

DEPARTMENT OF LABOR

Employment and Training Administration

TA-W-86,094

OPTICAL DISC SOLUTIONS, INC.
A SUBSIDIARY OF AUSTERMAN HOLDINGS, LLC
INCLUDING ON SITE LEASED WORKERS FROM MANPOWER
RICHMOND, INDIANA

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(b) of the Act, 19 U.S.C. § 2272(b), can be satisfied if the following criteria are met:

- (1) a significant number or proportion of the workers in the workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated;
- (2) the workers' firm is a Supplier or Downstream Producer 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 such supply or production is related to the article or service that was the basis for such certification; and
- (3) either
 - (A) the workers' firm is a supplier and the component parts it supplied to the firm described in paragraph (2) accounted for at least 20 percent of the production or sales of the workers' firm;

or

(B) a loss of business by the workers' firm with the firm described in paragraph (2) contributed importantly to the workers' separation or threat of separation.

Section 222(c) of the Act, 19 U.S.C. § 2272(c), defines the term "Supplier" as "a firm that produces and supplies directly to another firm component parts for articles, or services used in the production of articles or in the supply of services, as the case may be, that were the basis for a certification of eligibility under subsection (a) [of Section 222 of the Act] of a group of workers employed by such other firm."

The investigation was initiated in response to a petition filed on June 16, 2015 on behalf of workers of Optical Disc Solutions, Inc., a subsidiary of Austerman Holdings, LLC, including on site leased workers from Manpower, Richmond, Indiana (Optical Disc). The workers' firm is engaged in activities related to the production of DVDs and CDs. The workers are not separately identifiable by article produced.

During the course of the investigation, information was collected from the workers' firm.

Section 222(b)(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(b)(2) has been met because Optical Disc is 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 such supply or production is related to the article or service that was the basis for such certification.

Section 222(b)(3)(B) has been met because the loss of business by the afore-referenced firm that employed a subject worker group contributed importantly to worker separations at Optical Disc.

Conclusion

After careful review, I determine that workers of Optical Disc Solutions, Inc., Richmond, Indiana, who are engaged in activities related to the production of DVDs and CDs, meet the worker group certification criteria under Section 222(b) of the Act, 19 U.S.C. § 2272(b). In accordance with Section 223 of the Act, 19 U.S.C. § 2273, I make the following certification:

"All workers of Optical Disc Solutions, Inc., a subsidiary of Austerman Holdings, LLC, including on site leased workers from Manpower, Richmond, Indiana, who became totally or partially separated from employment on or after June 15, 2014 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 5th day of April 2016.

/s/Del Min Amy Chen

DEL MIN AMY CHEN

Certifying Officer, Office of
Trade Adjustment Assistance