

DEPARTMENT OF LABOR

Employment and Training
Administration

[TA-W-52,025]

**Dynamco, Inc., Roper Pump Company,
Roper Industries, Inc., McKinney, TX;
Amended Certification Regarding
Eligibility To Apply for Worker
Adjustment Assistance**

In accordance with section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on July 15, 2003, applicable to workers of Dynamco, Roper Pump Company, McKinney, Texas. The notice will be published soon in the **Federal Register**.

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The workers were engaged in the production of pneumatic valves and components.

New information shows that Roper Industries, Inc. is the parent firm of Dynamco, Inc. Workers separated from employment at the subject firm had their wages reported under a separate unemployment insurance (UI) tax account for Roper Industries, Inc.

Accordingly, the Department is amending the certification to properly reflect this matter.

The intent of the Department's certification is to include all workers of Dynamco, Inc., Roper Pump Company, Roper Industries, Inc., McKinney, Texas who were adversely affected by increased imports.

The amended notice applicable to TA-W-52,025 is hereby issued as follows:

All workers of Dynamco, Inc., Roper Pump Company, Roper Industries, Inc., McKinney, Texas, who became totally or partially separated from employment on or after June 11, 2002, through July 15, 2005, are eligible to apply for adjustment assistance under section 223 of the Trade Act of 1974.

Signed at Washington, DC, this 23rd day of July, 2003.

Richard Church,

*Certifying Officer, Division of Trade
Adjustment Assistance.*

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DEPARTMENT OF LABOR

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[TA-W-52,062]

**Fishing Vessel (F/V) Juanderer, Elfin
Cove, AK; Notice of Termination of
Investigation**

Pursuant to section 221 of the Trade Act of 1974, as amended, an investigation was initiated on June 17, 2003, in response to a petition filed by a company official on behalf of workers at Fishing Vessel (F/V) Juanderer, Elfin Cove, Alaska.

The petition regarding the investigation has been deemed invalid. In order to establish a valid worker group, there must be at least three full-time workers employed at some point during the period under investigation. Workers of the group subject to this investigation did not meet this threshold level of employment. Consequently, the investigation has been terminated.

Signed at Washington, DC, this 28th day of July, 2003.

Linda G. Poole,

*Certifying Officer, Division of Trade
Adjustment Assistance.*

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DEPARTMENT OF LABOR

Employment and Training
Administration

[TA-W-50,876]

**Mechanical Products Company, LLC,
Aerospace Division, Jackson,
Michigan; Notice of Negative
Determination Regarding Application
for Reconsideration**

By application of May 27, 2003, the International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW), Region 1C and Local Union 1330, 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 11, 2003, and published in the **Federal Register** on May 1, 2003 (68 FR 23322).

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 mis-interpretation of facts or of the law justified reconsideration of the decision.

The petition for the workers of Mechanical Products Company, LLC, Aerospace Division, Jackson, Michigan was denied because the "contributed importantly" group eligibility requirement of Section 222 of the Trade Act of 1974, 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 breakers for the aerospace industry. The company did not import breakers for the aerospace industry in the relevant period.

The union asserts that, in addition to producing circuit breakers for the aerospace industry, the subject firm also produced circuit breakers for other commercial purposes, specifically in the "1600" and "2000" series.

A company official was contacted in regard to these allegations. The official stated that, from the end of 2001 and into 2002, the subject facility briefly did some production of the 1600 series circuit breakers while the firm was in the process of shifting this production from an affiliate in Maryland to foreign sources; however, subject firm production for series 1600 circuit breakers was negligible in relation to overall plant production and no layoffs resulted from this production cessation in Jackson. The official further stated that there had been some "rework" done on series 2000 circuit breakers shipped from a foreign facility to Jackson; again, however, this work constituted a negligible portion of plant production. Finally, the company official clarified that subject firm layoffs were entirely attributable to the sale of the company's Aerospace Division to another company that subsequently moved production to an existing facility in Sarasota, Florida.

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.