

DEPARTMENT OF LABOR

Employment and Training Administration

TA-W-92,546

KELLOGG SEELYVILLE BAKERY
SNACKS DIVISION
A SUBSIDIARY OF KELLOGG COMPANY
INCLUDING ON-SITE LEASED WORKERS FROM
KELLY SERVICES, NEXUS, OMNI GOI, AND
SECURITAS SECURITY SERVICES USA INC.
TERRE HAUTE, INDIANA

Amended 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 issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on October 26, 2017 applicable to workers of Kellogg Seelyville Bakery, Snacks Division, a subsidiary of Kellogg Company, including on-site leased workers from Kelly Services, Nexus, and Omni GOI, Terre Haute, Indiana. The workers are engaged in activities related to the production of snack crackers. The determination was published in the Federal Register December 21, 2017.

At the request of a state workforce office, the Department reviewed the certification for workers of the subject firm.

New information from the company shows that the name of the subject firm should read as Kellogg Seelyville Bakery, Snacks Division, a subsidiary of Kellogg Company, including on-site leased workers from Kelly Services, Nexus, Omni GOI, and Securitas Security Services USA Inc., Terre Haute, Indiana.

The intent of the Department's certification is to include all workers of the subject firm who were adversely affected by increased customer imports of snack crackers, which were like and directly competitive to the articles produced at the subject firm.

The amended notice applicable to TA-W-92,546 is hereby issued as follows:

"All workers from Kellogg Seelyville Bakery, Snacks Division, a subsidiary of Kellogg Company, including on-site leased workers from Kelly Services, Nexus, Omni GOI, and Securitas Security Services USA Inc., Terre Haute, Indiana, who became totally or partially separated from employment on or after January 10, 2016, through October 26, 2019 and all workers in the group threatened with total or partial separation from employment on 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 1074, as amended."

Signed at Washington, D.C. this 4th day of February 2018.

/s/ Hope D. Kinglock

HOPE D. KINGLOCK
Certifying Officer, Office of
Trade Adjustment Assistance

Employment and Training Administration

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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 January 11, 2017 by a company official on behalf of workers of Kellogg Seelyville Bakery, Snacks Division, a subsidiary of Kellogg Company, including on-site leased workers from Kelly Services, Nexus, and Omni GOI, Terre Haute, Indiana ("Kellogg Seelyville Bakery"). The workers' firm is engaged in activities related to the production of snack crackers.

During the course of the investigation, information was collected from the petitioner, the workers' firm, and major declining customer(s) of the workers' firm.

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/or production of snack crackers by Kellogg Seelyville Bakery have decreased absolutely.

Section 222(a)(2)(A)(ii) has been met because customer imports of articles like or directly competitive with the article produced by Kellogg Seelyville Bakery 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 Kellogg Seelyville Bakery.

Conclusion

After careful review of the facts obtained in the investigation, I determine that workers of Kellogg Seelyville Bakery, Snacks Division, a subsidiary of Kellogg Company, including on-site leased workers from Kelly Services, Nexus, and Omni GOI, Terre Haute, Indiana, who are engaged in activities related to the production of snack crackers 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 Kellogg Seelyville Bakery, Snacks Division, a subsidiary of Kellogg Company, including on-site leased workers from Kelly Services, Nexus, and Omni GOI, Terre Haute, Indiana, who became totally or partially separated from employment on or after January 10, 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 26th day of October 2017.

/s/Hope D. Kinglock

HOPE D. KINGLOCK
Certifying Officer, Office of
Trade Adjustment Assistance