

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

Signed at Washington, DC, this 10th day of February, 1995.

Victor J. Trunzo,

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

[FR Doc. 95-4019 Filed 2-16-95; 8:45 am]

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[TA-W-30,483]

EFR Corporation, Everett, Washington; Notice of Negative Determination Regarding Application for Reconsideration

By an application dated January 9, 1995, a former company official requested administrative reconsideration of the subject petition for trade adjustment assistance, TAA. The denial notice was issued on December 22, 1994 and published in the **Federal Register** on January 20, 1995 (60 FR 4194).

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.

Investigation findings show that the workers produced logs.

In 1994 EFR went into a partnership with Crown Pacific to clear a parcel of land. EFR owned the timber once the logs were cut. EFR sold the logs to one customer. The partnership was dissolved in November 1994.

The Department's denial was based on the fact that the "contributed importantly" test of the worker group eligibility requirements of the Trade Act was not met. The "contributed importantly" test is generally demonstrated through a survey of the subject firm's major declining customers. The Department's survey found that the respondents did not import logs or limber in the period relevant to the petition.

Further, foreign competition, in itself, would not form a basis for a worker group certification. The worker group requirements necessary for certification are (1) a significant decrease in

employment; (2) an absolute decline in sales or production and (3) increased imports of articles that are like or directly competitive with those produced by the subject firm and which contributed importantly to declines in sales or production and employment. The "contributed importantly" test in this case was not met.

The workers were denied under a NAFTA petition, (NAFTA 274).

Conclusion

After 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 at Washington, D.C., this 10th day of February 1995.

Victor J. Trunzo,

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

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-30, 579]

McCord Winn Textron, Winchester, MA; Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 USC 2273) as amended by the Omnibus Trade and Competitiveness Act of 1988 (P. L. 100-418), the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance each of the group eligibility requirements of Section 222 of the Act must be met. It is determined in this case that all of the requirements have been met.

The investigation was initiated in response to a petition received on December 19, 1994, and filed by a company official and the International Union of Electrical Workers, Local 277, on behalf of workers at McCord Winn Textron, Winchester, Massachusetts. The workers produce automobile fuel pump armatures.

The Department of Labor surveyed the principal customer of the subject firm regarding its purchases of fuel pump armatures in 1992-1993 and January to November, 1993-1994. The survey revealed that the customer is sourcing a large portion of the armatures formerly purchased from the subject firm with armatures produced abroad.

Conclusion

After careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with automobile fuel pump armatures produced at McCord Winn Textron, Winchester, Massachusetts, contributed importantly to the decline in sales or production and to the total or partial separation of workers of that firm. In accordance with the provisions of the Act, I make the following certification:

"All workers of McCord Winn Textron, Winchester, Massachusetts, engaged in employment related to the production of automobile fuel pump armatures who became totally or partially separated from employment on or after December 8, 1993, through two years from the date of certification are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974."

Signed in Washington, D.C. this 31st day of January, 1995.

Victor J. Trunzo,

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

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[TA-W-30,186]

Owens-Illinois a/k/a Owens Brockway Glass Containers Waco, TX; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 USC 2273) the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on November 1, 1994, applicable to all workers of Owens-Illinois in Waco, Texas. The certification notice was published in the **Federal Register** on November 16, 1994 (59 FR 59253).

At the request of the State Agency, the Department reviewed the certification for workers of the subject firm. The investigation findings show that the