

Assistance (TAA) and NAFTA-Transitional Adjustment Assistance (NAFTA-TAA), applicable to workers and former workers of the subject firm. The denial notices applicable to workers of the subject firm located in Bay City, Michigan, were signed on September 15, 1998. The TAA and NAFTA-TAA decisions were published in the **Federal Register** on October 9, 1998 (63 FR 54495) and September 28, 1998 (63 FR 51606), respectively.

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 TAA petition, filed on behalf of workers of United Technologies Automotive, Bay City, Michigan, producing automotive interior trim was denied because the "contributed importantly" group eligibility requirement of Section 222(3) of the Trade Act of 1974, as amended, was not met. The "contributed importantly" test is generally demonstrated through a survey of the workers' firm's customers. The investigation revealed that none of the subject firm customers reported increased import purchases of articles like or directly competitive with those produced at United Technologies Automotive's Bay City plant.

The NAFTA-TAA petition for the same worker group was denied because criteria (3) and (4) of the group eligibility requirements in paragraph (a)(1) of Section 250 of the Trade Act, as amended, were not met. There was no shift of production from the subject firm to Canada or Mexico, nor did the company import automotive interior trim from Canada or Mexico. The subject firm is transferring production of automotive interior trim to other domestic plants of United Technologies. The Department conducted a survey of major customers of the subject firm regarding purchases of automotive interior trim. The survey revealed that the customers were not purchasing from Canada or Mexico automotive interior trim like or directly competitive with that produced in Bay City.

In support of their application for reconsideration, the petitioners assert that "tools and parts have been sent to Mexico and these parts are then sent

back to the United States." Shipping information was attached to the application. The documents support evidence of shipments being made from Bay City to Mexico and other foreign countries, and thus must be considered exports. The Department did however, request that the subject firm provided additional information regarding the petitioners assertion that (1) machinery was transferred from Bay City to Mexico, and (2) product is being imported from Mexico. Review of the information provided by the subject firm revealed that some presses and related equipment were sent to Mexico, but the amount accounted for an insignificant portion of total Bay City assets. The company official once again confirmed that all of the Bay City automotive interior trim production was shifted to other domestic plants of United Technologies, and that none of the production in Mexico is returned to the United States.

#### *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 decisions. Accordingly, the application is denied.

Signed at Washington, D.C. this 12th day of March 1999.

**Grant D. Beale,**

*Acting Director, Office of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-35,102 and NAFTA-02669]

#### **Mitchell Manufacturing Group, a Lamont Group Company, Clare, MI; Notice of Revised Determination on Reconsideration**

On March 2, 1999, 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**.

The Department initially denied TAA to workers of Mitchell Manufacturing Group, a Lamont Group Company, Clare, Michigan, producing automotive interior covers including soft trim (seat covers) because the "contributed importantly" group eligibility

requirement of Section 222(3) of the Trade Act of 1974, as amended, was not met.

On reconsideration, the Department conducted further survey analysis of the major customer of Mitchell Manufacturing Group. The survey revealed that a former major customer changed manufacturers and the current manufacturer of seat covers is manufacturing those items in Mexico and importing the finished product into the U.S.

#### *Conclusion*

After careful review of the additional facts obtained on reconsideration, I conclude that increased imports of articles like or directly competitive with seat covers, contributed importantly to the declines in sales or production and to the total or partial separation of workers of Mitchell Manufacturing Group, a Lamont Group Company, Clare, Michigan. In accordance with the provisions of the Act, I make the following certification:

All workers of Mitchell Manufacturing Group, a Lamont Group Company, Clare, Michigan who became totally or partially separated from employment on or after October 2, 1997 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed in Washington, D.C. this 9th day of March 1999.

**Grant D. Beale,**

*Acting Director, Office of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-35,394]

#### **Ainge Enterprises, Inc., Spanish Fork, Utah; Notice of Termination of Investigation**

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on December 21, 1998 in response to a worker petition which was filed on behalf of workers at the Ainge Enterprises, Inc., Spanish Fork, Utah.

An active certification covering the petitioning group of workers is already in effect (TA-W-34,034). Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.