

#### 4. Job Corps Services Available in Each State, Puerto Rico, and the District of Columbia

In addition to the above three primary criteria with quantifiable data, DOL will also ensure that Job Corps services remain available in each state, Puerto Rico, and the District of Columbia. We believe it is in the best interests of Job Corps' target population to ensure that potential students have access to Job Corps in the geographic areas in which they reside. We intend to maintain at least one Job Corps center in each state, the Commonwealth of Puerto Rico, and the District of Columbia to ensure that training is aligned with local and regional labor market opportunities. The centers of Ottumwa, Milwaukee, Pinellas, Denison, Gulfport and New Orleans are not included for consideration. In each case, there is insufficient data to evaluate each center's performance over the full five-year period.

#### Additional Considerations

Subordinate to the primary selection criteria listed above, additional consideration may be given to Job Corps' commitment to diversity. Job Corps currently serves a diverse student population and remains committed to serving disadvantaged youth from all backgrounds. We may consider whether a center's closure would have a disproportionate impact on a certain subpopulation of students in making a final closure decision.

#### Timeline for Selecting Job Corps Centers for Closure

We will begin to implement the selection and closure process by Program Year 2013, following the legislatively mandated activities pertaining to center closure required by the WIA and as stipulated in the DOL/USDA Interagency Agreement. We estimate that it will take a minimum of six months to execute closure of a center. If a contract center is selected for closure, we anticipate that the mechanism for closing the contract center will be through a decision not to exercise its option year or to renew a center operator's contract. If a USDA center is selected for closure, we will continue working collaboratively with the USDA to ensure adherence to the existing Interagency Agreement.

#### The Process for Closing Job Corps Centers, as Outlined in the Workforce Investment Act

In addition to the steps outlined above, we will ensure that it follows the legislatively-mandated process for closing a Job Corps center, in Section

159 of the WIA, which includes the following:

- The proposed decision to close the center is announced in advance to the general public through publication in the **Federal Register** or other appropriate means;
- A reasonable comment period, not to exceed 30 days, is established for interested individuals to submit written comments to the Secretary; and
- The Member of Congress who represents the district in which such center is located is notified within a reasonable period of time in advance of any final decision to close the center.

Dated: Signed in Washington, DC, on this 3rd day of January, 2013.

**Jane Oates,**

*Assistant Secretary for the Employment and Training Administration.*

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#### DEPARTMENT OF LABOR

##### Employment and Training Administration

[TA-W-81,811]

#### **Esselte Corporation, Including On-Site Leased Workers From Onin Staffing, Resource Manufacturing, and Express Employment Professionals, Morristown, TN; 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 27, 2012, applicable to workers and former workers of Esselte Corporation, including on-site leased workers from Onin Staffing, Morristown, Tennessee. The Department's Notice of determination was published in the **Federal Register** on August 9, 2012 (77 FR 47673). Workers were engaged in employment related to the production of envelope and legal pads.

At the request of a duly authorized representative, the Department reviewed the certification for workers of the subject firm.

The company reports that workers leased from Resource Manufacturing and Express Employment Professionals were employed on-site at the Morristown, Tennessee location of Esselte Corporation, Morristown, Tennessee. The Department has determined that these workers were sufficiently under the control of the

subject firm to be considered leased workers.

Based on these findings, the Department is amending this certification to include workers leased from Resource Manufacturing and Express Employment Professionals working on-site at the Morristown, Tennessee location of Esselte Corporation.

The amended notice applicable to TA-W-81,811 is hereby issued as follows:

All workers of Esselte Corporation, including on-site leased workers from Onin Staffing, Resource Manufacturing, and Express Employment Professionals, Morristown, Tennessee, who became totally or partially separated from employment on or after July 17, 2011, through July 27, 2014, 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 in Washington, DC, on this 28th day of December, 2012.

