

APPENDIX—PETITIONS INSTITUTED ON 08/31/1998—Continued

TA-W	Subject firm (petitioners)	Location	Date of petition	Product(s)
34,932	Crown Pacific (Wrks)	Bonnors Ferry, ID	08/15/1998	Lumber.
34,933	G.H. Bass and Co (Co.)	Wilton, ME	08/21/1998	Footwear.
34,934	BWD Automotive Corp (Wrks)	Ottawa, IL	08/19/1998	Clutches, Cover, Driven Plate Assemblies.
34,935	Fairchild Semiconductor (Co.)	West Jordan, UT	08/10/1998	Switches for Cellphones, Cars, Radios.
34,936	Polaroid Corp (Wrks)	Norwood, MA	07/28/1998	Photo Cameras and Film Packs.
34,937	Mobil Explor & Production (Co.)	Dallas, TX	08/17/1998	Crude Oil and Natural Gas.

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 BILLING CODE 4510-30-M

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-34,562; TA-W-34,562A; TA-W-34,562B

Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 USC 2273) the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on August 10, 1998, applicable to all workers of Boise Cascade, Emmett, Idaho. The notice will be published soon in the **Federal Register**.

At the request of the company, the Department reviewed the certification for workers of the subject firm. New findings show that worker separations occurred at the subject firm's Cascade, Idaho plant. The company also reports that worker separations will occur at the Horseshoe Bend, Idaho facility when it closes September 30, 1998. The workers at the Cascade and Horseshoe Bend, Idaho facilities process logs into green lumber that is used in the manufacturing of plywood and softwood dimensional lumber. The production of green lumber at Boise Cascade's Cascade and Horseshoe Bend, Idaho plants contribute to the production of plywood and softwood dimensional lumber at Boise Cascade's Emmett, Idaho plant. Accordingly, the

Department is amending the certification to cover workers at the subject firms' Cascade and Horseshoe Bend, Idaho plants.

The intent of the Department's certification is to include all workers of Boise Cascade adversely affected by increased imports.

The amended notice applicable to TA-W-34,562 is hereby issued as follows:

All workers of Boise Cascade, Emmett, Idaho (TA-W-34,562), Cascade, Idaho (TA-W-34,562A) and Horseshoe Bend, Idaho (TA-W-34,562B) who became totally or partially separated from employment on or after May 5, 1997 through August 10, 2000 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington D.C. this 3rd day of September, 1998.

Linda G. Poole,

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

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DEPARTMENT OF LABOR

Employment and Training Administration

Investigation Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Acting Director of the Office of Trade Adjustment Assistance,

Employment and Training Administration, has instituted investigations pursuant to Section 221(a) of the Act.

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 petitions 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 Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than October 2, 1998.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than October 2, 1998.

The petitions filed in this case are available for inspection at the Office of the Acting 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 24th day of August, 1998.

Grant D. Beale,

Acting Director, Office of Trade Adjustment Assistance.

APPENDIX.—PETITIONS INSTITUTED ON 08/24/1998

TA-W	Subject firm (petitioners)	Location	Date of petition	Product(s)
34,876	Comlinear National (Comp)	Fort Collins, CO	08/13/1998	Semiconductors.
34,877	Springs Industries, Inc (Wrks)	Gordon, GA	08/10/1998	Infant Garments and Accessories.
34,878	Heatube Company (Comp)	Clarence, MO	08/07/1998	Electric Heating Elements for Appliances.
34,879	Show Me Jackets Mfg (Comp)	California, MO	08/10/1998	Jackets.
34,880	Preston Glove Co (Wrks)	Preston, MS	08/13/1998	Gloves.
34,881	Dresser Oil Tools (Wrks)	Odessa, TX	08/20/1998	Oil Drilling Tools and Pumps.
34,882	B and B Corp. (Wrks)	E. Miami Lakes, FL	08/11/1998	Ladies' Suits.
34,883	Corning, Inc (Wrks)	Corning, NY	08/04/1998	Specialized Parts for Glass Production.

