and the TDA Conference Report, Joint Explanatory Statement of the Committee of Conference, 106th Cong. 2d. Sess. (2000), indicate that the same criterion applies for the receipt of benefits under CBTPA and AGOA, respectively.

In addition, the Andean Trade Preference Act (ATPA), as amended and expanded by the Andean Trade Promotion and Drug Eradication Act (ATPDEA), Public Law 107–210, Title XXXI (2002), includes as a criterion for receiving benefits “[w]hether the country has implemented its commitments to eliminate the worst forms of child labor as defined in section 507(6) of the Trade Act of 1974.” DOL fulfills these reporting mandates through annual publication of the U.S. Department of Labor’s Findings on the Worst Forms of Child Labor with respect to countries eligible for the aforementioned programs. The 2010 report and additional background information are available on the Internet at <http://www.dol.gov/ILAB/programs/ocft/tda.htm>.

Information Requested and Invitation to Comment: Interested parties are requested to consider DOL’s 2009 Findings on the Worst Forms of Child Labor (TDA report); the 2010 List of Goods Produced by Child Labor or Forced Labor (TVPRA list); and the current Executive Order 13126 List of Products Requiring Federal Contractor Certification as to Forced or Indentured Child Labor (E.O. 13126 list), all of which may be found on the Internet at <http://www.dol.gov/ilab/highlights/if-20101215.htm> or obtained from OCFT. DOL requests comments on or information to update the findings and suggestions for government action for countries reviewed in the TDA report; information on the nature and extent of child labor, forced labor, and forced or indentured child labor in the production of goods in foreign countries; and information on government, industry, or third-party actions and initiatives to address these issues.

Materials submitted should be confined to the specific topics of these reports. DOL will generally consider

sources with dates up to five years old (i.e., data not older than January 1, 2005). DOL appreciates the extent to which submissions clearly indicate the time period to which they apply. In the interest of transparency, classified information will not be accepted. Where applicable, information submitted should indicate its source or sources, and copies of the source material should be provided. If primary sources are utilized, such as research studies, interviews, direct observations, or other sources of quantitative or qualitative data, details on the research or data-gathering methodology should be provided. Please see the 2010 TDA report, TVPRA List, and E.O. 13126 List for a complete explanation of relevant terms, definitions, and reporting guidelines employed by DOL, or refer to ILAB’s previous Request for Information published in the **Federal Register** on Feb. 24, 2010 (75 FR 8402).

This notice is a general solicitation of comments from the public.

Signed at Washington, DC, this 20th day of April, 2011.

Sandra Polaski,

Deputy Undersecretary for International Labor Affairs.

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-75,131]

JLG Industries, Inc., Access Division, A Subsidiary of Oshkosh Corporation, Hagerstown, MD; Notice of Affirmative Determination Regarding Application for Reconsideration

By application dated April 8, 2011, by 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 JLG Industries, Inc., Access Division, a subsidiary of Oshkosh Corporation, Hagerstown, Maryland (subject firm). The determination was issued on March 9, 2011. The Department’s Notice of Determination was published in the **Federal Register** on March 23, 2011 (76 FR 16450). The workers are engaged in activities related to the supply of design engineering, global procurement supply chain, and safety and reliability for the production of access equipment.

The negative determination was based on the findings that the subject firm worker group did not separate or

threaten to separate a significant number or proportion of workers as required by Section 222 of the Trade Act of 1974, as amended. Further, the group eligibility requirements under Section 222(f) of the Act were not satisfied because the workers' firm has not been identified in an affirmative finding of injury by the U.S. International Trade Commission.

In the request for reconsideration, the petitioner stated that "Remaining employees were required to take a pay cut as well as a one week furlough without pay every three month * * * There were over 200 employees at the JLG Hagerstown, Maryland facilities who were affected by this and 100 percent of these employees were required to participate in the wage reduction and furlough lay-offs although the furlough lay-offs were scheduled at different times for different employees to maintain some semblance of a work force."

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 petitioning workers meet the eligibility requirements of the Trade Act of 1974, as amended.

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 14th day of April 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-74,895, et al.]

Wellpoint, Inc. D/B/A/Anthem Blue Cross & Blue Shield Enterprise Provider Data Management Team Including On-Site Leased Workers From Kelly Services and Jacobsen Group, et al.; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

TA-W-74,895

Wellpoint, Inc., D/B/A/Anthem Blue Cross & Blue Shield, Enterprise Provider Data Management Team, Including On-Site

Leased Workers From Kelly Services and Jacobsen Group, Indianapolis, Indiana
TA-W-74,895A

Wellpoint, Inc., D/B/A/Anthem Health Plans Of Kentucky, Enterprise Provider Data Management Team, Louisville, Kentucky
TA-W-74,895B

Wellpoint, Inc., Enterprise Provider Data Management Team, Saint Louis, Missouri
TA-W-74,895C

