

## APPENDIX—Continued

[Petitions instituted between 02/28/2005 and 03/04/2005]

TA-W	Subject firm (petitioners)	Location	Date of institution	Date of petition
56,679	Beverly Enterprise (Wkrs)	Fort Smith, AR	03/03/2005	03/02/2005
56,680	Industrial Metal Products (State)	Lansing, MI	03/04/2005	02/24/2005
56,681	Lobdell-Emery/Oxford Automotive (Wkrs)	Greencastle, IN	03/04/2005	03/03/2005
56,682	American Express (Wkrs)	Phoenix, AZ	03/04/2005	03/03/2005
56,683	Intel (Wkrs)	Hillsboro, OR	03/04/2005	03/03/2005
56,684	Roaring and Cumberland Mfg., Inc. (Comp)	Sparta, TN	03/04/2005	03/01/2005
56,685	Global Textile Robotics, LLC (Wkrs)	Greenville, SC	03/04/2005	03/01/2005
56,686	McDade Apparel, LLC (Wkrs)	Warrenton, NC	03/04/2005	03/03/2005
56,687	KL-Arrow, Inc. (Comp)	Asheboro, NC	03/04/2005	03/02/2005
56,688	Lands' End (Wkrs)	Dodgeville, WI	03/04/2005	03/03/2005

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

[TA-W-53,997]

**Hollister, Inc., Kirksville Manufacturing, Kirksville, MO; Notice of Determination of Alternative Trade Adjustment Assistance on Remand**

The U.S. Court of International Trade (USCIT) granted the Secretary of Labor's motion for a voluntary remand for further investigation in *Former Employees of Hollister, Inc. v. Elaine Chao, U.S. Secretary of Labor*, No. 04-00262, on February 1, 2005.

The workers of Hollister, Inc., Kirksville Manufacturing, Kirksville, Missouri ("Hollister") were certified as eligible to apply for Trade Adjustment Assistance (TAA) on February 11, 2004. The Notice of determination was published in the **Federal Register** on March 12, 2004 (69 FR 11890).

By letter dated March 19, 2004, the United Automotive Workers, Local 710, requested that Alternative Trade Adjustment Assistance (ATAA) be included in the TAA petition. The request was dismissed because the application for ATAA was not filed with the TAA petition, as required by the Secretary's interpretation of Section 246 of the Trade Act, Training and Employment Guidance Letter No. 2-03 (August 6, 2003). 69 FR 60904, October 13, 2004.

On June 28, 2004, the Plaintiff appealed to the USCIT, asserting that the workers were not provided the assistance and opportunity to request ATAA because the requirements for applying for ATAA were ambiguous.

On October 29, 2004, the Department issued Training and Employment Guidance Letter No. 2-03, Change 2,

"Requests for Certification under the Alternative Trade Adjustment Assistance (ATAA) Program for Certain Worker Groups Covered by Certified TAA Petitions" (TEGL 2-03, Change 2). 70 FR 8829-02, February 23, 2005. The Department's new TEGL concerning the filing of requests for group ATAA certification provides that worker groups whose petitions were still in process at the time of implementation of the ATAA program on August 6, 2003 and certified worker groups who filed petitions which did not include an option to apply for ATAA may request group ATAA certification after the filing of a TAA petition.

The Department construes the Plaintiff's letters as timely requests for group ATAA certification under TEGL 2-03, Change 2. Accordingly, the Department has conducted an investigation to determine the workers' eligibility to apply for ATAA certification.

The group eligibility certification criteria for the ATAA program under Section 246 the Trade Act of 1974 (19 U.S.C. 2813), as amended, established that the Department must determine whether a significant number of workers in the workers' firm are 50 years of age or older, whether the workers in the workers' firm possess skills that are not easily transferable, and whether the competitive conditions within the workers' industry are adverse.

The remand investigation revealed that at least five percent of the workforce at the subject firm is at least fifty years of age, the workers possess skills that are not easily transferable, and competitive conditions within the industry are adverse.

**Conclusion**

After careful review of the facts, I conclude that the requirements of Section 246 of the Trade Act of 1974, as amended, have been met for workers at the subject firm. In accordance with the

provisions of the Act, I make the following certification:

All workers at Hollister, Inc., Kirksville Manufacturing, Kirksville, Missouri, who became totally or partially separated from employment on or after January 7, 2003 through February 11, 2006, 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 at Washington, DC, this 10th day of March, 2005.

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

[FR Doc. E5-1346 Filed 3-25-05; 8:45 am]

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

[TA-W-56,497]

**Johnson Controls, Inc., Wamsutta Plant, Anderson, SC; Notice of Termination of Investigation**

Pursuant to section 221 of the Trade Act of 1974, an investigation was initiated on February 4, 2005 in response to a petition filed by a company official on behalf of workers at Johnson Controls, Inc., Wamsutta Plant, Anderson, South Carolina. Johnson Controls is an on site leased worker company for Springs Industries Wamsutta Plant, Anderson, South Carolina.

The petitioning group of workers is covered by an active certification, (TA-W-56,295A) which expires on February 16, 2007. Consequently, further investigation in this case would serve no purpose; therefore the investigation under this petition has been terminated.

