

information technology applications for corporate, regulatory, and financial reporting. The group develops databases for creating reports for corporate, regulatory, and financial services. The group is separately identifiable from other groups at the firm.

The initial investigation resulted in a negative determination based on the findings that with respect to Section 222(a) and Section 222(b) of the Act, Criterion (1) has not been met because a significant number or proportion of the workers in such workers' firm have not become totally or partially separated, nor are they threatened to become totally or partially separated.

Significant number or proportion of the workers means that: (a) In most cases the total or partial separations, or both, in a firm or appropriate subdivision thereof, are the equivalent to a total unemployment of five percent (5 percent) of the workers or 50 workers, whichever is less; or (b) At least three workers' in a firm (or appropriate subdivision thereof) with a work force of fewer than 50 workers would ordinarily have to be affected (29 CFR 90.2).

The request for reconsideration states that "The Hartford Financial Services employs nearly 10,000 employees in Connecticut. The majority work full-time hours and are employed at the 690 Asylum Ave, Hartford, Connecticut site, the location of the petition in question * * * According to a former employee for whom the 81,815 was filed, his Unit was an independent unit isolated from others, but the information prepared by his unit, the database, was used by many units within The Hartford. His particular Unit encompassed roughly 75 employees. While only a few workers have been laid off to date in the specific unit, the database was used by many units, including units that have been TAA-certified."

The Department has carefully reviewed the request for reconsideration and the existing record, and will conduct further investigation to clarify the subject worker group and to determine if workers have met the eligibility requirements of the Trade Act of 1974, as amended.

Conclusion

After careful review of the application, I conclude that the claim is of sufficient weight to justify reconsideration of the U.S. Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, DC, this 4th day of December 2012.

Elliott S. Kushner,

Certifying Officer, Office of Trade Adjustment Assistance.

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-81,929]

Joy Global, Inc., Also Known as Joy Technologies, Inc., Including On-Site Leased Workers From All Seasons Temporaries and Manpower, Franklin, PA; Notice of Affirmative Determination Regarding Application for Reconsideration

By application dated November 8, 2012, the International Association of Machinists and Aerospace Workers, District Lodge No. 98, requested administrative reconsideration of the negative determination regarding workers' eligibility to apply for Trade Adjustment Assistance (TAA) applicable to workers and former workers of Joy Global, Inc., also known as Joy Technologies, Inc., including on-site leased workers from All Seasons Temporaries and Manpower, Franklin, Pennsylvania (Joy Global). The determination was issued on October 16, 2012. The workers' firm is engaged in activities related to the production of mobile underground mining machines and repair components. Workers are not separately identifiable by product.

The initial investigation resulted in a negative determination based on the findings that, with respect to Section 222(a)(2)(A)(i) of the Act, Joy Global has not experienced a decline in the sales or production of mobile underground mining machines and repair components during the relevant period under investigation.

With respect to Section 222(a)(2)(B) of the Act, the investigation revealed that Joy Global did not shift the production of mobile underground mining machines and repair components or a like or directly competitive article to a foreign country or acquire mobile underground mining machines and repair components or a like or directly competitive article from a foreign country. Although workers of Joy Technologies, Inc., Mt. Vernon, Illinois (TA-W-57,700) were eligible to apply for TAA based on a shift in production of mining machinery components to Mexico, the investigation revealed that worker separations at the subject firm

were not caused by a shift in production of mobile underground mining machines or repair components to a foreign country.

With respect to Section 222(b)(2) of the Act, the investigation revealed that Joy Global is not a Supplier to a firm that employed a group of workers who received a certification of eligibility under Section 222(a) of the Act, 19 U.S.C. 2272(a) and does not act as a Downstream Producer to a firm (or subdivision, whichever is applicable) that employed a group of workers who received a certification of eligibility under Section 222(a) of the Act, 19 U.S.C. 2272(a).

Finally, the group eligibility requirements under Section 222(e) of the Act, have not been satisfied since the workers' firm has not been publically identified by name by the International Trade Commission as a member of a domestic industry in an investigation resulting in an affirmative finding of serious injury, market disruption, or material injury, or threat thereof.

The request for reconsideration included information regarding a possible shift in production.

The Department has carefully reviewed the request for reconsideration and the existing record, and will conduct further investigation to clarify the subject worker group and to determine if workers have met the eligibility requirements of the Trade Act of 1974, as amended.

Conclusion

After careful review of the application, I conclude that the claim is of sufficient weight to justify reconsideration of the U.S. Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, DC, this 6th day of December 2012.

Elliott S. Kushner,

Certifying Officer, Office of Trade Adjustment Assistance.

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