DEPARTMENT OF LABOR
Employment and Training Administration
[TA–W–82,035]

Georgia Pacific LLC, Also Doing Business as Duluth Hardboard Plant, Specialty Manufacturing Division, a Subsidiary of Koch Industries, Including On-Site Leased Workers of DS&E Company, Duluth, Minnesota; 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), as amended, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance on February 14, 2103, applicable to workers of Georgia Pacific, LLC, also doing business as Duluth Hardboard Plant, Specialty Manufacturing Division, a subsidiary of Koch Industries, Duluth, Minnesota (subject firm). The workers produce hardboard.

At the request of the State of Minnesota, the Department reviewed the certification for workers of the subject firm.

The intent of the Department’s certification is to include all workers at the subject firm who were adversely affected by the subject firm’s shift of production to a foreign country.

Based on these findings, the Department is amending this certification to include workers at these auxiliary facilities.

The amended notice applicable to TA–W–81,557 is hereby issued as follows:

All workers of TE Connectivity, Industrial Division, Middletown, Pennsylvania (TA–W–81,557), TE Connectivity, Corporate Shared Services Group, 100 & 200 Amp Drive, Harrisburg, Pennsylvania (TA–W–81,557A), TE Connectivity, Corporate Shared Services Group, 3700 Reidsville Road, Winston-Salem, North Carolina (TA–W–81,557B), TE Connectivity, Corporate Shared Services Group, 1187 Park Place, Shakopee, Minnesota (TA–W–81,557C), TE Connectivity, Corporate Shared Services Group, 250 Industrial Way, Eatontown, New Jersey (TA–W–81,557D) and TE Connectivity, Global Headquarters, Berwyn, Pennsylvania (TA–W–81,557E), who became totally or partially separated from employment on or after April 27, 2011, through June 22, 2014, and all workers in the group threatened with total or partial separation from employment on June 22, 2012 through June 22, 2014, are eligible to apply for adjustment assistance under Chapter 2 of Title II of the Trade Act of 1974, as amended, and are also eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974, as amended.

Signed in Washington, DC, this 26th day of April, 2013.
Del Min Amy Chen,
Certifying Officer, Office of Trade Adjustment Assistance.

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At the request of the subject firm, the Department reviewed the certification for workers of the subject firm.

New information provided by the subject firm shows that an affiliated warehouse and distribution facility operated in conjunction with the subject firm’s Jamestown, New York facilities and the workers at the Erie, Pennsylvania facility were adversely impacted by increased imports of RTA furniture. The workers group at the Erie, Pennsylvania facility includes on-site leased workers of Labor Ready.
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Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended, 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 April 15, 2013 through April 19, 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 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;
4. The increase in imports contributed importantly to such workers’ separation or threat of separation.
   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
5. 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 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