Wellpoint, Inc., D/B/A/Anthem, Enterprise Provider Data Management Team, (Pewaukee) Waukesha, Wisconsin
TA-W-74,895D

Wellpoint, Inc., D/B/A/Anthem, Enterprise Provider Data Management Team, Richmond, Virginia
TA-W-74,895E

Wellpoint, Inc., D/B/A/Anthem East, Enterprise Provider Data Management Team, North Haven, Connecticut
TA-W-74,895F

Wellpoint, Inc., D/B/A/Blue Cross Blue Shield Of Georgia, Enterprise Provider Data Management Team, Atlanta, Georgia
TA-W-74,895G

Wellpoint, Inc., D/B/A/Blue Cross Blue Shield of Georgia, Enterprise Provider Data Management Team, Columbus, Georgia
TA-W-74,895I

Wellpoint, Inc., D/B/A/Anthem East, Enterprise Provider Data Management Team, Manchester, New Hampshire
TA-W-74,895J

Wellpoint, Inc., D/B/A/Empire Blue Cross and Blue Shield, Enterprise Provider Data Management Team, Albany, New York
TA-W-74,895K

Wellpoint, Inc., D/B/A/Empire Blue Cross and Blue Shield, Enterprise Provider Data Management Team, Brooklyn, New York
TA-W-74,895L

Wellpoint, Inc., D/B/A/Anthem, Enterprise Provider Data Management Team, Mason, Ohio

In accordance with Section 223 of the Trade Act of 1974, as amended ("Act"), 19 U.S.C. 2273, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on January 12, 2011, applicable to workers of Wellpoint, Inc., Enterprise Provider Data Management Team, including on-site leased workers from Kelly Services and Jacobsen Group, Indianapolis, Indiana. The workers provide health insurance transactional services. The notice was published in the **Federal Register** on January 26, 2011 (76 FR 4731). The certification was amended on March 30, 2011 to include workers from auxiliary facilities in multiple states who were similarly affected by the acquisition of services that contributed importantly to separations at the Indianapolis, Indiana facility. The amended certification will be published soon in the **Federal Register**.

At the request of a State agency, the Department reviewed the amended certification for workers of the subject firm.

A review of the amended certifications shows that workers of Wellpoint, Inc., d/b/a Anthem East, Enterprise Provider Data Management Team, South Portland, Maine (TA-W-895H) are currently covered under an existing certification, TA-W-74,299, that expires on August 2, 2012.

Accordingly, the Department is amending this certification to delete TA-W-895H. The other locations covered by the amended certification are unaffected.

The amended notice applicable to TA-W-74,895 is hereby issued as follows:

All workers of Wellpoint, Inc., d/b/a Anthem Blue Cross & Blue Shield, Enterprise Provider Data Management Team, including on-site leased workers from Kelly Services and Jacobsen Group, Indianapolis, Indiana (TA-W-74,895), Wellpoint, Inc., d/b/a Anthem Health Plans of Kentucky, Enterprise Provider Data Management Team, Louisville, Kentucky (TA-W-74,895A), Wellpoint, Inc., Enterprise Provider Data Management Team, Saint Louis, Missouri (TA-W-74,895B), Wellpoint, Inc., d/b/a Anthem, Enterprise Provider Data Management Team, (Pewaukee) Waukesha, Wisconsin (TA-W-74,895C), Wellpoint, Inc., d/b/a Anthem, Enterprise Provider Data Management Team, Richmond, Virginia (TA-W-74,895D), Wellpoint, Inc., d/b/a Anthem East, Enterprise Provider Data Management Team, North Haven, Connecticut (TA-W-74,895E), Wellpoint, Inc., d/b/a Blue Cross Blue Shield of Georgia, Enterprise Provider Data Management Team, Atlanta, Georgia (TA-W-74,895F), Wellpoint, Inc., d/b/a Blue Cross Blue Shield of Georgia, Enterprise Provider Data Management Team, Columbus, Georgia (TA-W-74,895G), Wellpoint, Inc., d/b/a Anthem East, Enterprise Provider Data Management Team, Manchester, New Hampshire (TA-W-74,895I) Wellpoint, Inc., d/b/a Empire Blue Cross, Enterprise Provider Data Management Team, Albany, New York (TA-W-74,895J) Wellpoint, Inc., d/b/a Empire Blue Cross and Blue Shield, Enterprise Provider Data Management Team, Brooklyn, New York (TA-W-74,895K) Wellpoint, Inc., d/b/a Anthem, Enterprise Provider Data Management Team, Mason, Ohio (TA-W-74,895L), who became totally or partially separated from employment on or after November 15, 2009, through January 12, 2013, and all workers in the group threatened with total or partial separation from employment on the date of certification through two years from the date of certification, are eligible to apply for adjustment assistance under Chapter 2 of Title II of the Trade Act of 1974, as amended.