

**Bureau of International Labor Affairs;
U.S. National Administrative Office;
North American Agreement on Labor
Cooperation; Notice of Determination
Regarding Review of Submission
#9601**

AGENCY: Office of the Secretary, Labor.
ACTION: Notice.

SUMMARY: The U.S. National Administrative Office (U.S. NAO) gives notice that Submission #9601 was accepted for review on July 29, 1996. The submission was filed with the NAO on June 13, 1996, by Human Rights Watch/Americas, the International Labor Rights Fund, and the Asociacion Nacional de Abogados Democraticos (National Association of Democratic Lawyers), and concerns the representation of employees of the Ministry of the Environment, Natural Resources, and Fishing by the Single Trade Union of Workers of the Fishing Ministry (SUTSP) in Mexico City, Mexico. Article 16(3) of the North American Agreement on Labor Cooperation (NAALC) provides for the review of labor law matters in Canada and Mexico by the NAO. The objective of the review of the submission will be to gather information to assist the NAO to better understand and publicly report on the Government of Mexico's compliance with the objectives set forth in Articles 3 and 5 of the NAALC.

EFFECTIVE DATE: July 29, 1996.

FOR FURTHER INFORMATION CONTACT:
Irasema T. Garza, Secretary, U.S. National Administrative Office, Department of Labor, 200 Constitution Avenue, N.W., Room C-4327, Washington, D.C. 20210. Telephone: (202) 501-6653 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION: On June 13, 1996, the Human Rights Watch/Americas, the International Labor Rights Fund, and the Asociacion Nacional de Abogados Democraticos (National Association of Democratic Lawyers), filed a submission raising allegations concerning the right to organize and freedom of association for federal workers in Mexico.

Article 16(3) of the NAALC provides for the review of labor law matters in Canada and Mexico by the NAO. "Labor law" is defined in Article 49 of the NAALC to include freedom of association.

The procedural guidelines for the NAO, published in the Federal Register on April 7, 1994, specify that, in general, the Secretary of the NAO shall accept a submission for review if it raises issues relevant to labor law

matters in Canada or Mexico and if a review would further the objectives of the NAALC.

Submission #9601 relates to labor law matters in Mexico. A review would also appear to further the objectives of the NAALC, as set out in Article 1, which include improving working conditions and living standards in each Party's territory; promoting, to the maximum extent possible, the labor principles set out in Annex 1 of the NAALC, among them freedom of association; promoting compliance with and effective enforcement by each Party of, its labor law; and fostering transparency in the administration of labor law. Accordingly, this submission has been accepted for review of the allegations raised therein. The NAO's decision is not intended to indicate any determination as to the validity or accuracy of the allegations contained in the submission.

The objective of the review will be to gather information to assist the NAO to better understand and publicly report on the issues concerning the right to organize and freedom of association raised in the submission, including the Government of Mexico's compliance with the obligations agreed to under Articles 3 and 5 of the NAALC. The review will be completed and a public report issued, within 120 days, or 180 days if circumstances require an extension of time, as set out in the procedural guidelines of the NAO.

Signed at Washington, D.C. on July 29, 1996.

Irasema T. Garza,
Secretary, U.S. National Administrative
Office.
[FR Doc. 96-19657 Filed 8-1-96; 8:45 am]
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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 July, 1996.

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,

(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.

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.

TA-W-32,266 & TA-W-32,267; Owens-Illinois, Inc., Owens Brockway Glass Containers, Plant #18 & Plant #19, Brockway, PA

TA-W-32,399; Kerr Manufacturing Co., Massena, NY

TA-W-32,405; Scrock Cabinet Co., Quaker Maid Kitchens Div., Leesport, PA

TA-W-32,400; Sunbeam Corp., Sunbeam Outdoor Product, Linton, IN

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

TA-W-32,443; Simpson Paper Co., Pomona, CA

TA-W-32,380; Mullen Lumber, Inc., Molalla, OR

TA-W-32,318; Jaunty Textile, A Div. of Advanced Textile Composites, Inc., Scranton, PA

TA-W-32,469; Wallace & Tiernan, Inc., Bellville, NJ

TA-W-32,395; Cambridge Industries (Formerly Known as GenCorp), Commercial Truck Group, Ionia, MI

Increased imports did not contribute importantly to worker separations at the firm.