APPENDIX.—PETITIONS INSTITUTED ON 08/24/1998—Continued

TA-W	Subject firm (petitioners)	Location	Date of petition	Product(s)
34,884	Duro Inc.\Pioneer Finish (UNITE)	Fall River, MA	08/05/1998	Ladies' Apparel.
34,855	Modern Industrial Plastic (USWA)	Brookville, OH	08/10/1998	Automotive Plastic Parts.
34,886	Austin Apparel, Inc (Comp)	Phenix City, AL	07/24/1998	Tee Shirts.
34,887	Malden Mills Industries (Wrks)	Lawrence, MA	07/30/1998	Fabrics for Home Furnishings & Apparel.
34,888	Forbes Medical, LLC (Wrks)	Konawa, OK	08/05/1998	Orthopedic Supports.
34,889	AAF-McQuay (UAW)	Louisville, KY	08/12/1998	Air Filtration Systems.
34,890	Goslin-Birmingham (Wrks)	Birmingham, AL	08/05/1998	Heaters, Evaporators, Liquor Boxes.
34,891	AM-Cut (Wrks)	Opa Locka, FL	07/24/1998	Children's Sportswear.
34,892	Philips Semiconductors (Comp)	Albuquerque, NM	08/06/1998	Semiconductor Wafers.
34,893	Gintex Ltd (UNITE)	Pittston, PA	08/10/1998	Ladies' Garments.
34,894	Doris Jay (Wrks)	Miami, FL	08/04/1998	Ladies' Dresses and Sleepwear.
34,895	Genesco, Inc (Comp)	Nashville, TN	07/30/1998	Western Boots.
34,896	Paxar Woven Label (UFCW)	Paterson, NJ	08/07/1998	Woven Labels for Garments.
34,897	Weslock Brand Co (Comp)	Compton, CA	08/12/1998	Residential Door Locks.
34,898	Cablelink, Inc (Comp)	Kings Mountain, NC	07/24/1998	Molded and Flat Ribbon Cable.
34,899	Matsushita Television Co (Wrks)	San Diego, CA	08/06/1998	Color Televisions.
34,900	Oki Semiconductor Mfg (Comp)	Tualatin, OR	08/12/1998	DRAM Memory, Logic Device Circuits.
34,901	Topp Safety Apparel (Wrks)	Greensburg, KY	07/24/1998	Men's Shirts, Pants, Vests, Aprons, Jack.
34,902	Durham 2000 Corp (Comp)	Danville, VA	07/24/1998	Socks, Slipper Socks.
34,903	EIS Brake Div. of Moog (Comp)	Berlin, CT	07/24/1998	Brake Hoses.
34,904	Pairs Accessories, Inc (UNITE)	Allentown, PA	08/11/1998	Men's and Ladies' Fashion Belts.
34,905	Gear Fashions (Wrks)	Gottenborg, NJ	08/08/1998	Coats.
34,906	Fairchild Semiconductor (Wrks)	South Portland, ME	08/17/1998	Wafer Semiconductors.
34,907	Sweet-Orr and Co., Inc (UGWA)	Dawsonville, GA	08/10/1998	Men's and Boys' Shirts.
34,908	Globe Business Furniture (Wrks)	Hendersonville, TN	08/10/1998	Office Furniture.

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DEPARTMENT OF LABOR

Employment and Training
AdministrationFederal-State Unemployment
Compensation Program:
Unemployment Insurance Program
Letter Interpreting Federal
Unemployment Insurance Law

The Employment and Training Administration interprets Federal law requirements pertaining to unemployment compensation (UC) as part of its role in the administration of the Federal-State UC program. These interpretations are issued in Unemployment Insurance Program Letters (UIPLs) to the State Employment Security Agencies. The UIPL described below is published in the **Federal Register** in order to inform the public.

UIPL No. 41-98

UIPL No. 41-98 provides guidance on the prevailing conditions of work requirement found in Section 3304(a)(5)(B) of the Federal Unemployment Tax Act. Since it has been 30 years since the Department's last issuance on this provision, the Department is concerned that not all States remain aware of or properly apply it. Therefore, UIPL No. 41-98 is being issued to advise States of the

requirements of the prevailing conditions of work provision and to provide additional guidance. Except for the discussion of the contract of employment, UIPL No. 41-98 does not modify the Department's previous issuances on this matter, UCPL No. 130 and UIPL No. 984, which are also being published as attachments to UIPL No. 41-98.

Dated: September 11, 1998.

Raymond L. Bramucci,

Assistant Secretary of Labor.

U. S. Department of Labor

*Employment and Training Administration,
Washington, D.C. 20210*

CLASSIFICATION: UI

CORRESPONDENCE SYMBOL: TEUL

DATE: August 17, 1998.

DIRECTIVE : UNEMPLOYMENT
INSURANCE PROGRAM LETTER NO.
41-98

TO: ALL STATE EMPLOYMENT SECURITY
AGENCIES

FROM: GRACE A. KILBANE, Director,
Unemployment Insurance Service
SUBJECT: Application of the Prevailing
Conditions of Work Requirement

RECISSIONS: None

EXPIRATION DATE: Continuing

1. *Purpose.* To remind States of the requirements of the prevailing conditions of work provision of the Federal Unemployment Tax Act (FUTA) and to provide additional guidance.

2. *References.* Section 3304(a)(5)(B), FUTA; Unemployment Compensation Program

Letter (UCPL) No. 130; and Unemployment Insurance Program Letter (UIPL) No. 984.

3. *Background.* Section 3304(a)(5)(B), FUTA, requires, as a condition of employers in a State receiving credit against the Federal unemployment tax, that unemployment compensation (UC) shall not be denied to any otherwise eligible individual for refusing to accept new work—

If the wages, hours, or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality;¹

The Department previously issued guidance on the prevailing conditions requirement in 1947 in UCPL 130² and in 1968 in UIPL No. 984. Although both issuances remain in effect, the Department is concerned that, because they were issued a long time ago, not all States remain aware of them or properly apply them. This concern arises from several training sessions and conferences where the prevailing conditions requirement was discussed. The Department also learned of a State-conducted survey on the prevailing conditions requirement which indicated that many States were not examining fringe benefits. When the Advisory Council on Unemployment Compensation queried States on their eligibility provisions, it notably did not ask about the prevailing conditions requirement

¹ Two other requirements exist in Section 3304(b)(5), FUTA: UC may not be denied for refusing new work if the position offered is vacant due directly to a strike, lockout or other labor dispute or if "as a condition of being employed the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization."

² UCPL 130 was later incorporated in the Department's Benefit Series, 1-BP-1, BSSUI, September 1950.