DEPARTMENT OF LABOR
Employment and Training Administration

[TA–W–80,430]

Product Dynamics LTD, Levittown, PA; Notice of Affirmative Determination Regarding Application for Reconsideration

By application dated September 28, 2011, 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 Product Dynamics, LTD, Levittown, Pennsylvania (Product Dynamics). The negative determination was issued on September 14, 2011. The Department’s Notice of Determination will soon be published in the Federal Register.

The negative determination was based on the Department’s findings that the subject firm did not produce an article. Further, the investigation revealed that the subject firm is not a Supplier or Downstream Producer to a firm that employed a group of workers who received a certification of eligibility under Section 222(a) of the Act, 19 U.S.C. 2272(a).

In the request for reconsideration, the petitioner alleges that workers at Product Dynamics are engaged in activities related to the production of toy prototypes (stating that workers “machine, fabricate and sculpt various items to create prototype models, samples and patterns.”)

The Department has carefully reviewed the petitioner’s 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 by the U.S. Department of Labor’s prior decision. The application is, therefore, granted.

DEPARTMENT OF LABOR
Employment and Training Administration

[TA–W–73,805]

Henkel Corporation, Currently Known as Henkel Electronic Materials, LLC, Electronic Adhesives Division, Including On-Site Leased Workers from Aerotek Professional Services, Billerica, MA; 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, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on July 12, 2010, applicable to workers of Henkel Corporation, Electronic Adhesives Division, including on-site leased workers from Aerotek Professional Services, Billerica, Massachusetts. The notice was published in the Federal Register on August 2, 2010 (75 FR 45163).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The workers supply new product development and other support functions related to the production of electrical materials.

Information shows that on January 1, 2011, Henkel Corporation created a new legal entity applicable to only the Canton, Massachusetts location to combine the legacy Henkel Electronic Materials business and The National Starch Electronic Materials business following a company purchase in April 2008. Workers separated from employment at the Billerica, Massachusetts location of Henkel Corporation, Electronic Adhesives Division had their wages reported under a separate unemployment insurance (UI) tax account under the name Henkel Electronic Materials, LLC.

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

The intent of the Department’s certification is to include all workers of the subject firm who were adversely affected as a secondary service supplier directly to a TAA certified firm.

The amended notice applicable to TA–W–73,805 is hereby issued as follows:

All workers of Henkel Corporation, currently known as Henkel Electronic Materials, LLC, Electronic Adhesives Division, including on-site leased workers from Aerotek Professional Services, Billerica, Massachusetts, who became totally or partially separated from employment on or after March 23, 2009 through July 12, 2012, 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.

Signed at Washington, DC this 3rd day of October, 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–71,725]

Caterpillar, Inc., Large Power Systems Division, Including On-Site Leased Workers From Gray Interplant Systems, Inc, ATS, URS, River City, GCA, Lozier, Obrien Bros., HK, FCA and Clifton Gunderson, Mossville, IL; 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, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on November 2, 2009, applicable to Caterpillar, Inc., Large Power Systems Division, Mossville, Illinois. The workers produce on-highway and off-highway diesel engines for commercial trucks. The notice was published in the Federal Register on January 25, 2010 (75 FR 3935).

At the request of the petitioners, the Department reviewed the certification for workers of the subject firm. The company reports that workers leased from Gray Interplant Systems, Inc., ATS, URS, River City, GCA, Lozier, Obrien Bros., HK, FCA, and Clifton Gunderson were employed on-site at the Mossville, Illinois location of Caterpillar, Inc., Large Power Systems Division. The Department has determined that these workers were sufficiently under the control of Caterpillar, Inc., Large Power