TA-W-32,436 & A; Elcam, Inc., St. Marys, PA and Clearfield, PA

TA-W-32,447; BSW International, Inc., Tulsa, OK

TA-W-32,375; Host Apparel, New York, NY

The workers firm does not produce an article as required for certification under Section 222 of the Trade Act of 1974.

TA-W-32,334; Ashland Exploration, Inc., Brenton, WV

U.S. imports of natural gas declined relative to domestic shipments and

consumption in 1995 compared to 1994 and in the first quarter of 1996 compared to the same period in 1995.

TA-W-32,335; *Allergan, Phoenix, AZ*
The investigation revealed that criterion (2) and criterion (3) have not been met. Sales or production did not decline during the relevant period as required for certification. Increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have not contributed importantly to the separations or threat thereof, and the absolute decline in sales or production.

Affirmative Determinations for Worker Adjustment Assistance

The following certifications have been issued; the date following the company name & location for each determination references the impact date for all workers for such determination.

TA-W-32,363; *Alcan Aluminum Co., Sclan Foil Products Div., LaGrange, GA*: May 1, 1995.
TA-W-32,372; *Eagle Picher Plastics Div., Huntington, IN*: May 15, 1995.
TA-W-32,398; *H and E Apparel, Inc., Princeton, KY*: May 16, 1995. TA-W-32,377; *James Hardie Irrigation, El Paso Manufacturing, El Paso, TX*: May 9, 1995.
TA-W-32,483 & A; *Wundies, Inc., Wellsboro, PA & Williamport, PA*: June 10, 1995.
TA-W-32,451; *Cleveland Mills, Kings Mountain, NC*: May 23, 1995.
TA-W-32,412; *Bari Fashions, Inc., Hoboken, NJ*: May 21, 1995.
TA-W-32,384; *Roadmaster Corp., Delavan, WI*: May 7, 1995.
TA-W-32,401; *SMK Manufacturing, Inc., Placentia, CA*: May 16, 1995.
TA-W-32,374; *General Electric Superabrasives, Worthington, OH*: May 17, 1995.
TA-W-32,487; *Savannah Manufacturing Corp., Savannah, TN*: June 7, 1995.
TA-W-32,424; *Screen Pac, Roseto, PA*: May 30, 1995.
TA-W-32,343; *Osawatomie, Inc., dba ESW (Formerly Engineered Well Services, Inc), Dickinson, ND*: April 6, 1995.
TA-W-32,461 & A; *Oxford of Burgan, Oxford Industries, Inc., Burgan, NC, Oxford Industries, Inc., Atlanta, GA*: June 17, 1995.
TA-W-32,479; *Taylor Clothing, Taylor, PA*: June 12, 1995.
TA-W-32,459; *Warner's A Div. of Warnaco, Inc., Dothal, AL*: June 4, 1995.
TA-W-32,408; *Heritage Sportswear, Marion, SC*: May 15, 1995.
TA-W-32,308; *Hanover II Div. STI, Inc., Pawtucket, RI*: April 16, 1995.

TA-W-32,419; *Pioneer Balloon Co., Willard Operations, Willard, OH*: May 2, 1995.

TA-W-32,382 and A; *Bay Springs Apparel, Nazareth/Century Mills, Inc., Bay Springs, MS and Monroe, NC*: May 15, 1995.

TA-W-32,342; *B.A.S.F. Corp., Detroit, MI*: April 30, 1995.

TA-W-32,321; *Equitable Resources Energy Co., Western Region, Billings, MT*: April 30, 1995.

TA-W-32,296; *Isenburg Enterprises, Inc., Salt Lake City, UT*: April 19, 1995.

