

reviewed the certification for workers of the subject firm.

New information shows that worker separations have occurred involving employees of the subject firm who telework from off-site locations throughout the United States. These employees provided various activities related to software development services. Based on these findings, the Department is amending this certification to include employees of the subject firm who telework and report into the Houston, Texas facility.

The intent of the Department's certification is to include all workers of the subject firm who were adversely affected by a shift in software development services to a foreign country.

The amended notice applicable to TA-W-74,540 is hereby issued as follows:

All workers of BMC Software, inc., including on-site leased workers from Comsys ITS, and including remote workers located throughout the United States, Houston, Texas, who became totally or partially separated from employment on or after July 22, 2009 through November 23, 2012, and all workers in the group threatened with total or partial separation from employment on 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.

Signed in Washington, DC, this 28th day of September 2011.

Michael W. Jaffe,

Certifying Officer, Office of Trade Adjustment Assistance.

[FR Doc. 2011-25715 Filed 10-4-11; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-80,260]

Unimin Corporation Including On-Site Leased Workers From Staffmark and Elwood Staffing Aurora, IN; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273), and Section 246 of the Trade Act of 1974 (26 U.S.C. 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 6, 2011, applicable to

workers of Unimin Corporation, including on-site leased workers from Staffmark, Aurora, Indiana. The workers are engaged in activities related to the production of process olivine. Specifically, the workers are engaged in mining operations, processing, and office support functions. The notice was published in the **Federal Register** on July 29, 2011 (76 FR 45623).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. New information shows that workers leased from Elwood Staffing were employed on-site at the Aurora, Indiana location of Unimin Corporation. The Department has determined that these workers were sufficiently under the control of Unimin Corporation to be considered leased workers.

The intent of the Department's certification is to include all workers of the subject firm adversely affected by actual/likely increase in imports following a shift abroad.

Based on these findings, the Department is amending this certification to include workers leased from Elwood Staffing working on-site at the Aurora, Indiana location of the subject firm.

The amended notice applicable to TA-W-80,260 is hereby issued as follows:

All workers of Unimin Corporation, including on-site leased workers from Staffmark and Elwood Staffing, Aurora, Indiana, who became totally or partially separated from employment on or after June 27, 2010, through July 6, 2013, 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 20th day of September 2011.

Michael W. Jaffe,

Certifying Officer, Office of Trade Adjustment Assistance.

[FR Doc. 2011-25709 Filed 10-4-11; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade 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 period of *September 12, 2011 through September 16, 2011*.

In order for an affirmative determination to be made for workers of a primary firm and a certification issued regarding eligibility to apply for worker adjustment assistance, 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 country 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 for secondarily affected workers of a firm

and a certification issued regarding eligibility to apply for worker adjustment assistance, 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.

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.

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

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

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

Affirmative Determinations for Worker 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 Section 222(a)(2)(A) (increased imports) of the Trade Act have been met.

TA-W-80,030; Excel Berger, New Brunswick, NJ: March 7, 2010
TA-W-80,161; Gatehouse Media IL Holdings, Inc., Rockford, IL: May 4, 2010

The following certifications have been issued. The requirements of Section

222(a)(2)(B) (shift in production) of the Trade Act have been met.

TA-W-80,135; PSC Fabricating, St. Smith, AR: April 26, 2010

TA-W-80,302; Disney Interactive Studios, Glendale, CA: July 12, 2010

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 Section 222(a)(2)(A) (increased imports) and Section 246(a)(3)(A)(ii) of the Trade Act have been met.

TA-W-80,333; Kimball Electronics Tampa, Inc., Fremont, CA: August 1, 2010

TA-W-80,353; The HON Company, Owensboro, KY: August 4, 2011

TA-W-80,393; SOLON Corp., Tucson, AZ: August 24, 2010

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

TA-W-80,378; Kwik-File, LLC, Fridley, MN: August 16, 2010

TA-W-80,378A; Mayline Moldco, Sheboygan, WI: August 16, 2010

TA-W-80,386; Ansell Protective Products, Inc., Coshocton, OH: August 19, 2010

TA-W-80,400; Four Seasons, Div. of SMP, Inc., Grapevine, TX: August 19, 2010

Negative Determinations for Alternative Trade Adjustment Assistance

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

The Department has determined that criterion (1) of Section 246 has not been met. The firm does not have a significant number of workers 50 years of age or older.

TA-W-80,135; PSC Fabricating, Ft. Smith, AR

TA-W-80,302; Disney Interactive Studios, Glendale, CA

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

TA-W-80,161; Gatehouse Media IL Holdings, Inc., Rockford, IL

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-80,030; Excel Berger, New Brunswick, NJ

Negative Determinations for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance

In the following cases, the investigation revealed that the eligibility criteria for worker adjustment assistance have not been met for the reasons specified.

Because the workers of the firm are not eligible to apply for TAA, the workers cannot be certified eligible for ATAA.

