

At the request of a petitioner, the Department reviewed the certification for workers of the subject firm. The workers are engaged in the production of automotive brake parts.

New information shows that leased workers Aerotek Automotive, PDSI Technical Services, Acro Service Corp., G-Tech Professional Staffing, TAC Automotive, Bartech, Manpower Professional Services, Manpower of Vandalia, Setech, Mays Chemical and Kelly Engineering Services were employed on-site at the Needmore Road/Dayton Plant 3, Dayton, Ohio, location of Delphi Corporation, Automotive Holdings Group. The Department has determined that these workers were sufficiently under the control of the subject firm.

Based on these findings, the Department is amending this certification to include leased workers from the above mentioned firms working on-site at the Needmore Road/Dayton Plant 3, Dayton, Ohio, location of the subject firm.

The intent of the Department's certification is to include all workers employed at Delphi Corporation, Automotive Holdings Group, Needmore Road/Dayton Plant 3 who were adversely affected by increased imports of automotive brake parts.

The amended notice applicable to TA-W-60,041 is hereby issued as follows:

All workers of Delphi Corporation, Automotive Holdings Group, Needmore Road/Dayton Plant 3, including on-site leased workers from Aerotek Automotive, PDSI Technical Services, Acro Service Corp., G-Tech Professional Staffing, TAC Automotive, Bartech, Manpower Professional Services, Manpower of Vandalia, Setech, Mays Chemicals and Kelly Engineering Services, Dayton, Ohio, who became totally or partially separated from employment on or after August 24, 2005, through November 30, 2008, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974, and are also eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974.

Signed at Washington, DC, this 17th day of June 2008.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-61,655]

#### **Westell, Inc., Including on-site Temporary Workers from Kay and Associates, Aurora, IL; Amended Certification Regarding Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance**

In accordance with section 223 of the Trade Act of 1974 (19 U.S.C. 2273), and section 246 of the Trade Act of 1974 (26 U.S.C. 2813), as amended, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance on June 25, 2007, applicable to workers of Westell, Inc., Aurora, Illinois. The notice was published in the **Federal Register** on July 19, 2007 (72 FR 39642).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The workers are engaged in the production of network access products, and are not separately identifiable.

New information shows that temporary workers of Kay and Associates were employed on-site at the Aurora, Illinois, location of Westell, Inc. The Department has determined that these workers were sufficiently under the control of the subject firm to be considered temporary workers.

Based on these findings, the Department is amending this certification to include temporary workers of Kay and Associates working on-site at the Aurora, Illinois, location of the subject firm.

The intent of the Department's certification is to include all workers employed at Westell, Inc., Aurora, Illinois, who were adversely affected by increased imports of network access products.

The amended notice applicable to TA-W-61,655 is hereby issued as follows:

All workers of Westell, Inc., including on-site temporary workers from Kay and Associates, Aurora, Illinois, who became totally or partially separated from employment on or after June 7, 2006, through June 25, 2009, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974, and are also eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974.

Signed at Washington, DC, this 17th day of June 2008.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### **Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade 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 Division 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, Division of Trade Adjustment Assistance, at the address shown below, not later than July 7, 2008.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Division of Trade Adjustment Assistance, at the address shown below, not later than July 7, 2008.

The petitions filed in this case are available for inspection at the Office of the Director, Division of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, Room C-5311, 200 Constitution Avenue, NW., Washington, DC 20210.

Signed at Washington, DC, this 18th day of June 2008.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

