

workers of the subject firm. The Department's Notice of determination will soon be published in the **Federal Register**. The subject firm supplies acute care hospital physician office services.

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

- (1) If it appears on the basis of facts not previously considered that the determination complained of was erroneous;
- (2) If it appears that the determination complained of was based on a mistake in the determination of facts not previously considered; or
- (3) If in the opinion of the Certifying Officer, a misinterpretation of facts or of the law justified reconsideration of the decision.

The negative determination applicable to workers and former workers of the subject firm was based on the Department's findings that the subject firm did not import services like or directly competitive with the services supplied by the workers, and a shift in the supply of such services to a foreign country by the workers' firm or an acquisition of such services from a foreign country by the workers' firm did not occur in the relevant time period. The investigation revealed that the petitioning worker group did not meet the criteria set forth in Section 222(a) and Section 222(e) of the Trade Act of 1974, as amended.

In the request for reconsideration, the petitioner did not supply facts not previously considered and did not provide additional documentation indicating that there was either (1) a mistake in the determination of facts not previously considered or (2) a misinterpretation of facts or of the law justifying reconsideration of the initial determination.

The request for reconsideration alleges that the subject firm entered into a contract with M Modal that may have allowed the outsourcing of services, and requested that the Department confirm that no such outsourcing occurred.

Based on these findings, the Department determines that 29 CFR 90.18(c) has not been met.

In addition, a careful review of the administrative record reveals that the Department did confirm with both the subject firm and M Modal that no such shift had occurred.

### Conclusion

After careful review of the application and investigative findings, I conclude that there has been no error or misinterpretation of the law or of the facts which would justify

reconsideration of the Department of Labor's prior decision. Accordingly, the application is denied.

Signed in Washington, DC, this 27th day of November, 2013.

**Del Min Amy Chen,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

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## 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 November 18, 2013 through November 22, 2013.

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 domestic industry in an investigation resulting in—

(A) an affirmative determination of serious injury or threat thereof under section 202(b)(1);

(B) an affirmative determination of market disruption or threat thereof under section 421(b)(1); or

(C) an affirmative final determination of material injury or threat thereof under section 705(b)(1)(A) or 735(b)(1)(A) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)(1)(A) and 1673d(b)(1)(A));

(2) the petition is filed during the 1-year period beginning on the date on which—

(A) a summary of the report submitted to the President by the International Trade Commission under section 202(f)(1) with respect to the affirmative determination described in paragraph (1)(A) is published in the **Federal Register** under section 202(f)(3); or

(B) notice of an affirmative determination described in subparagraph (1) is published in the **Federal Register**; and

(3) the workers have become totally or partially separated from the workers' firm within—

(A) the 1-year period described in paragraph (2); or

(B) notwithstanding section 223(b)(1), the 1-year period preceding the 1-year period described in paragraph (2).

**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 number	Subject firm	Location	Impact date
82,897 .....	Alorica, Inc. ....	Cedar Rapids, IA .....	July 10, 2012.
83,041 .....	American Customer Care, Inc., Haier Tier One Group, Aerotek .....	Montoursville, PA .....	August 28, 2012.

The following certifications have been issued. The requirements of Section 222(a)(2)(B) (shift in production or

services) of the Trade Act have been met.

TA-W number	Subject firm	Location	Impact date
83,133 .....	Alkco, Philips Lighting, Beco Group, and Adecco .....	Franklin Park, IL .....	October 11, 2012.
83,145 .....	Westinghouse Fuel Company, LLC, Windsor Fuel Components ....	Windsor, CT .....	October 17, 2012.
83,149 .....	Navistar Truck Development & Technology Center, Populus Group, Technical Training, Inc., PPP, OTEK, Staffmark, Mid-States.	Fort Wayne, IN .....	October 21, 2013.
83,176 .....	Spence Engineering Company, Inc., Circor International, Inc., Knapp Consultants.	Walden, NY .....	October 22, 2012.
83,182 .....	MetLife Group, Inc., MetLife, Inc., Service Delivery Center, CLR Operations Unit.	Johnstown, PA .....	October 29, 2012.
83,187 .....	Clyde Union, Inc., SPX Power and Energy, Manpower, Aerotek, Impact Solutions.	Battle Creek, MI .....	October 22, 2012.
83,196 .....	Standard Microsystems Corporation, Microchip Technology, Test Division, Stivers Staffing.	Hauppauge, NY .....	November 4, 2012.
83,211 .....	Creavey Seal Company, Sanders Industries, Express Employment and ERG Staffing.	Scott Township, PA .....	November 7, 2012.

The following certifications have been issued. The requirements of Section 222(c) (supplier to a firm whose workers

are certified eligible to apply for TAA) of the Trade Act have been met.

TA-W number	Subject firm	Location	Impact date
83,027 .....	Meritor Heavy Vehicle Systems, LLC, Specialty Group Division, Meritor, Inc., Populus Group and Academy Medical.	Heath, OH .....	April 30, 2013.

**Negative Determinations for Worker 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.

The investigation revealed that the criteria under paragraphs (a)(2)(A)

(increased imports) and (a)(2)(B) (shift in production or services to a foreign country) of section 222 have not been met.

TA-W number	Subject firm	Location	Impact date
83,113 .....	JP Morgan Chase and Company, Mortgage Banking Division, Production Operations.	Westerville, OH .....	

**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 U.S.C. 2271), the Department initiated investigations of these petitions.

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 number	Subject firm	Location	Impact date
82,932 .....	Atmel Corporation .....	Colorado Springs, CO.	
83,174 .....	Atmel Corporation .....	Colorado Springs, CO.	

I hereby certify that the aforementioned determinations were issued during the period of November 18, 2013 through November 22, 2013. These determinations are available on the Department's Web site [tradeact/taa/taa\\_search\\_form.cfm](http://tradeact/taa/taa_search_form.cfm) under the searchable listing of determinations or by calling the Office of Trade Adjustment Assistance toll free at 888-365-6822.

Signed at Washington, DC, this 27th day of November 2013.

**Michael W. Jaffe,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

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**DEPARTMENT OF LABOR**

**Employment and Training Administration**

**Investigations Regarding Eligibility To Apply for Worker 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 Office 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 December 20, 2013.

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 December 20, 2013.

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 27th day of November 2013.

**Michael W. Jaffe,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

**APPENDIX**

[18 TAA petitions instituted between 11/18/13 and 11/22/13]

TA-W	Subject firm (petitioners)	Location	Date of institution	Date of petition
83221 .....	State Industries (State/One-Stop) .....	Eugene, OR .....	11/19/13	11/13/13
83222 .....	Advance Auto Parts (Workers) .....	Roanoke, VA .....	11/19/13	11/18/13
83223 .....	CDS Publications/Yamagata (State/One-Stop) .....	Vista, CA .....	11/19/13	11/17/13
83224 .....	Blake One, Inc. (State/One-Stop) .....	New York, NY .....	11/19/13	11/18/13
83225 .....	Pilkington, NA (Union) .....	Lathrop, CA .....	11/19/13	11/18/13
83226 .....	American Express, World Service (State/One-Stop).	Salt Lake City, UT .....	11/19/13	11/18/13
83227 .....	CCL Industries, frmly Avery North America Supply Chain (Union).	Chicopee, MA .....	11/20/13	11/19/13