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

TA-W-80,153; Intercontinental Hotels Group, Alpharetta, GA

TA-W-80,156; Bank of America, N.A., Dallas, TX

TA-W-80,297; Steiff North America, Lincoln, RI

TA-W-80,309; Cadmus Journal Services, Inc., Columbia, MD

TA-W-80,401; NewLift Academy of Information Technology, dba

NewLife Technical Institute, East Liverpool, OH

TA-W-80,430; Product Dynamics LTD, Levittown, PA

Determinations Terminating Investigations of Petitions for Worker Adjustment Assistance

After notice of the petitions was published in the **Federal Register** and on the Department's Web site, as required by Section 221 of the Act (19 USC 2271), the Department initiated investigations of these petitions.

The following determinations terminating investigations were issued because the petitioner has requested that the petition be withdrawn.

TA-W-80,319; Timberland Trucking, Medway, ME

TA-W-80,343; Jostens State College, State College, PA

The following determinations terminating investigations were issued because the petitioning groups of workers are covered by active certifications. Consequently, further investigation in these cases would serve no purpose since the petitioning group of workers cannot be covered by more than one certification at a time.

TA-W-80,328; Siemens Medical Solutions USA, Inc., Youngstown, OH

I hereby certify that the aforementioned determinations were issued during the period of *September 12, 2011 through September 16,*

2011. Copies of these determinations may be requested under the Freedom of Information Act. Requests may be submitted by fax, courier services, or mail to FOIA Disclosure Officer, Office of Trade Adjustment Assistance (ETA), U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210 or to foiarequest@dol.gov. These determinations also are available on the Department's Web site at <http://www.doleta.gov/tradeact> under the searchable listing of determinations.

Dated: September 26, 2011.

Michael W. Jaffe,

Certifying Officer, Office of Trade Adjustment Assistance.

[FR Doc. 2011-25711 Filed 10-4-11; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Division of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to Section 221(a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than October 17, 2011.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than October 17, 2011.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, Room N-5428, 200 Constitution Avenue, NW., Washington, DC 20210.

Signed at Washington, DC, this 22nd day of September 2011.

Michael Jaffe,

Certifying Officer, Office of Trade Adjustment Assistance.

Appendix

18 TAA PETITIONS INSTITUTED BETWEEN 9/12/11 AND 9/16/11

| TA-W | Subject firm (petitioners) | Location | Date of institution | Date of petition |
|-------|---|----------------------------|---------------------|------------------|
| 80427 | Coastal Lumber Company (Workers) | Hopwood, PA | 09/12/11 | 09/09/11 |
| 80428 | Toho Tenax America, Inc. (Company) ... | Rockwood, TN | 09/12/11 | 09/09/11 |
| 80429 | Kennametal Inc. (Company) | Latrobe, PA | 09/12/11 | 09/09/11 |
| 80430 | Product Dynamics LTD (Workers) | Levittown, PA | 09/12/11 | 09/09/11 |
| 80431 | Covidien (Company) | Argyle, NY | 09/12/11 | 09/11/11 |
| 80432 | Infuscience (Workers) | North Charleston, SC | 09/13/11 | 09/12/11 |
| 80433 | Werner Company (State/One-Stop) | Merced, CA | 09/13/11 | 09/12/11 |
| 80434 | IBM Corporation (Workers) | Armonk, NY | 09/13/11 | 09/09/11 |
| 80435 | New United Motor Mfg. Inc (NUMMI) (Company) | Fremont, CA | 09/13/11 | 09/09/11 |
| 80436 | Ornamental Mouldings, LLC (Company) | Archdale, NC | 09/14/11 | 09/06/11 |
| 80437 | Klaussner Furniture Industry (State/One-Stop) | Milford, IA | 09/14/11 | 09/13/11 |
| 80438 | LabWest Inc. (Workers) | Santa Ana, CA | 09/14/11 | 09/13/11 |
| 80439 | Yahoo Inc. (Workers) | Hillsboro, OR | 09/15/11 | 09/15/11 |
| 80440 | Bank Of America (Company) | Scranton, PA | 09/15/11 | 09/14/11 |
| 80441 | Online Buddies (State/One-Stop) | Cambridge, MA | 09/15/11 | 09/14/11 |
| 80442 | Bon Worth (State/One-Stop) | Hendersonville, NC | 09/15/11 | 09/13/11 |
| 80443 | Olympic Panel Products LLC. (Union) ... | Shelton, WA | 09/16/11 | 09/14/11 |
| 80444 | Spang/Magnetics (Workers) | East Butler, PA | 09/16/11 | 09/15/11 |

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-74,733]

Xpedite Systems, LLC Deerfield Beach, Florida; Notice of Negative Determination on Reconsideration

On March 4, 2011, the Department of Labor issued an Affirmative Determination Regarding Application for Reconsideration for the workers and

former workers of Xpedite Systems, LLC, a subsidiary of Easylink Services International Corporation, formerly a subsidiary of Premier Global Services, Inc., Deerfield Beach, Florida (Xpedite). The Department's Notice was published in the **Federal Register** on March 17, 2011 (76 FR 14698). Workers of the subject firm are engaged in activities related to the supply of communication, applications, and support services.

Pursuant to 29 CFR 90.18(c), reconsideration may be granted under the following circumstances: