

DEPARTMENT OF LABOR

Employment and Training Administration

TA-W-93,208

DEUFOL SUNMAN  
INCLUDING ON-SITE LEASED WORKERS FROM CFA AND LABORWORKS  
SUNMAN, 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 "Downstream Producer" as "a firm that performs additional, value-added production processes or services directly for another firm for articles or services with respect to which a group of workers in such other firm has been certified under subsection (a) [of Section 222 of the Act]" and defines the term "value-added production processes or services" to "include final assembly, finishing, testing, packaging, or maintenance or transportation services."

The investigation was initiated in response to a petition filed on October 6, 2017 on behalf of workers of Deufol Sunman, including on-site leased workers from CFA and Laborworks, Sunman, Indiana. The workers' firm is engaged in activities related to the supply of contract packaging services.

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 workers of Deufol Sunman is a 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 service is

related to the finished article or service that was the basis for such certification.

Section 222(b)(3)(B) has been met because the loss of business by Deufol Sunman with the aforementioned firm contributed importantly to separations at the subject firm.

Conclusion

After careful review of the facts obtained in the investigation, I determine that workers of Deufol Sunman, Sunman, Indiana, who are engaged in activities related to the supply of contract packaging services, 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 Deufol Sunman, including on-site leased workers from CFA and Laborworks, Sunman, Indiana, who became totally or partially separated from employment on or after October 4, 2016 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 4th day of May 2018.

/s/Del Min Amy Chen

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DEL MIN AMY CHEN  
Certifying Officer, Office of  
Trade Adjustment Assistance