

properly understood, then the worker group would be considered eligible for trade adjustment assistance.

In its investigation to assess the eligibility of petitioning worker groups for trade adjustment assistance, the Department considers the actual products produced by subject firm workers, and whether or not like or directly competitive products were imported in the relevant period. Thus, the "functions" as represented by the petitioner, are irrelevant. The overwhelming amount of mold and die production was transferred to another affiliated domestic location. As indicated in the initial investigation, the subject firm also produced plastic molds, but this constituted a relatively small portion of overall plant production. The plastics mold operation was abandoned at the time of plant closure, as it was a residual business of facility's previous owners, and not in line with the business experience and interests of Metaldyne. Recent contact with a company official confirmed that the company did not import products competitive with those produced at the subject firm during the relevant period.

The petitioner also indicates that additional plants located in foreign locations perform the same kind of work and production.

An examination of the attachments provided by the petitioner show various products (*i.e.*, precision die casting as rough castings, machined casting, assemblies and modules) made on a company wide basis from various locations, including foreign locations. The import of these products to the United States is not relevant to the TAA or NAFTA investigations that were filed on behalf of workers producing molds and dies. The product imported must be "like or directly" competitive with what the subject firm produced and the imports (including Canada and/or Mexico as it relates to NAFTA) must "contribute importantly" to the layoffs at the subject plant to meet the eligibility requirements for adjustment assistance under section 222 of the Trade Act of 1974 or NAFTA-TAA under section 250 of the Trade Act of 1974.

The petitioner further appears to state that there has been little consideration for present economical factors that point to the current trend of thousands of manufacturing plant closures and massive layoffs due to overseas trade agreements resulting in the Accura Tool and Dye plant closing.

Economic conditions are not criteria in determining eligibility for worker adjustment assistance pursuant to the Trade Act of 1974. Increased imports

(imports from Canada or Mexico as it relates to NAFTA) of products like or directly competitive with what the subject plant produced must contribute importantly to the layoffs at the subject plant to meet the eligibility requirements of TAA or NAFTA. Also, a shift in production to Canada or Mexico could have qualified the workers for NAFTA. In any event, none of these events occurred thus the criteria were not met for the workers of Metaldyne, Inc., formerly Accura Tool & Mold Co., Inc., Crystal Lake, Illinois.

Conclusion

After review of the application and investigative findings, I conclude that there has been no misinterpretation of the law or of the facts which would justify reconsideration of the Department of labor's prior decisions. Accordingly, the application is denied.

Signed in Washington, DC, this 13th day of March, 2003.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

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DEPARTMENT OF LABOR

Employment and Training Administration

Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance and NAFTA Transitional 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 (TA-W) issued during the period of March 2003.

In order for an affirmative determination to be made and a certification of eligibility to apply for worker adjustment assistance to be issued, each of the group eligibility requirements of section 222 of the Act must be met.

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated, or are threatened to become totally or partially separated; and

(2) That sales or production, or both, of the firm or sub-division have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by the firm or

appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production of such firm or subdivision.

Negative Determinations for Worker Adjustment Assistance

In each of the following cases the investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

None.

In the following case, the investigation revealed that the criteria for eligibility have not been met for the reasons specified.

The investigation revealed that criterion (a)(2)(A) (I.C.) (Increased imports) and (a) (2)(B) (II.B) (No shift in production from a foreign country) have not been met.

TA-W-50,996; Fishing Vessel (F/V)
Netta, Naknek, AK.
TA-W-50,165; Fishing Vessel (F/V)
Jenni Lee, Aleknagik, AK.
TA-W-50,131; Fishing Vessel (F/V)
Raymond Thorsen, Dillingham, AK.
TA-W-51,057; Fishing Vessel (F/V)
Bucko, Dillingham, AK.
TA-W-51,040; Emcee Broadcast
Products, White Haven, PA.
TA-W-50,993; Fishing Vessel (F/V)
Darcie Michelle, Dillingham, AK.
TA-W-50,919; Southern Farm Fish
Processors, Inc., a Div. of Farmland
Industries, Inc., Eudora, AR.
TA-W-50,911; Benton Veneer Co.,
Benton, AR.
TA-W-50,897; Fishing Vessel (F/V) Miss
Kari, Yankeetown, FL.
TA-W-50,793; Fishing Vessel (F/V)
Matthew Thorson, Dillingham, AK.
TA-W-50,768; Fishing Vessel (F/V)
Maya Ann, Anchorage, AK.
TA-W-50,759; Fishing Vessel (F/V)
Cape Menemikof, Dillingham, AK.
TA-W-50,756; Fishing Vessel (F/V),
Camelot, Togiak, AK.
TA-W-50,754; Fishing Vessel (F/V)
Areil Rochelle, Nushagak, AK.
TA-W-50,710; Fishing Vessel (F/V)
Kona Rose, Seattle, WA.
TA-W-50,691; State of Alaska
Commercial Fisheries Entry
Commission Permit #SO3T65910I,
Newhalen, AK.
TA-W-50,621; Fishing Vessel (F/V)
Frances A, Naknek, AK.
TA-W-50,630; Fishing Vessel (F/V)
Alicia Dawn, Togiak, AK.
TA-W-50,360; Ocean State Finishing
Co., Woonsocket, Rhode Island.
TA-W-50,340; Lear Corp., Electrical
and Electronics Div. (Leed), Plant
074, Peru, IN.
TA-W-51,512; Fishing Vessel (F/V)
Millie Jo, Chignik Lagoon, AK.