

In order for an affirmative determination to be made and a certification of eligibility to apply for NAFTA-TAA the following group eligibility requirements of Section 250 of the Trade Act must be met:

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, (including workers in any agricultural firm or appropriate subdivision thereof) have become totally or partially separated from employment and either—

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely,

(3) That imports from Mexico or Canada of articles like or directly competitive with articles produced by such firm or subdivision have increased, and that the increases in imports contributed importantly to such workers' separations or threat of separation and to the decline in sales or production of such firm or subdivision; or

(4) That there has been a shift in production by such workers' firm or subdivision to Mexico or Canada of articles like or directly competitive with articles which are produced by the firm or subdivision.

Negative Determinations NAFTA-TAA

In each of the following cases the investigation revealed that criteria (3) and (4) were not met. Imports from Canada or Mexico did not contribute importantly to workers' separations. There was no shift in production from the subject firm to Canada or Mexico during the relevant period.

NAFTA-TAA-00648; *The MFC Group, Telford, PA*

NAFTA-TAA-00636; *Colombian Cutlery Co., Inc., Reading, PA*

NAFTA-TAA-00653; *Weksler*

Instruments Corp., Freeport, NY

NAFTA-TAA-00652; *Master Package Corp., Owen, WI*

In the following cases, the investigation revealed that the criteria for eligibility have not been met for the reasons specified.

None

Affirmative Determinations NAFTA-TAA

The following certifications have been issued; the date following the company name & location for each determination references the impact date for all workers for such determination.

NAFTA-TAA-00669; *Kellogg USA, Inc., San Leandro Plant, San Leandro CA: October 30, 1994.*

NAFTA-TAA-00679; *Cal-Style Furniture Manufacturing Co., Compton, CA: November 9, 1994.*

NAFTA-TAA-00664; *Koring Brothers, Inc., Long Beach, CA: October 24, 1994.*

NAFTA-TAA-00662; *Equitable Resources Energy Co., Buckhannon, WV: October 19, 1994.*

I hereby certify that the aforementioned determinations were issued during the month of November, 1995. Copies of these determinations are available for inspection in Room C-4318, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210 during normal business hours or will be mailed to persons who write to the above address.

Dated December 1, 1995.

Russell Kile,

Acting Program Manager, Policy & Reemployment Services, Office of Trade Adjustment Assistance.

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[TA-W-31,385]

Johnson Controls Battery Group, Inc. Louisville, Kentucky; Notice of Affirmative Determination Regarding Application for Reconsideration

By letter of November 13, 1995, the petitioner requested administrative reconsideration of the Department of Labor's Notice of Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance for workers of the subject firm. The denial notice was signed on October 13, 1995 and published in the Federal Register on October 27, 1995 (60 FR 55063).

The petitioner presents evidence that the subject firm shifted production to a foreign owned facility.

Conclusion

After careful review of the application, I conclude that the claim is of sufficient weight to justify reconsideration of the Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, D.C., this 30th day of November 1995.

Russell T. Kile,

Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.

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[NAFTA-00634]

Lockheed Martin, Ocean, Radar & Sensor Systems, Utica, New York; Amended Certification Regarding Eligibility to Apply for Worker Adjustment Assistance

In accordance with Section 250(a), Subchapter D, Chapter 2, Title II, of the Trade Act of 1974, as amended (19 USC 2273), the Department of Labor issued a Notice of Certification of Eligibility to Apply for NAFTA Transitional Adjustment Assistance on October 26, 1995, applicable to workers of Lockheed Martin, Ocean, Radar & Sensor Systems Division located in Utica, New York. The notice will soon be published in the Federal Register.

At the request of the State designee, the Department has reviewed the subject certification for workers at the subject firm. Based on new findings, the Department is amending the certification to include all workers engaged in the production of printed circuit boards.

The intent of the Department's certification is to include all workers of the subject firm who were adversely affected by increased imports from Canada or Mexico. Therefore, the Department is amending the certification to expand coverage to all workers engaged in the production of printed circuit boards and all workers engaged in the inspection operation of the printed circuit board assemblies at Lockheed Martin, Ocean, Radar & Sensor Systems Division located in Utica, New York that were adversely affected by increased imports from Canada or Mexico and a shift in production of the inspection operation to Mexico, respectively.

The amended notice applicable to NAFTA-00634 is hereby issued as follows:

"All workers engaged in the production of printed circuit boards and all workers engaged in the inspection operation of the printed circuit board assemblies at Lockheed Martin, Ocean, Radar & Sensor Systems Division located in Utica, New York who become totally or partially separated from employment on or after October 5, 1994 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974."

Signed at Washington, D.C. this 30th day of November 1995.

Russell T. Kile,

Acting Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.

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