

DEPARTMENT OF LABOR

Employment and Training Administration

TA-W-85,395

STREETLINKS LENDER SOLUTIONS
INCLUDING ON-SITE LEASED WORKERS FROM
AEROTEK, APPLETREE STAFFING, INFINITY STAFFING, MANPOWER,
ON-CALL STAFFING AND STAFFING EXPRESS
INDIANAPOLIS, INDIANA

Notice of Revised Determination
After Statutory Reconsideration

As required by the Trade Adjustment Assistance Reauthorization Act of 2015 (TAARA 2015), which was enacted as Title IV of the Trade Preferences Extension Act of 2015, Public Law No. 114-27, section 405(a)(1)(A), the investigation into this petition was reopened for a reconsideration investigation to apply the requirements for worker group eligibility under chapter 2 of title II of the Trade Act of 1974, as amended by the TAARA 2015, to the facts of this petition (statutory reconsideration).

The initial investigation, initiated on June 25, 2014, resulted in a negative determination, issued on September 4, 2014, that was based on the finding that the subject firm did not produce an article. The determination was applicable to workers and former workers of StreetLinks Lender Solutions, Indianapolis, Indiana.

During the reconsideration investigation, however, the Department of Labor clarified the worker group to be StreetLinks Lender Solutions, including on-site leased workers from Aerotek, Appletree Staffing, Infinity Staffing, Manpower, On-Call Staffing and Staffing Express, Indianapolis, Indiana. The workers are engaged in activities related to the supply of residential mortgage appraisal underwriting services including administrative order handling, document examinations and appraisal examinations.

Based on information reviewed during the reconsideration investigation, the Department determines that the acquisition from a foreign country of like or directly competitive services contributed importantly to worker group separations at StreetLinks Lender Solutions, Indianapolis, Indiana.

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)(B) has been met because the workers' firm has acquired from a foreign country the supply of services like or directly competitive with residential mortgage appraisal underwriting services supplied by the workers which contributed importantly to worker group separations at StreetLinks Lender Solutions, Indianapolis, Indiana.

Conclusion

After careful review, I determine that workers of StreetLinks Lender Solutions, including on-site leased workers from Aerotek, Appletree Staffing, Infinity Staffing, Manpower, On-Call Staffing and Staffing Express, Indianapolis, Indiana who are engaged in activities related to the supply of residential mortgage appraisal underwriting services, 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 StreetLinks Lender Solutions, including on-site leased workers from Aerotek, Appletree Staffing, Infinity

Staffing, Manpower, On-Call Staffing and Staffing Express, Indianapolis, Indiana, who became totally or partially separated from employment on or after June 13, 2013, 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 29th day of January, 2016.

/s/Jessica R. Webster

JESSICA R. WEBSTER
Certifying Officer, Office of
Trade Adjustment Assistance

DEPARTMENT OF LABOR

Employment and Training Administration

TA-W-85,395

STREETLINKS LENDER SOLUTIONS
INDIANAPOLIS, INDIANA

Negative Determination Regarding Eligibility
To Apply For Worker Adjustment Assistance
And Alternative Trade 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.

Workers of a firm may be eligible for worker adjustment assistance if they satisfy the criteria of subsection (a) and (b) of Section 222 of the Act, 19 U.S.C. § 2272(a) and (b). For the Department of Labor to issue a certification for workers under Section 222(a) of the Act, 19 U.S.C. § 2272(a), the following three criteria must be met:

(1) The first criterion (set forth in Section 222(a)(1) of the Act, 19 U.S.C. § 2272(a)(1)) requires that a significant number or proportion of the workers in such 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 second criterion (set forth in Section 222(a)(2) of the Act, 19 U.S.C. § 2272(a)(2)) may be satisfied in one of two ways:

(A) Increased Imports Path:

(i) sales or production, or both, at the workers' firm must have decreased absolutely, AND

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

(iii) the increase 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 or subdivision.

(B) Shift in Production Path:

(i) there has been a shift in production by such workers' firm or subdivision to a foreign country of articles like or directly competitive with articles which are produced by such firm or subdivision; and
(ii) (I) the country to which the workers' firm has shifted production of the articles is a party to a free trade agreement with the United States;

(II) the country to which the workers' firm has shifted production of the articles is a beneficiary country under the Andean Trade Preference Act, African Growth and Opportunity Act, or the Caribbean Basin Economic Recovery Act; or

(III) there has been or is likely to be an increase in imports of articles that are like or directly competitive with articles which are or were produced by such firm or subdivision.

For the Department to issue a secondary worker certification under Section 222(b) of the Act, 19 U.S.C. § 2272(b), to workers of a Supplier or a Downstream Producer, the following criteria must be 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 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 terms "Supplier" and "Downstream Producer."

The investigation was initiated in response to a petition filed on June 25, 2014 on behalf of workers of StreetLinks Lender Solutions, Indianapolis, Indiana (subject firm). The workers' firm is engaged in activities related to the supply of residential mortgage appraisal underwriting services.

The petitioners allege that the services provided by the workers at the subject firm have been outsourced to India.

During the course of the investigation, information was collected from the petitioner(s) and publically available sources.

The investigation revealed that subject firm, does not produce an article within the meaning of Section 222(a) or Section 222(b) of the Act. In order to be considered eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974, the worker group seeking certification (or on whose behalf certification is being sought) must work for a "firm" or appropriate subdivision that produces an article. The definition of a firm includes an individual proprietorship, partnership, joint

venture, association, corporation (including a development corporation), business trust, cooperative, trustee in bankruptcy, and receiver under decree of any court.

During the investigation, the Department of Labor obtained information that revealed that the workers' firm did not produce an article; rather, the workers' firm supplied services related to the supply of residential mortgage appraisal underwriting services.

In order for the Department to issue a certification of eligibility to apply for alternative trade adjustment assistance (ATAA), the worker group must be certified eligible to apply for trade adjustment assistance (TAA). Since the workers are denied eligibility to apply for TAA, the workers cannot be certified eligible for ATAA.

Conclusion

After careful review of the facts obtained in the investigation, I determine that all workers of StreetLinks Lender Solutions, Indianapolis, Indiana, are denied eligibility to apply for adjustment assistance under Section 223 of the Trade Act of 1974, and are also denied eligibility to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974.

Signed in Washington, D.C. this 4th day of September 2014.

/s/Del Min Amy Chen

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