

DEPARTMENT OF LABOR

Employment and Training Administration

TA-W-82,908

JOY TECHNOLOGIES, LLC
A SUBSIDIARY OF JOY GLOBAL, INC.
INCLUDING ON-SITE LEASED WORKERS FROM
ALL SEASONS TEMPORARIES, INC. AND MANPOWER, INC.
FRANKLIN, PENNSYLVANIA

Certification Regarding Eligibility
To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended ("Act"), 19 U.S.C. § 2273, the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

The group eligibility requirements for workers of a firm under Section 222(a) of the Act, 19 U.S.C. § 2272(a), are satisfied if the following criteria are met:

(1) a significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated; and

(2) (A) (i) the sales or production, or both, of such firm have decreased absolutely; and

(ii) (I) imports of articles or services like or directly competitive with articles produced or services supplied by such firm have increased; and

(iii) the increase in imports described in clause (ii) contributed importantly to such workers' separation or threat of separation and to the decline in the sales or production of such firm.

The investigation was initiated in response to a petition filed on July 16, 2013 by the International Association of Machinists and Aerospace Workers (IAMAW), District Lodge 98, on behalf of workers of Joy Technologies, LLC, a subsidiary of Joy Global, Inc., Franklin, Pennsylvania. The workers' firm is engaged in activities related to the production of underground mining machines and components. Workers are not separately identifiable. The subject worker group is comprised of on-site leased workers from All Seasons Temporaries, Inc. and Manpower, Inc.

During the course of the investigation, information was collected from the workers' firm and their major declining customers.

Section 222(a)(1) has been met because a significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated.

Section 222(a)(2)(A)(i) has been met because the sales and production of underground mining machines and components by Joy Technologies, LLC have decreased absolutely.

Section 222(a)(2)(A)(ii) has been met because customer imports of articles like or directly competitive with the articles produced by Joy Technologies, LLC have increased.


Finally, Section 222(a)(2)(A)(iii) has been met because increased customer imports contributed importantly to the worker group separations and sales/production declines at Joy Technologies, LLC.

Conclusion

After careful review of the facts obtained in the investigation, I determine that workers of Joy Technologies, LLC, a subsidiary of Joy Global, Inc., including on-site leased workers from All Seasons Temporaries, Inc. and Manpower, Inc., Franklin, Pennsylvania, who are engaged in activities related to the production of underground mining machines and components meet the worker group certification criteria under Section 222(a) of the Act, 19 U.S.C. § 2272(a). In accordance with Section 223 of the Act, 19 U.S.C. § 2273, I make the following certification:

"All workers of Joy Technologies, LLC, a subsidiary of Joy Global, Inc., including on-site leased workers from All Seasons Temporaries, Inc. and Manpower, Inc., Franklin, Pennsylvania, who became totally or partially separated from employment on or after July 15, 2012 through two years from the date of certification, and all workers in the group threatened with total or partial separation from employment on the date of certification through two years from the date of certification, are eligible to apply for adjustment assistance under Chapter 2 of Title II of the Trade Act of 1974, as amended."

Signed in Washington, D.C. this 26th day of November, 2013.



MICHAEL W. JAFFE
Certifying Officer, Office of
Trade Adjustment Assistance