**Del Min Amy Chen,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

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#### DEPARTMENT OF LABOR

##### Employment and Training Administration

[TA-W-81,718]

#### **Daimler Buses North America, Inc., a Subsidiary of Daimler North America Corp, Including On-Site Leased Workers From Noramtec, First Choice Staffing, Staff Works, and Mr. Santo Lamarco From Wurth Revcar Fasteners, Inc., Oriskany, NY; 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 September 28, 2012, applicable to workers of Daimler Buses North America, Inc. a subsidiary of Daimler North America Corp., including leased workers from Noramtec, First Choice Staffing, and Staff Works, Oriskany, New York. The workers are engaged in activities related to the production of transit buses. The notice was published in the **Federal Register** on October 12, 2012 (77 FR 62260).

At the request of New York State Department of Labor, the Department reviewed the certification for workers of the subject firm. New information shows that a worker leased from Wurth Revcar Fasteners, Inc. was also employed on-site at Daimler Buses North America, Inc., Oriskany, New York. The Department has determined that this worker was sufficiently under the control of Daimler Buses North America, Inc. to be considered a leased worker.

The intent of the Department's certification is to include all workers of the subject firm who were adversely affected by increased customer imports of transit buses.

Based on these findings, the Department is amending this certification to include the worker leased from Wurth Revcar Fasteners, Inc. working on-site at the Oriskany, New York location of the subject firm.

The amended notice applicable to TA-W-81,718 is hereby issued as follows:

All workers of Daimler Buses North America, Inc., a subsidiary of Daimler North America Corp., including on-site leased workers from Noramtec, First Choice Staffing, Staff Works, and Mr. Santo LaMarco from Wurth Revcar Fasteners, Inc., Oriskany, New York, who became totally or partially separated from employment on or after June 8, 2011, through September 28, 2014, 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 at Washington, DC, this 28th day of December 2012.

**Del Min Amy Chen,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

[FR Doc. 2013-00342 Filed 1-9-13; 8:45 am]

**BILLING CODE 4510-FN-P**

## **DEPARTMENT OF LABOR**

### **Employment and Training Administration**

#### **Notice of Determinations Regarding Eligibility To Apply for Worker 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 by (TA-W) number issued during the period of December 17, 2012 through December 31, 2012.

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. Under Section 222(a)(2)(A), the following must be satisfied:

(1) a significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) The sales or production, or both, of such firm have decreased absolutely; and

(3) One of the following must be satisfied:

(A) Imports of articles or services like or directly competitive with articles produced or services supplied by such firm have increased;

(B) Imports of articles like or directly competitive with articles into which one or more component parts produced by such firm are directly incorporated, have increased;

(C) Imports of articles directly incorporating one or more component parts produced outside the United States that are like or directly competitive with imports of articles incorporating one or more component parts produced by such firm have increased;

(D) Imports of articles like or directly competitive with articles which are produced directly using services supplied by such firm, have increased; and

(4) The increase in imports contributed importantly to such workers' separation or threat of separation and to the decline in the sales or production of such firm; or

II. Section 222(a)(2)(B) all of the following must be satisfied:

(1) A significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) One of the following must be satisfied:

(A) There has been a shift by the workers' firm to a foreign country in the production of articles or supply of services like or directly competitive with those produced/supplied by the workers' firm;

(B) There has been an acquisition from a foreign country by the workers' firm of articles/services that are like or directly competitive with those produced/supplied by the workers' firm; and

(3) The shift/acquisition contributed importantly to the workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected workers in public agencies 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) A significant number or proportion of the workers in the public agency have become totally or partially separated, or are threatened to become totally or partially separated;

(2) the public agency has acquired from a foreign country services like or directly competitive with services which are supplied by such agency; and

(3) the acquisition of services contributed importantly to such workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected secondary 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(c) of the Act must be met.

(1) a significant number or proportion of the workers in the workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) the workers' firm is 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, and such supply or production is related to the article or service that was the basis for such certification; and

(3) either—

(A) the workers' firm is a supplier and the component parts it supplied to the firm described in paragraph (2) accounted for at least 20 percent of the production or sales of the workers' firm; or

(B) a loss of business by the workers' firm with the firm described in paragraph (2) contributed importantly to the workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected workers in firms identified by the International Trade Commission and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(f) of the Act must be met.

(1) the workers' firm is publicly identified by name by the International Trade Commission as a member of a