Also, pursuant to Title V of the North American Free Trade Agreement Implementation Act (P.L. 103-182) concerning transitional adjustment assistance hereinafter called (NAFTA-TAA) and in accordance with Section 250(a) Subchapter D, Chapter 2, Title II, of the Trade Act as amended, the Department of Labor presents summaries of determinations regarding eligibility to apply for NAFTA-TAA issued during the month of July, 1996.

In order for an affirmative determination to be made and a certification of eligibility to apply for NAFTA-TAA the following group eligibility requirements of Section 250 of the Trade Act must be met:

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, (including workers in any agricultural firm or appropriate subdivision thereof) have become totally or partially separated from employment and either—

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely,

(3) That imports from Mexico or Canada of articles like or directly competitive with articles produced by such firm or subdivision have increased, and that the increases in imports contributed importantly to such workers' separations or threat of separation and to the decline in sales or production of such firm or subdivision; or

(4) That there has been a shift in production by such workers' firm or subdivision to Mexico or Canada of articles like or directly competitive with articles which are produced by the firm or subdivision.

Negative Determinations NAFTA-TAA

In each of the following cases the investigation revealed that criteria (3) and (4) were not met. Imports from Canada or Mexico did not contribute importantly to workers' separations. There was no shift in production from

the subject firm to Canada or Mexico during the relevant period.

NAFTA-TAA-01038; *Sunbeam Corp., Sunbeam Outdoor Products, Linton, IN*

NAFTA-TAA-00984 & A; *Owens-Illinois, Inc., Owens Brockway Glass Containers, Plant #18 and Plant #19, Brockway, PA*

NAFTA-TAA-01055; *Sunbeam, Sunbeam Household Products—Cookeville, Cookeville, TN*

NAFTA-TAA-01075; *Varsity Manufacturing, Susquehanna, PA*

NAFTA-TAA-01053; *Aquila, Inc., Superior, WI*

NAFTA-TAA-01052; *Carolina Dress Corp., Hayesville, NC*

NAFTA-TAA-01026; *Roadmaster Corp., Delavan, WI*

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

NAFTA-TAA-01094; *BP Exploration & Oil Inc., Paulsboro Terminal Div., Paulsboro, NJ*

NAFTA-TAA-01058 & A; *Elcam, Inc., St. Marys, PA and Clearfield, PA*

The investigation revealed that the workers of the subject firm did not produce an article within the meaning of Section 250(a) of the Trade Act, as amended.

Affirmative Determinations NAFTA-TAA

The following certifications have been issued; the date following the company name & location for each determination references the impact date for all workers for such determination.

NAFTA-TAA-01071; *Sara Lee Knit Products, Eatonton Sewing Div., Eatonton, GA*: June 4, 1995.

NAFTA-TAA-01065 & A; *Oxford of Burgaw, Oxford Dress Div. of Oxford Industries, Inc., Burgaw, NC & Corp. Headquarters, Atlanta, GA*: June 5, 1995.

NAFTA-TAA-01044; *Pictsweet Mushroom Farm, Salem OR*: May 30, 1995. NAFTA-TAA-01047; *Medley Company Cedar, Inc., Santa, ID*: May 23, 1995.

NAFTA-TAA-01082; *Magnetek, Lighting Products Group, Blytheville, AR*: June 4, 1995.

NAFTA-TAA-01062; *Pine River Lumber Co., Limited, Maple Lumber Div., Kenton, MI*: May 9, 1995.

NAFTA-TAA-01080; *Mabex Universal Corp., San Diego Pe Foam Converting & Warehousing Facility, San Diego, CA*: May 20, 1995.

I hereby certify that the aforementioned determinations were issued during the month of July 1996. Copies of these determinations

are available for inspection in Room C-4318, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210 during normal business hours or will be mailed to persons who write to the above address.

Dated: July 17, 1996.

Russell Kile,

Acting Program Manager, Policy & Reemployment Service, Office of Trade Adjustment Assistance.

