

published in the Federal Register on August 6, 1996 (61 FR 40853).

At the request of the State Trade Coordinator, the Department reviewed the certification for workers of the subject firm. New Information provided by the company shows that in May 1993, all of the employees of Lee Thomas, Incorporated became employees of Your Staff, Incorporated, Los Angeles, California. The workers were engaged in the production of apparel. Accordingly, the Department is amending the certification to cover all of the workers of Lee Thomas, Incorporated also known as Your Staff, Incorporated, Los Angeles, California.

The intent of the Department's certification is to include those workers of Lee Thomas, Incorporated also known as Your Staff Incorporated who were adversely affected by the shift in production to Mexico.

The amended notice applicable to NAFTA—01085 is hereby issued as follows:

"Workers of Lee Thomas, Incorporated A/K/A Your Staff, Incorporated, Los Angeles, California, who became totally or partially separated from employment on or after May 29, 1995, are eligible to apply for NAFTA-TAA under Section 250 of the Trade Act of 1974."

Signed at Washington, D.C. this 9th day of October 1996.

Russell T. Kile,

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

[FR Doc. 96-27450 Filed 10-24-96; 8:45 am]

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[NAFTA-00984; NAFTA-00984A]

Owens-Illinois, Incorporated Owens Brockway Glass Containers, Plants #18 and #19 Brockway, Pennsylvania, and Notice of Negative Determination Regarding Application for Reconsideration

By an application dated August 29, 1996, counsel to Glass, Molders, Pottery, Plastics & Allied Workers International Union and its Local Union, GMP Local 110, requested administrative reconsideration of the Department's negative determination regarding the eligibility for workers of the subject firm to apply for NAFTA-Transitional Adjustment Assistance. The notice of negative determination was issued on July 3, 1996 and published in the Federal Register on August 2, 1996 (61 FR 40454).

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 workers produce glass containers. Bottles represent the predominant portion of sales at Plants #18 and #19 in Brockway.

Counsel for Local 110 asserts that the Brockway workers should be certified for TAA because the Department made favorable determinations for workers at other glass container production facilities. In those cases, the Department found import impact. Those firm(s) were either importing glass containers or their customers increased reliance on imports.

Counsel for Local 110 also believes that employees lost production opportunities at Brockway's Plants #18 and #19 because of the saturation of the market from Mexican and Canadian imports. Findings of the investigation showed that major declining customers of Owens-Brockway, Plants #18 and #19, reported no imports from Mexico or Canada of glass containers competitive with the articles produced at the subject firm. These customers also reported that they were switching from glass to plastic containers.

Counsel for Local 110 claims that the jobs formerly done at the Brockway plants were sent out of the country. Counsel for Local 110 presented evidence that molds, one of the most important components in the glass container production process, were being shipped from the plants in Brockway to foreign countries. Certification under Section 250 of the Trade Act is premised upon a shift in production from the workers' firm to Mexico or Canada, or increased company or customer imports of the product produced at the workers' firm from Mexico or Canada. Owens-Brockway produced glass containers, and although molds are used to produce glass containers, molds cannot be considered like or directly competitive with glass containers.

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 8th day of October, 1996.

Russell T. Kile,

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

[FR Doc. 96-27452 Filed 10-24-96; 8:45 am]

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[NAFTA-00651]

Amended Certification Regarding Eligibility To Apply for NAFTA Transitional Adjustment Assistance

In the matter of SCI Systems Inc., (formerly Digital Equipment Corporation; Augusta, Maine; including leased workers of: Kelly Temporary Services, Olsten Staffing Services, Manpower Temporary Services, Tech Aid, Augusta, Maine; TAD Resources International Inc., Westbrook, Maine; Interstate Technical Services, Nashua, New Hampshire; The Computer Merchant, Norwell, Massachusetts; and Manpower Technical, Portland, Maine.

In accordance with Section 250(a), Subchapter D, Chapter 2, Title II, of the Trade Act of 1974, as amended (19 USC 2273), the Department of Labor issued a Certification for NAFTA Transitional Adjustment Assistance on December 1, 1995, applicable to all workers of SCI Systems, Inc., formerly Digital Equipment Corporation, located in Augusta, Maine. The notice was published in the Federal Register on January 26, 1996 (61 FR 2538).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The State agency reports that employees of several temporary agencies were directly involved in the manufacturing of the computer modules and box assemblies produced by SCI Systems in Augusta, Maine. Based on these findings, the Department is amending the certification to include leased workers from Kelly Temporary Services, Olsten Staffing Services, Manpower Temporary Services all located in Augusta, Maine; TAD Resources International Inc., Westbrook, Maine; Interstate Technical Services, Nashua, New Hampshire; The Computer Merchant, Norwell, Massachusetts; and Manpower Technical, Portland, Maine.

The intent of the Department's certification is to include all workers of Digital SCI Systems, Inc. adversely affected by imports from Canada.

The amended notice applicable to NAFTA-00651 is hereby issued as follows:

All workers engaged in the production of computer modules and box assemblies at SCI

Systems, Inc., formerly Digital Equipment Corporation, located in Augusta, Maine, including leased workers from Kelly Temporary Services, Olsten Staffing Services, Manpower Temporary Services all located in Augusta, Maine; TAD Resources International Inc., Westbrook, Maine; Interstate Technical Services, Nashua, New Hampshire; The Computer Merchant, Norwell, Massachusetts; and Manpower Technical, Portland, Maine, engaged in the production of computer modules and box assemblies at SCI Systems, Inc. in August, Maine who became totally or partially separated from employment on or after October 12, 1994, are eligible to apply for NAFTA-TAA under Section 250 of the Trade Act of 1974.

Signed at Washington, D.C. this 7th day of October 1996.

Russell T. Kile,

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

[FR Doc. 96-27443 Filed 10-24-96; 8:45 am]

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Employment Standards Administration

Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR Part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR Part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects

to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedeas decisions thereto, contain no expiration dates and are effective from their date of notice in the Federal Register, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon And Related Acts," shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, N.W., Room S-3014, Washington, D.C. 20210.

Withdrawn General Wage Determination Decision

This is to advise all interested parties that the Department of Labor has withdrawn, General Wage Determination No. NE960057 dated March 15, 1996.

Agencies with construction projects pending, to which this wage decision would have been applicable, should utilize the project determination

procedure by submitting a SF-308. Contracts for which bids have been opened shall not be affected by this notice. Also, consistent with 29 CFR 1.6(c)(i)(A), when the opening of bids is less than ten (10) days from the date of this notice, this action shall not be effective unless the agency finds that there is insufficient time to notify bidders of the change and the finding is documented in the contract file.

Modifications to General Wage Determination Decisions

The number of decisions listed in the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts" being modified are listed by Volume and State. Dates of publication in the Federal Register are in parentheses following the decisions being modified.

Volume I

Maine

ME960006 (March 15, 1996)
ME960007 (March 15, 1996)
ME960008 (March 15, 1996)
ME960010 (March 15, 1996)
ME960018 (March 15, 1996)
ME960026 (March 15, 1996)
ME960030 (March 15, 1996)

New Jersey

NJ960002 (March 15, 1996)

New York

NY960002 (March 15, 1996)
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NY960073 (March 15, 1996)

Volume II

West Virginia

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