



DEPARTMENT OF LABOR
Employment and Training Administration

Notice of Determinations Regarding Eligibility
to Apply for Worker Adjustment Assistance and
Alternative Trade 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 (TA-W) number and alternative trade adjustment assistance (ATAA) by (TA-W) number issued during the period of December 1, 2014 through December 5, 2014.

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. Section (a)(2)(A) all of the following must be satisfied:
 - A. a significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;
 - B. the sales or production, or both, of such firm or subdivision have decreased absolutely; and
 - C. increased imports of articles like or directly competitive with articles produced by such firm or subdivision have contributed importantly to such workers' separation or threat of separation and to the decline in sales or production of such firm or subdivision; or
- II. Section (a)(2)(B) both of the following must be satisfied:
 - A. a significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

- B. there has been a shift in production by such workers' firm or subdivision to a foreign country of articles like or directly competitive with articles which are produced by such firm or subdivision; and
- C. One of the following must be satisfied:
 - 1. the country to which the workers' firm has shifted production of the articles is a party to a free trade agreement with the United States;
 - 2. the country to which the workers' firm has shifted production of the articles to a beneficiary country under the Andean Trade Preference Act, African Growth and Opportunity Act, or the Caribbean Basin Economic Recovery Act; or
 - 3. there has been or is likely to be an increase in imports of articles that are like or directly competitive with articles which are or were produced by such firm or subdivision.

Also, in order for an affirmative determination to be made for secondarily affected 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(b) of the Act must be met.

- (1) significant number or proportion of the workers in the workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated;
- (2) the workers' firm (or subdivision) is a supplier or downstream producer to a firm (or subdivision) that employed a group of workers who received a certification of eligibility to apply for trade adjustment assistance benefits and such supply or production is related to the article that was the basis for such certification; and
- (3) either-
 - (A) the workers' firm is a supplier and the component parts it supplied for the firm (or

subdivision) described in paragraph (2) accounted for at least 20 percent of the production or sales of the workers' firm; or

(B) a loss or business by the workers' firm with the firm (or subdivision) described in paragraph (2) contributed importantly to the workers' separation or threat of separation.

In order for the Division of Trade Adjustment Assistance to issue a certification of eligibility to apply for Alternative Trade Adjustment Assistance (ATAA) for older workers, the group eligibility requirements of Section 246(a)(3)(A)(ii) of the Trade Act must be met.

1. Whether a significant number of workers in the workers' firm are 50 years of age or older.
2. Whether the workers in the workers' firm possess skills that are not easily transferable.
3. The competitive conditions within the workers' industry (i.e., conditions within the industry are adverse).

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.

None.

AFFIRMATIVE DETERMINATIONS FOR WORKER ADJUSTMENT ASSISTANCE
AND ALTERNATIVE TRADE 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) and Section 246(a)(3)(A)(ii) of the Trade Act have been met.

85,489, Arvato Entertainment LLC, Weaverville, North
Carolina. August 17, 2013.

85,616, Luminus Devices, Inc., Billerica, Massachusetts.
October 18, 2014.

85,618, BSN Medical Inc., Rutherford College, North
Carolina. October 23, 2013.

85,622, AFB International, O'Fallon, Missouri. October 30,
2013.

85,647, Fabrene LLC, Clackamas, Oregon. November 14, 2013.

85,657, Swisher International, Inc., Jacksonville, Florida.
November 10, 2014.

85,660, Peavey Electronics Corporation, Meridian,
Mississippi. November 18, 2013.

NEGATIVE DETERMINATIONS FOR ALTERNATIVE TRADE ADJUSTMENT
ASSISTANCE

In the following cases, it has been determined that the requirements of 246(a)(3)(A)(ii) have not been met for the reasons specified.

None.

NEGATIVE DETERMINATIONS FOR WORKER ADJUSTMENT ASSISTANCE AND
ALTERNATIVE TRADE 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.

Because the workers of the firm are not eligible to apply for TAA, the workers cannot be certified eligible for ATAA.

The investigation revealed that criteria (a)(2)(A)(I.C.) (increased imports) and (a)(2)(B)(II.B.) (shift in production to a foreign country) have not been met.

85,583, Metalfab Tool & Machine, Inc., Mio, Michigan.

85,659, IDEW Technologies, Inc., Webster, Texas.

The workers' firm does not produce an article as required for certification under Section 222 of the Trade Act of 1974.

85,601, Pitney Bowes Inc., Troy, New York.

85,612, CA Technologies, Plano, Texas.

85,637, Cincinnati Bell Telephone Company LLC, Norwood, Ohio.

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 website, 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.

85,621, Advanced Technology Innovation Corporation, Wichita,
Kansas.

85,638, Cardinal Health, Albuquerque, New Mexico.

I hereby certify that the aforementioned determinations were issued during the period of December 1, 2014 through December 5, 2014. These determinations are available on the Department's website www.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 D.C. this 11th day of December 2014.

Michael W. Jaffe,
Certifying Officer, Office of
Trade Adjustment Assistance.
4510-FN-P

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