## APPENDIX—TAA PETITIONS INSTITUTED BETWEEN 6/9/08 AND 6/13/08

TA-W	Subject firm (Petitioners)	Location	Date of institution	Date of petition
63499	Kincaid Furniture Company, Inc. (Comp)	Hudson, NC	06/09/08	06/05/08
63500	Lumberton Dyeing and Finishing (Rep)	Lumberton, NC	06/09/08	06/06/08
63501	Lab Security Systems Corp (State)	Bristol, CT	06/09/08	06/06/08
63502	Onsite International, Inc. (Wkrs)	El Paso, TX	06/09/08	05/20/08
63503	3 Day Blinds (Wkrs)	Anaheim, CA	06/09/08	06/06/08
63504	Kongsberg Automotive, Inc. (Comp)	Willis, TX	06/09/08	06/05/08
63505	Permacel Automotive (UAW)	Kansas City, MO	06/09/08	06/02/08
63506	SAPA Fabricated Products (State)	Magnolia, AR	06/09/08	06/06/08
63507	Sirenza Microdevices, Inc./RF Microdevices (State)	Broomfield, CO	06/09/08	05/20/08
63508	Bedford Logistics, Inc. (Wkrs)	Bedford, IN	06/09/08	06/02/08
63509	Robin Manufacturing USA, Inc. (Wkrs)	Hudson, WI	06/09/08	06/04/08
63510	Plastech Engineered products (Comp)	Kenton, TN	06/09/08	06/06/08
63511	Liz Claiborne/Ellen Tracy (UNITE)	North Bergen, NJ	06/10/08	06/09/08
63512	Dynamic Technology, Inc. (Comp)	Hartland, MI	06/10/08	06/09/08
63513	CIMA Plastics II Corporation (Wkrs)	Elberton, GA	06/11/08	06/02/08
63514	Plastech Engineered Products, Inc. (Wkrs)	Elwood, IN	06/11/08	06/05/08
63515	Aberdeen Fabrics, Inc. (Comp)	Red Springs, NC	06/11/08	06/05/08
63516	Morlite/Vista (Wkrs)	Pittsburgh, PA	06/11/08	06/09/08
63517	Tredegear Film Products (Union)	Marlin, PA	06/11/08	06/05/08
63518	WRR, Inc. D/B/A State Plating (Wkrs)	Elwood, IN	06/11/08	06/03/08
63519	Parlex USA (State)	Methuen, MA	06/11/08	06/06/08
63520	American Dynamics (Wkrs)	San Diego, CA	06/11/08	06/06/08
63521	Dal Tile, Inc. (Wkrs)	Dallas, TX	06/12/08	06/10/08
63522	Brockway Mould, Inc. (USW)	Brockport, PA	06/12/08	06/11/08
63523	Bee Chemical, DBA NB Coatings, Inc. (Wkrs)	Lansing, IL	06/12/08	05/27/08
63524	Tennessee Orthopaedic Alliance (Comp)	Nashville, TN	06/12/08	05/31/08
63525	Overhead Door Corporation (Union)	Lewistown, PA	06/12/08	06/10/08
63526	St. John Knits (State)	Irvine, CA	06/12/08	06/11/08
63527	Union Tank Car Company (Union)	East Chicago, IN	06/12/08	05/29/08
63528	Callaway Golf Ball Operations, Inc. (Comp)	Johnstown, NY	06/12/08	06/06/08
63529	Fisher and Company/Fisher Dynamics (Comp)	St. Clair Shores, MI	06/13/08	06/12/08
63530	McNaughton Apparel Group, Inc. (State)	New York, NY	06/13/08	05/08/08
63531	William Pinchbeck, Inc. dba Pinchbeck Roses (State)	Guilford, CT	06/13/08	06/12/08
63532	Woodward Controls, Inc. (Rep)	Niles, IL	06/13/08	05/19/08
63533	Thomasville Upholstery Plant #9 (Comp)	Hickory, NC	06/13/08	06/12/08
63534	Novtex Div. of Trintex Company, Inc. (Comp)	Adams, MA	06/13/08	06/12/08
63535	Jefferson Plant of Leviton Manufacturing Company (Comp)	Jefferson, NC	06/13/08	06/12/08
63536	Brazing Concepts South (Comp)	Fairfield, OH	06/13/08	06/12/08
63537	Littelfuse/Account Finance Department (State)	Des Plaines, IL	06/13/08	06/12/08
63538	Plastech Engineered Products (Wkrs)	Gallatin, TN	06/13/08	06/05/08
63539	DMAX, Ltd (IUECWA)	Dayton, OH	06/13/08	06/12/08
63540	Sento Corporation (Wkrs)	Raleigh, NC	06/13/08	06/09/08

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## DEPARTMENT OF LABOR

## Employment and Training Administration

[TA-W-57,700]

## Joy Technologies, Inc., dba Joy Mining Machinery, Mt. Vernon Plant, Mt. Vernon, IL; Notice of Negative Determination on Remand

On October 31, 2007, the U.S. Court of International Trade (USCIT) remanded to the U.S. Department of Labor (Department) for further investigation *Former Employees of Joy Technologies, Inc. v. U.S. Secretary of Labor*, Court No. 06-00088.

## Case History

On August 2, 2005, the International Brotherhood of Boiler-makers, Iron Ship Builders, Blacksmiths, Forgers and Helpers, Local 483, filed a petition for Trade Adjustment Assistance (TAA) and Alternative Trade Adjustment Assistance (ATAA) on behalf of workers and former workers of Joy Mining Machinery, Mt. Vernon, Illinois producing underground mining equipment. The petition alleged that the Mt. Vernon facility would close September 23, 2005, due to a shift of production to Canada, China, Mexico and Russia. Administrative Record (AR) 2-3, 20.

Workers of the Mt. Vernon facility were previously denied eligibility to apply for TAA under TA-W-42,234 on the basis that the workers did not produce an article. AR 8, Supplemental Administrative Record (SAR) 127.

During the initial investigation, the petitioners submitted documents in support of the allegation that mining equipment production shifted to Mexico. AR 22-28.

Also, during the initial investigation, Joy officials provided information that the principal functions performed at the Mt. Vernon Illinois facility were building and rebuilding shuttle cars; rebuilding electrical motors used in certain types of mining machinery; and rebuilding gearboxes for armored face conveyors (AFC), AR 12, 14-15, 44. In addition, the Department learned that the Mt. Vernon facility was scheduled to close on September 23, 2005. AR 9, 12, 125.

Joy also provided information that the Mt. Vernon facility's closure was due to the relocation of operations to a new facility in Kentucky. AR 12, 15, 16, 29, 126. The new facility in Kentucky