[FR Doc. 96-19652 Filed 8-1-96; 8:45 am]

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[TA-W-32,125]

AT&T Corporation; NCR Corporation; Viroqua, WI; Notice of Negative Determination Regarding Application for Reconsideration

By application dated June 10, 1996, one of the petitioners requested administrative reconsideration of the Department's negative determination regarding worker eligibility to apply for trade adjustment assistance. The denial notice was signed on May 13, 1996 and published in the Federal Register on May 24, 1996 (61 FR 26218).

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 request for reconsideration claims that AT&T Corporation, NCR Corporation lost business to foreign produced electronic business forms and systems substitutes. The request also claims that the Department's customer survey focussed on current customers rather than customers who have switched to imported electronic business form substitutes.

Findings of the investigation showed that workers of AT&T Corporation, NCR Corporation located in Viroqua, Wisconsin produced business forms and labels. The Department's denial of TAA for workers of the subject firm was based on the fact that the "contributed importantly" test of the Group Eligibility requirement of the Trade Act was not met. The Department conducted a survey of major declining customers of AT&T Corporation, NCR Corporation. None of the survey respondents reported import purchases of business

forms or labels during the time period relevant to the investigation.

Technological unemployment as the result of rapid development of electronic business forms would not provide a basis for a worker group certification.

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, D.C. this 16th day of July 1996.

Russell T. Kile,

Acting Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.

[FR Doc. 96-19653 Filed 8-1-96; 8:45 am]

BILLING CODE 4510-30-M

[TA-W-32,227]

Ralph Lauren Womenswear, Incorporated, Bidermann Industries Corporation, New York, New York; 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 May 16, 1996, applicable to all workers of Ralph Lauren Womenswear, Incorporated, Bidermann Industries Corporation, New York, New York. The notice was published in the Federal Register on June 6, 1996 (FR 61 28900).

At the request of former employees, the Department reviewed the certification for workers of the subject firm. The workers of Ralph Lauren Womenswear, Incorporated, Bidermann Industries Corporation, New York, New York produced ladies' apparel. The Union representative for the affected workers provided evidence that an attempt was made to file a TAA petition on behalf of the workers of the subject firm at an earlier date. Accordingly, the Department is amending the certification to change the impact date from March 27, 1995 to January 31, 1995, the date separations began.

The intent of the Department's certification is to include all workers of Ralph Lauren Womenswear, Incorporated, Bidermann Industries Corporation adversely affected by imports of apparel.

The amended notice applicable to TA-W-32,227, is hereby issued as follows:

All workers of Ralph Lauren Womenswear, Incorporated, Bidermann Industries Corporation, New York, New York who became totally or partially separated from employment on or after January 31, 1995 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, DC this 16th day of July 1996.

Russell T. Kile,

Acting Program Manager, Policy and Reemployment Services Office of Trade Adjustment Assistance.

[FR Doc. 96-19650 Filed 8-1-96; 8:45 am]

BILLING CODE 4510-30-M

[TA-W-32, 387]

Shepard's/McGraw-Hill Companies Colorado Springs, Colorado; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on May 28, 1996 in response to a worker petition which was filed on May 10, 1996 on behalf of workers at Shepard's/McGraw-Hill Companies, Colorado Springs, Colorado.

The petitioner has requested that the petition be withdrawn. Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed in Washington, D.C. this 18th day of July, 1996.

Russell T. Kile,

Acting Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.

[FR Doc. 96-19651 Filed 8-1-96; 8:45 am]

BILLING CODE 4510-30-M

[TA-W-31,782]

Synergy Services, Inc., El Paso, TX; Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance; Correction

This notice corrects the notice for petition number TA-W-31,782 which was published in the Federal Register on February 14, 1996 (61 FR 5808) in FR Document 96-3248.

This revises the subject firm location on the twenty-second line in the appendix table on page 5808. On the twenty-second line in the third column, the location should read El Paso, Texas.