

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

[TA-W-74,700]

**AT&T Services, Inc., Reynoldsburg, OH; Notice of Negative Determination on Reconsideration**

On January 21, 2011, the Department of Labor issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of AT&T Services, Inc., Reynoldsburg, Ohio (subject firm). The Notice of determination was published in the **Federal Register** on February 2, 2011 (76 FR 5831). Workers supply customer care call services.

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 negative determination was based on the findings that the worker separations are not attributable to increased imports of services by the subject firm or a shift in the supply of services by the subject firm to a foreign country. Rather, the investigation established that the worker separations are attributable to the subject firm shifting customer care call services to other facilities within the United States. The investigation also revealed the firm is not a supplier or downstream producer to a firm that employed a worker group eligible to apply for Trade Adjustment Assistance (TAA).

In the request for reconsideration, the petitioners alleged that the subject firm has shifted services to a foreign country.

During the reconsideration, the Department received information that shows that AT&T Services, Inc. (and not AT&T) is the appropriate name of the firm, and the heading has been changed to properly reflect the firm's name.

Information obtained during the reconsideration investigation confirmed that all of the workers who worked at the subject firm are referred to as "Legacy T workers" and "Customer Sales and Service Specialists (CSSS)"; that none of the services previously supplied by the subject firm (or like or directly competitive services) was outsourced to

a foreign country; and that AT&T managers did not train any call center managers in India. Rather, work previously performed at the subject firm was consolidated into three other AT&T call centers within the United States.

**Conclusion**

After reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of AT&T Services, Inc., Reynoldsburg, Ohio.

Signed in Washington, DC, on this 2nd day of May 2011.

**Del Min Amy Chen,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

[FR Doc. 2011-11637 Filed 5-11-11; 8:45 am]

**BILLING CODE 4510-FN-P**

**DEPARTMENT OF LABOR****Employment and Training Administration****Notice of Negative Determination on Reconsideration**

TA-W-70,949 Chrysler LLC  
Mopar Parts Distribution Center Center Line, Michigan

TA-W-70,949A Chrysler LLC  
Mopar Parts Distribution Center Naperville, Illinois

TA-W-70,949B Chrysler LLC  
Mopar Parts Distribution Center New Boston, Michigan

TA-W-70,949C Chrysler LLC  
Mopar Parts Distribution Center Beaverton, Oregon

TA-W-70,949D Chrysler LLC  
Mopar Parts Distribution Center Carrollton, Texas

TA-W-70,949E Chrysler LLC  
Mopar Parts Distribution Center Fontana, California

TA-W-70,949F Chrysler LLC  
Mopar Parts Distribution Center Lathrop, California

TA-W-70,949G Chrysler LLC  
Mopar Parts Distribution Center Denver, Colorado

TA-W-70,949H Chrysler LLC  
Mopar Parts Distribution Center Ontario, California

TA-W-70,949I Chrysler LLC  
Mopar Parts Distribution Center Hazelwood, Missouri

TA-W-70,949J Chrysler LLC  
Mopar Parts Distribution Center Morrow, Georgia

TA-W-70,949K Chrysler LLC  
Mopar Parts Distribution Center Memphis, Tennessee

TA-W-70,949L Chrysler LLC  
Mopar Parts Distribution Center Tappan, New York

TA-W-70,949M Chrysler LLC  
Mopar Parts Distribution Center Mansfield, Massachusetts

TA-W-70,949N Chrysler LLC  
Mopar Parts Distribution Center Plymouth, Minnesota

TA-W-70,949O Chrysler LLC  
Mopar Parts Distribution Center Streetsboro, Ohio

TA-W-70,949P Chrysler LLC  
Mopar Parts Distribution Center Orlando, Florida

TA-W-70,949Q Chrysler LLC  
Mopar Parts Distribution Center Milwaukee, Wisconsin

TA-W-70,949R Chrysler LLC  
Mopar Parts Distribution Center Warren, Michigan

TA-W-70,949S Chrysler LLC  
Mopar Parts Distribution Center Marysville, Michigan

On October 7, 2010, the Department of Labor issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of the subject facilities. The workers are engaged in activities related to the supply of warehousing and distribution services related to automotive parts.

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

The negative determination was based on the findings that there was no increase in imports of services like or directly competitive with those supplied by the subject workers and no shift to/acquisition from a foreign country by the workers' firm in the supply of services like or directly competitive with those supplied by the subject workers.

The request for reconsideration asserts that the workers are eligible to apply for Trade Adjustment Assistance (TAA) as adversely-affected secondary workers because they "provide replacement and accessory parts for new vehicles" and identified firms that employed worker groups eligible to apply for TAA.

Section 222(d) of the Act, 19 U.S.C. 2272(d), defines the term "Supplier" as "a firm that produces and supplies directly to another firm component parts for articles, or services used in the production of articles or in the supply of services, as the case may be, that were the basis for a certification of eligibility under subsection (a) [of Section 222 of the Act] of a group of workers employed by such other firm."

