

**DEPARTMENT OF LABOR****Employment and Training Administration**

[TA-W-53,993]

**Newell Rubbermaid, Inc. Wooster, OH; Notice of Negative Determination on Reconsideration**

On April 2, 2004, the United Steelworkers of America, Local 302L, requested administrative reconsideration of the Department's negative determination regarding the workers of Newell Rubbermaid, Inc., Wooster, Ohio. On May 3, 2004, the Department issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of the subject firm. The notice was published in the **Federal Register** on May 13, 2004 (69 FR 26621). The workers at the subject firm produce plastic household goods and home organization products (totes, refuse and clear containers) and are not separately identifiable by product line.

The Department denied the initial petition because the "contributed importantly" and shift of production group eligibility requirements of Section 222(3) of the Trade Act of 1974, as amended, were not met. The initial investigation revealed that increased imports of plastic household goods and home organization products during the relevant time period did not contribute importantly to worker separations and that the subject company did not shift production abroad.

In the request for reconsideration, the union asserted that the customer survey conducted in the initial investigation identified the wrong products to be surveyed. The initial customer survey covered plastic household goods, including totes, refuse and clear containers. The union states that the subject facility "primarily produces totes and clear storage containers \* \* \* along with refuse containers."

On reconsideration, the Department contacted the company for clarification concerning the types of goods produced at the subject facility and whether the product lines were separately identifiable. A company official explained that they do not separate workers by lines (such as totes and refuse and clear containers) since the machines could run almost any product line produced by the plant workers and thus the subject workers are not separately identifiable by product line. Therefore, the survey conducted by the U.S. Department of Labor aggregated all products produced by the Wooster, Ohio plant as "Rubber Maid Home

Products (plastic household goods)" in order to reflect the products produced by the subject plant.

**Conclusion**

After reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of Newell Rubbermaid, Inc., Wooster, Ohio.

Signed at Washington, DC, this 26th day of May, 2004.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 04-12877 Filed 6-7-04; 8:45 am]

BILLING CODE 4510-30-P

**DEPARTMENT OF LABOR****Employment and Training Administration**

[TA-W-54,846]

**Our America Gift, Inc., Agawam, MA; Notice of Termination of Investigation**

Pursuant to section 221 of the Trade Act of 1974, as amended, an investigation was initiated on May 5, 2004, in response to a petition filed a company official on behalf of workers at Our America Gift, Inc., Agawam, Massachusetts.

The petitioner has requested that the petition be withdrawn. Consequently, the investigation has been terminated.

Signed at Washington, DC, this 12th day of May, 2004.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 04-12872 Filed 6-7-04; 8:45 am]

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**DEPARTMENT OF LABOR****Employment and Training Administration**

[TA-W-53,664]

**Owens-Illinois, Inc., Hayward, CA; Notice of Revised Determination on Reconsideration**

On May 21, 2004, the Department issued an Affirmative Determination Regarding Application on Reconsideration applicable to workers and former workers of the subject firm. The notice will soon be published in the **Federal Register**.

On January 29, 2004 the Department initially denied Trade Adjustment Assistance (TAA) to workers of Owens-Illinois, Inc., Hayward, California

producing glass containers (glass wine bottles) because the "contributed importantly" group eligibility requirement of section 222 of the Trade Act of 1974 was not met.

On reconsideration, the department reviewed the information provided by the subject firm during the initial investigation. It was revealed that the company official did inform the Department about the shift of production from the subject facility to several domestic plants, including a meaningful shift in plant production to a facility located in Lavington. However, the official did not identify the Lavington plant as being located in Canada, thus this shift to Canada was not taken into consideration during the original investigation.

In accordance with Section 246 the Trade Act of 1974 (26 U.S.C. 2813), as amended, the Department of Labor herein presents the results of its investigation regarding certification of eligibility to apply for alternative trade adjustment assistance (ATAA) for older workers.

In order for the Department to issue a certification of eligibility to apply for ATAA, the group eligibility requirements of section 246 of the Trade Act must be met. The Department has determined in this case that the requirements of section 246 have been met.

A significant number of workers at the firm are age 50 or over and possess skills that are not easily transferable. Competitive conditions within the industry are adverse.

