

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-50,179]

SMT, Inc., Hanover, MI; Notice of Negative Determination Regarding Application for Reconsideration

By application of May 8, 2003, a petitioner requested administrative reconsideration of the Department's negative determination regarding eligibility to apply for Trade Adjustment Assistance (TAA), applicable to workers and former workers of the subject firm. The denial notice was signed on April 4, 2003, and published in the **Federal Register** on April 24, 2003 (68 FR 20177).

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.

The petition for the workers of SMT Automotive, Inc., Schrader Machine & Tool, Hanover, Michigan was denied because the "contributed importantly" group eligibility requirement of Section 222(3) of the Trade Act of 1974, as amended, was not met. The "contributed importantly" test is generally demonstrated through a survey of customers of the workers' firm. The survey revealed that none of the respondents increased their purchases of imported metal brackets and braces. The investigation revealed that company did not import metal brackets and braces in the relevant period, nor did it shift production to a foreign facility.

The petitioner alleges that "eight jobs * * * went to Raccine (sic) in Mexico" and proceeds to list several part numbers.

When the petitioner was contacted for clarification on these allegations, the Department was referred to a former

company official who had provided the information initially. This former company official stated that the parts listed in the reconsideration request concerned a Mexican customer. Foreign customers are not relevant in TAA investigations.

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, DC this 3rd day of June, 2003.

Elliott S. Kushner,
Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 03-15471 Filed 6-18-03; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-51,860]

Solutia, Inc., Trenton, MI; Notice of Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, as amended, an investigation was initiated on May 22, 2003 in response to a worker petition filed by The International Brotherhood of Teamsters, Local 299, on behalf of workers at Solutia, Inc., Trenton, Michigan.

The petitioning group of workers is covered by an earlier petition filed on April 20, 2003 (TA-W-51,586) that is the subject of an ongoing investigation for which a determination has not yet been issued. Further investigation in this case would duplicate efforts and serve no purpose; therefore the investigation under this petition has been terminated.

Signed at Washington, DC this 3rd day of June, 2003.

Linda G. Poole,
Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 03-15469 Filed 6-18-03; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR

Employment and Training Administration

Investigations Regarding Certifications of Eligibility To Apply for Worker 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 June 30, 2003.

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 June 30, 2003.

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 9th day of June 2003.

Timothy Sullivan,
Director, Division of Trade Adjustment Assistance.

APPENDIX—PETITIONS INSTITUTED BETWEEN 05/12/2003 AND 05/16/2003

TA-W	Subject firm (petitioners)	Location	Date of institution	Date of petition
51,732	Union Tank Car Company (Wkrs)	Longview, TX	05/12/2003	04/30/2003
51,733	Dirigo Dowels and Pins, Inc. (Comp)	New Portland, ME	05/12/2003	05/06/2003
51,734	Jockey International (Wkrs)	Alamo, TN	05/12/2003	05/12/2003