Section 222(d) of the Act, 19 U.S.C. 2272(d), defines the term “Downstream Producer” as “a firm that performs additional, value-added production processes or services directly for another firm for articles or services with respect to which a group of workers in such other firm has been certified under subsection (a) [of Section 222 of the Act]” and defines the term “value-added production processes or services” to “include final assembly, finishing, testing, packaging, or maintenance or transportation services.”

During the reconsideration investigation, the Department received information that confirmed that the subject facilities are not a “supplier” or a “downstream producer” within the meaning of the Trade Act of 1974, as amended.

The subject facilities do not produce and directly supply component parts (or services) to a firm that both employed a worker group eligible to apply for TAA and directly used the component parts (or services) in the production of the article or in the supply of the service that was the basis for the TAA certification, and do not perform downstream producer services for a firm that both employed a worker group eligible to apply for TAA and directly used the service in the production of the article or in the supply of the service that was the basis for the TAA certification.

Rather, the subject facilities separate, consolidate and package finished parts that are produced by others, and ship the packages to Chrysler points of contacts, who then forward the packages to car dealerships who ordered the parts on behalf of the dealership’s customers.

### Conclusion

After reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of Chrysler LLC, Mopar Parts Distribution Center in Center Line, Michigan (TA-W-70,949); Naperville, Illinois (TA-W-70,949A); New Boston, Michigan (TA-W-70,949B); Beaverton, Oregon (TA-W-70,949C0); Carrollton, Texas (TA-W-70,949D); Fontana, California (TA-W-70,949E); Lathrop, California (TA-W-70,949F); Denver, Colorado (TA-W-70,949G); Ontario, California (TA-W-70,949H); Hazelwood, Missouri (TA-W-70,949I); Morrow, Georgia (TA-W-70,949J); Memphis, Tennessee (TA-W-70,949K); Tappan, New York (TA-W-70,949L); Mansfield, Massachusetts (TA-W-70,949M); Plymouth, Minnesota (TA-W-70,949N); Streetsboro, Ohio (TA-W-70,949O); Orlando, Florida

(TA-W-70,949P); Milwaukee, Wisconsin (TA-W-70,949Q); Warren, Michigan (TA-W-70,949R); and Marysville, Michigan (TA-W-70,949S).

Signed in Washington, DC, on this 2nd day of May, 2011.

**Del Min Amy Chen,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

[FR Doc. 2011-11638 Filed 5-11-11; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-73,479A]

#### Enesco, LLC, Itasca, IL; Notice of Negative Determination on Reconsideration

On October 18, 2010, the Department of Labor issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of Enesco, LLC, Gund Division, Distribution Center, Edison, New Jersey (Enesco-Edison). The Department’s Notice was published in the **Federal Register** on October 29, 2010 (75 FR 66795). The workers supplied packaging and distribution services related to giftware.

The initial investigation was initiated in response to a petition filed on February 17, 2010 by a State of Illinois Workforce Office on behalf of workers of Enesco, LLC, Itasca, Illinois. The petition alleges that “Enesco LLC production of giftware products is currently in China; the company has transferred Quality/Regulatory Compliance Department overseas as well in order to keep production and quality assurance testing in one location.”

Because the petitioner did not provide additional information regarding the worker group, the Department relied on publicly-available materials and the company official identified on the petition for information.

Although the company’s headquarters are in Itasca, Illinois, the company official provided information that revealed that the separated workers worked in the distribution center that was part of the Gund Division in Edison, New Jersey (TA-W-73,479). Based on this information, the Department determined that the subject worker group was not Enesco LLC, Itasca, Illinois but Enesco-Edison.

In the request for reconsideration, the State Workforce Office stated that a worker who was in the “Regulatory Compliance/Quality Assurance

Department of Enesco, LLC, located in Itasca, Illinois” had “spent over 6 hours on the conference call with China, training someone to perform her duties.” The State Workforce Office further alleges that “all of the Regulatory Compliance/Quality Assurance Department of Enesco LLC was transferred to Hong Kong.” In support of the allegations, the State Workforce Office provided a document titled “Letter to supplier regarding QA & QC” that states “We have expanded our team both in China as well as in our Hong Kong office” (dated March 6, 2009).

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 initial negative determination was based on the findings that Enesco-Edison did not shift to/acquire from a foreign country the supply of services like or directly competitive with the services supplied by the workers; that the workers’ separation, or threat of separation, was not related to an increase in imports of like or directly competitive services; and that the workers are not adversely affected secondary workers.

During the reconsideration investigation, the Department contacted Enesco, LLC and obtained information regarding Enesco, LLC, Itasca, Illinois (Enesco-Itasca) and the worker on whose behalf the petition and request for reconsideration were filed.

New information provided by the subject firm revealed that there is no Regulatory Compliance/Quality Assurance Department; that workers at Enesco-Itasca are separately identifiable by division and separately identifiable within each division by service supplied; and that the worker on whose behalf the petition and the request for reconsideration were filed worked in the logistics division of Enesco-Itasca and supplied quality control services related to the production of toys. Further, Enesco-Itasca does not produce toys; rather, Enesco-Itasca supplies services related to the sales, marketing and development of toys.

Additional information obtained during the reconsideration investigation revealed that the group eligibility