

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may

request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than February 21, 1995.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than February 21, 1995.

The petitions filed in this case are available for inspection at the Office of

the Director, Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210.

Signed at Washington, DC, this 30th day of January, 1995.

**Victor J. Trunzo,**

*Program Manager, Policy & Reemployment Services, Office of Trade Adjustment Assistance.*

APPENDIX

Petitioner: union/workers/firm—	Location	Date received	Date of petition	Petition No.	Articles produced
Union Camp Corp (UPIU) .....	Savannah, GA .....	01/30/95	01/16/95	30,688	Paper Bags for Retail Customers.
Baker Hughes Inteq (Co) .....	Houston, TX .....	01/30/95	01/06/95	30,689	Oil and Gas.
Pennzoil Products Co (OCAW) .....	Roosevelt, UT .....	01/30/95	01/12/95	30,690	Petroleum Products.
Champion Technologies, Inc (wkrs) ...	Houston, TX .....	01/30/95	01/18/95	30,691	Oilfield Chemicals.
Eveready Battery Co (wkrs) .....	Red Oak, IA .....	01/30/95	01/17/95	30,692	Batteries.
Hudson Valley Polymers (wkrs) .....	Poughkeepsie, NY .	01/30/95	01/06/95	30,693	Rubber Parts for Milking Equip.
Leica, Inc (Co) .....	Buffalo, NY .....	01/30/95	01/17/95	30,694	Ophthalmic Instruments.
Malcolm Clothing Corp. (ILGWU) .....	Passaic, NJ .....	01/30/95	01/17/95	30,695	Women's Coats.
Statler Tissue Co (UPIU) .....	Augusta, ME .....	01/30/95	01/13/95	30,696	Tissue.
Empire Manufacturing Co (wkrs) .....	Winder, GA .....	01/30/95	01/05/95	30,697	Casual Slacks & Shorts.
Classic Fashions (ILGWU) .....	Paterson, NJ .....	01/30/95	01/17/95	30,698	Ladies' Coats.
Novelle Industries, Inc (wkrs) .....	Miami, FL .....	01/30/95	01/18/95	30,699	Ladies' Sportswear.
E.G. & G Vactec, Inc (UAW) .....	St. Louis, MO .....	01/30/95	01/18/95	30,700	Photocells.

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[TA-W-29,927; NAFTA-00120]

**Walker Manufacturing Company  
Hebron, Ohio; Negative Determination  
on Reconsideration**

On December 14, 1994 the United States Court of International Trade (USCIT) granted the Secretary of Labor's motion for a voluntary remand for further investigation in *UAW Local 1927 and Employees and Former Employees of Walker Manufacturing v. Secretary of Labor* (94-10-00584).

The workers filing under petition TA-W-29,927 were initially denied eligibility to apply for trade adjustment assistance (TAA) on September 2, 1994 (59 FR 45711) and denied on application for reconsideration on October 5, 1994 (59 52194). The Department's denial was based on the fact that increased import criterion and the "contributed importantly" test of the Worker Group Eligibility Requirements of the Trade Act were not met. U.S. imports of mufflers and exhaust pipes declined in 1993 compared to 1992 and in the latest twelve month period ending in May 1994 compared to the same twelve month period ending in May 1993.

The "contributed importantly" test is generally demonstrated through a survey of the workers' firm's customers. The Department's survey of Hebron's sole customer shows that the sole customer's import purchases were not important relative to Hebron's sales during the relevant period.

The workers were also denied under the NAFTA petition (NAFTA-00120) on June 30, 1994 (59 FR 3997) and on reconsideration on October 7, 1994 (59 FR 53213). The Department's denial was based on the fact that neither the increased import criterion from Mexico or Canada nor the shift in production to Mexico or Canada criterion of the Worker Group Eligibility Requirements of the NAFTA provisions of the Trade Act were met.

The record states that the Ohio Bureau of Employment Security (OBES) made a preliminary finding that the employment and production decline and the aggregate import criteria had been met. Under the NAFTA-TAA provisions, the State does not make a finding on the "contributed importantly" test.

On remand the Department contacted the plaintiff's counsel, and other witnesses to provide the Department with any information or documentation that would contradict the Department's negative determinations. The plaintiffs indicated that about 50 resonator

workers were laid off in February, 1994 and that 40 percent of the plant's production was shipped to Mexico prior to the phasedown.

The remand findings show that the Walker plant in Mexico does not produce any products for the workers' firm's only customer.

The findings also show that no production was transferred to Mexico as a result of the closure of the Hebron plant. Only the production of resonator bodies was transferred to Canada; however, this accounted for only a very small portion of Hebron's total production and the workers were not separately identifiable by product. All other production was transferred to company owned domestic plants.

The Department's survey showed that Hebron's customers did not decrease their purchases of exhaust systems from Hebron and increase their imports from Mexico or Canada in the relevant period.

The findings on remand show that as a result of the Hebron closure, the company is making its excess machinery available to other corporate North American plants including the one in Mexico. According to several company officials, the Hebron closing is the result of capacity issues within Walker Manufacturing in North America.