

workplace is the worker's ability to access information on his or her rights in the workplace, the worker's understanding of those rights, and the worker's ability to exercise those rights without fear of recrimination. The surveys will measure each of these items, first individually and then in combination, to come up with an overall measure of voice. The DOL also hopes to learn how voice is related to workers' perceptions of employer noncompliance, such as whether or not particular dimensions of voice correlate to workers' perceptions of noncompliance. The study will also be useful in examining how noncompliance in one area, such as safety, is related to voice in the workplace and noncompliance in another area, such as wages.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information if the collection of information does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6. For additional information, see the related notice published in the **Federal Register** on December 12, 2011.

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within 30 days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB ICR Reference Number 201203-1235-001. The OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the

use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Agency: DOL-WHD.

Title of Collection: 2012 Wage and Hour Division and Occupational Safety and Health Administration Surveys Workers' Voice in the Workplace.

OMB ICR Reference Number: 201203-1235-001.

Affected Public: Individuals or Households.

Total Estimated Number of Respondents: 4,820.

Total Estimated Number of Responses: 4,820.

Total Estimated Annual Burden Hours: 1,420.

Total Estimated Annual Other Costs Burden: \$0.

Dated: May 2, 2012.

Michel Smyth,

Departmental Clearance Officer.

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-81,071]

II-VI, Incorporated, Infrared Optics—Saxonburg Division, Saxonburg, Pennsylvania; Notice of Affirmative Determination Regarding Application for Reconsideration

By application dated February 21, 2012, a worker requested administrative reconsideration of the negative determination regarding workers' eligibility to apply for Trade Adjustment Assistance (TAA) applicable to workers and former workers of II-VI, Incorporated, Infrared Optics—Saxonburg Division, Saxonburg, Pennsylvania (subject firm). The determination was issued on February 8, 2012. The Department's Notice of determination was published in the **Federal Register** on February 14, 2012 (77 FR 8281). The workers were engaged in employment related to the production of infrared and CO₂ laser optics, and related materials.

The initial investigation resulted in a negative determination based on the findings that the subject firm has not experienced a decline in the sales or production of infrared and CO₂ laser optics, and related materials, from 2009 to 2010 or from January–October 2010 compared to the same period in 2011.

With respect to Section 222(a)(2)(B) of the Act, the investigation revealed that the workers' firm did not shift production of infrared and CO₂ laser optics, and related materials (or like or directly competitive articles) to a foreign country, or acquire the production of such articles from a foreign country.

With respect to Section 222(b)(2) of the Act, the investigation revealed that the subject firm is a Supplier 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); however, the component parts supplied did not account for at least 20 percent of the production or sales or contribute importantly to workers' separation or threat thereof.

With respect to Section 222(b)(2) of the Act, the investigation revealed that the subject firm does not act as a 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).

Finally, the group eligibility requirements under Section 222(e) of the Act have not been satisfied because the workers' firm has not been publicly identified by the International Trade Commission as a member of a domestic industry in an investigation resulting in an affirmative finding of serious injury, market disruption, or material injury, or threat thereof.

In the request for reconsideration, the petitioner supplied new information regarding a possible decline in sales during the relevant period under investigation.

The Department of Labor 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 to apply for TAA.

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 March, 2012.

Del Min Amy Chen,

Certifying Officer, Office of Trade Adjustment Assistance.

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