**Conclusion**

After careful review of the facts obtained in the investigation, I determine that there was a shift in production from the workers firm or subdivision to Canada of articles that are like or directly competitive with those produced by the subject firm or subdivision. In accordance with the provisions of the Act, I make the following certification:

All workers of Owens-Illinois, Inc., Hayward, California who became totally or partially separated from employment on or after November 20, 2002 through two years from the date of certification are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974, and are also eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974.

Signed in Washington, DC, this 27th day of May, 2004.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 04-12885 Filed 6-7-04; 8:45 am]

BILLING CODE 4510-30-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-54,729A]

#### **Piedmont Industries, Inc., Icard Plant, Connelly Springs, NC; Termination of Investigation**

The investigation was initiated on April 16, 2004, in response to a petition filed on behalf of workers at Piedmont Industries, Inc., Connelly Springs, North Carolina. Workers at are in the production of hosiery and separately identifiable only by facility.

The workers of Piedmont Industries at the Icard plant are included in a certification issued by the Department on November 20, 2003, petition number TA-W-53,246. Consequently, further investigation would serve no purpose, and this investigation is terminated.

Signed in Washington, DC, this 21st day of May, 2004.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 04-12881 Filed 6-7-04; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-52,177]

#### **Redman Knitting, Inc., Ridgewood, NY; Notice of Revised Determination on Remand**

The United States Court of International Trade (USCIT) granted the Department of Labor's request for voluntary remand of the negative determination on reconsideration in *Former Employees of Redman Knitting, Inc. v. U.S. Secretary of Labor* (Court No. 03-00848).

The Department's denial of Trade Adjustment Assistance (TAA) for the workers of Redman Knitting, Inc., Ridgewood, New York was issued on July 29, 2003 and was published in the **Federal Register** on August 14, 2003 (68 FR 48643). That investigation indicated that Redman Knitting produced knitted fabric, and there were no increased

imports of articles like or directly competitive with knitted fabric by either the subject company or its customers, and no shift of production abroad during the relevant period.

By letter dated September 2, 2003, a petitioner requested administrative reconsideration of the negative determination, alleging that imports of knitted sweaters adversely affected domestic production of knitted fabric. The Notice of Negative Determination Regarding Application for Reconsideration was issued on September 25, 2003 and was published in the **Federal Register** on October 10, 2003 (68 FR 58716).

The request for reconsideration was denied because a final product (sweaters) is not "like or directly competitive" with its raw material (knitted fabric) and, therefore, any increased imports of the final product cannot be used to certify workers producing the raw material. The Department also determined that the subject company's major declining customers are not TAA-certified, and that the subject worker group is therefore not eligible under secondary impact.

In response to the petitioner's appeal to the U.S. Court of International Trade, the Department requested, and was granted, a voluntary remand.

In the remand investigation, the Department requested from the company information about the article(s) produced at the subject facility, the plant production process, and additional customer information. A review of the information submitted during the remand investigation and previously submitted documents revealed that Redman Knitting, which was thought to have produced only knitted fabric, was in fact engaged in activities related to the production of knitted sweaters.

Since it has been determined that the workers were engaged in the production of sweaters, a customer survey was conducted to determine whether imports of sweaters increased during the relevant time period. The surveyed revealed that the subject company's major declining customers increased their reliance on imports of sweaters during the relevant period.

#### **Conclusion**

After careful review of the additional facts obtained on the current remand, I conclude that there were increased imports of knitted sweaters like or directly competitive with those produced at the subject firm, and that the increases contributed importantly to the worker separations and sales or

production declines at the subject facility. In accordance with the provisions of the Trade Act, I make the following certification:

All workers of Redman Knitting, Inc., Ridgewood, New York, who became totally or partially separated from employment on or after May 20, 2002, through two years from the issuance of this revised determination, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, DC, this 28th day of May, 2004.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 04-12886 Filed 6-7-04; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-54,222]

#### **Rohm & Haas Company, Elma, WA; Notice of Affirmative Determination Regarding Application for Reconsideration**

By letter of May 5, 2004, a petitioner requested administrative reconsideration of the Department of Labor's Notice of Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance, applicable to workers of the subject firm. The Department's determination notice was signed on March 16, 2004. The Notice was published in the **Federal Register** on April 6, 2004 (69 FR 18109).

The Department reviewed the request for reconsideration and has determined that the petitioners have provided additional information. Therefore, the Department will conduct further investigation to determine if the workers meet the eligibility requirements of the Trade Act of 1974.

#### **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, DC, this 25th day of May 2004.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 04-12875 Filed 6-7-04; 8:45 am]

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