

that UAW-578 represents and that "Oshkosh Defense" is the only entity related to Oshkosh Corporation that employs members of UAW-578. Further, the reconsideration investigation revealed that the "access equipment" and "fire and emergency" unit have not in the past or present been located in the Oshkosh, Wisconsin area, and that these articles are produced in other parts of the country.

The reconsideration investigation further revealed that the subject firm has not imported any articles or services like or directly competitive with the production of, and administrative functions in support of military, logistical, and tactical vehicles, and diverse products for airport products and commercial group (i.e., H-Broom, H-Blower, H-Tractor, P-series Snow Removal Vehicle, S-Series Front Discharge Cement Mixers and AARF axles) produced or performed by the workers of the subject firm.

The reconsideration investigation also revealed that the subject firm does not import any finished products that incorporate an article or services like or directly competitive with the articles produced or services supplied by the subject firm. Because almost all of the products manufactured by Oshkosh Defense are supplied to the United States military, no customer survey of imports was conducted.

In addition, the reconsideration investigation revealed that the subject firm did not shift production or services like or directly competitive with the administrative services and military, logistical, and tactical vehicles, and diverse products for airport products and commercial group (i.e., H-Broom, H-Blower, H-Tractor, P-Series Snow Removal Vehicle, S-Series Front Discharge Cement Mixers and AARF axles) produced or supplied by the workers of the subject firm, and did not acquire articles or services like or directly competitive with the administrative services and military, logistical, and tactical vehicles, and diverse products for airport products and commercial group (i.e., H-Broom, H-Blower, H-Tractor, P-Series Snow Removal Vehicle, S-Series Front Discharge Cement Mixers and AARF axles) from a foreign country.

During the reconsideration investigation, the subject firm addressed a newspaper article submitted by the petitioner which stated, in part, that Oshkosh Corporation was "bringing work back to the factory that was outsourced—a move that saved 165 production jobs." Specifically, the subject firm confirmed that when production needs extended capacity, the

work was "outsourced" to local (domestic) vendors.

The Department notes that the fore-mentioned article started with the statement "Faced with deep cuts in U.S. military spending, and the end of the wars in Iraq and Afghanistan, Oshkosh Corp. is laying off 900 employees in its defense division" and stated that the "Department of Defense is reining in spending." The article also states that the subject firm has facilities in other states that are able to produce similar or directly competitive articles.

During the reconsideration investigation, the subject firm also addressed the petitioner's allegation that Oshkosh Corporation imports specific parts (i.e., "exhibit f"). The subject firm confirmed that the parts at issue have never been manufactured by an Oshkosh Defense facility and have always been procured from a foreign country. The subject firm also confirmed that the imported parts are in articles that constitute a negligible percentage of Oshkosh Corporation production.

With respect to Section 222(b)(2) of the Act, the reconsideration investigation confirmed that Oshkosh Defense is not a Supplier or Downstream Producer to a firm (or subdivision, whichever is applicable) 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).

#### Conclusion

After careful review, I determine that the requirements of Section 222 of the Act, 19 U.S.C. 2272, have not been met and, therefore, affirm the denial of the petition for group eligibility of Oshkosh Defense, a division of Oshkosh Corporation, Oshkosh, Wisconsin, to apply for adjustment assistance, in accordance with Section 223 of the Act, 19 U.S.C. 2273.

Signed in Washington, DC on this 26th day of July, 2013.

**Del Min Amy Chen,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-81,045]

#### **Dow Jones & Company, Inc., Dow Jones Content Services Division, Including a Worker of Factiva, Inc., A Subsidiary of Dow Jones Corporation and On-Site Leased Workers From Aerotek, Inc. and Princeton, New Jersey; 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 January 26, 2012, applicable to workers of Aerotek, Inc., working on-site at Dow Jones Corporation, Princeton, New Jersey. The Department's notice of determination was published in the **Federal Register** on July 16, 2012 (FR Volume 77, Pages 41807-41808).

At the request of an American Job Center in Michigan, the Department reviewed the certification for workers of the subject firm. The workers are engaged in the production of digital newsletters.

The American Job Center reports that the worker group should include a worker of Factiva, Inc., a subsidiary of Dow Jones Corporation who worked from home in Michigan and reported to the Princeton, New Jersey facility.

The amended notice applicable to TA-W-81,045 is hereby issued as follows:

All workers of Dow Jones & Company, Inc., Dow Jones Content Services Division, including a worker of Factiva, Inc., a subsidiary of Dow Jones Corporation, and on-site leased workers from Aerotek, Inc., Princeton, New Jersey (TA-W-81,045) and Generate, Inc., a subsidiary of Dow Jones & Company, Inc., Boston, Massachusetts (TA-W-81,045A) who became totally or partially separated from employment on or after February 13, 2010, through January 26, 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, this 31st day of July, 2013.

**Michael W. Jaffe,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

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