Signed in Washington, DC, this 8th day of March, 2005.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E5-1350 Filed 3-25-05; 8:45 am]

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## 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 April 7, 2005.

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 April 7, 2005.

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 18th day of March 2005.

**Timothy Sullivan,**

*Director, Division of Trade Adjustment Assistance.*

## APPENDIX

[Petitions Instituted Between 03/07/2005 and 03/11/2005]

TA-W	Subject firm (petitioners)	Location	Date of institution	Date of petition
56,689	Jones Apparel Group (Wkrs)	Rural Hall, NC	03/07/2005	03/04/2005
56,690	Qualex, Inc. (Wkrs)	Durham, NC	03/07/2005	02/28/2005
56,691	Worldtex, Inc. (Comp)	Hickory, NC	03/07/2005	02/28/2005
56,692	Wiremold/Legrand (Comp)	Philadelphia, PA	03/07/2005	03/04/2005
56,693	United Plywood Industries (Comp)	Mockville, NC	03/07/2005	02/25/2005
56,694	Colortronic, Inc. (State)	Runnemede, NJ	03/07/2005	03/04/2005
56,695	Tyco Electronics-Tyco Printed CircuitGrp	Stafford, CT	03/07/2005	03/04/2005
56,696	Hewlett-Packard Company	Corvallis, OR	03/08/2005	03/07/2005
56,697	B Machine Products, Inc. (Comp)	Parkersburg, WV	03/08/2005	02/24/2005
56,698	Domtar Inc. (PACE)	Baileyville, ME	03/08/2005	03/04/2005
56,699	Bartech Technical Services (Wkrs)	Warren, OH	03/08/2005	02/09/2005
56,700	CIBC World Markets (Wkrs)	Atlanta, GA	03/08/2005	02/28/2005
56,701	Twigs and Ivy Boutique (Wkrs)	Potosi, MO	03/08/2005	02/10/2005
56,702	Fairbanks Morse Engine (USWA)	Beloit, WI	03/08/2005	03/07/2005
56,703	Top Flight, Inc. (Comp)	Chattanooga, TN	03/08/2005	03/04/2005
56,704	Lockheed Martin Aeronautics (Wkrs)	Fort Worth, TX	03/08/2005	03/07/2005
56,705	Marlatex Corporation (Comp)	Belmont, NC	03/08/2005	03/07/2005
56,706	Plus Mark (Wkrs)	Franklin, TN	03/08/2005	02/25/2005
56,707	Kopin Corporation (Comp)	Taunton, MA	03/10/2005	03/08/2005
56,708	AVX Corporation (Comp)	Raleigh, NC	03/10/2005	03/08/2005
56,709	American Identity (Comp)	Marcus, IA	03/10/2005	03/08/2005
56,710	Laidlaw (State)	Dundalk, MD	03/10/2005	03/08/2005
56,711	Jacobs Chuck Manufacturing (Wkrs)	Clemson, SC	03/10/2005	02/24/2005
56,712	Dallco Industries, Inc. (Comp)	York, PA	03/10/2005	02/21/2005
56,713	Seagate (State)	Bloomington, MN	03/10/2005	03/08/2005
56,714	Briess Malt and Ingredients (UAW)	Waterloo, WI	03/10/2005	03/09/2005
56,715	International Paper (Wkrs)	Eighty Four, PA	03/10/2005	02/17/2005
56,716	Northern Steel Castings (Wkrs)	Kenosha, WI	03/10/2005	03/07/2005
56,717	Victor Insulators (Wkrs)	Victor, NY	03/10/2005	02/23/2005
56,718	I.H. Apparel Group, LLC (Wkrs)	New York, NY	03/10/2005	02/23/2005
56,719	Donegal Industries (UNITE)	Mount Joy, PA	03/10/2005	02/22/2005
56,720	Automatic Welding (Wkrs)	Ashland, OH	03/10/2005	02/17/2005
56,721	New Campaign, Inc. (Wkrs)	Norfolk, VA	03/10/2005	02/28/2005
56,722	Allied Mold and Die Company (Wkrs)	Fontana, CA	03/10/2005	02/22/2005
56,723	Brookwood Furniture (Comp)	Bruce, MS	03/10/2005	03/08/2005
56,724	American Pad and Paper, LLC (Comp)	Westfield, MA	03/10/2005	03/08/2005
56,725	Bridgeport Metal Goods, Inc. (Comp)	Hinsdale, NH	03/10/2005	03/08/2005
56,726	Bob Timberlake, Inc. (Comp)	Lexington, NC	03/10/2005	03/09/2005
56,727	Stinson Seafood (Comp)	Bath, ME	03/10/2005	03/04/2005
56,728	Alcon Packaging (Comp)	Bethlehem, PA	03/10/2005	03/09/2005
56,729	Agilent Technologies (State)	Ft. Collins, CO	03/10/2005	02/23/2005
56,730	Heritage Sportswear, LLC (Comp)	Marion, SC	03/10/2005	03/08/2005
56,731	Creo Americas, Inc. (State)	Woodland Hills, CA	03/10/2005	03/09/2005
56,732	Eaton (Comp)	Everett, WA	03/10/2005	03/09/2005