

UNITED STATES DEPARTMENT OF LABOR

Employment and Training Administration

TA-W-96,761

DELAWARE DYNAMICS, LLC.
MUNCIE, INDIANA

Certification Regarding Eligibility
To Apply for Trade Adjustment Assistance for Workers

In accordance with Section 223 of the Trade Act of 1974, as amended (“Act”), 19 U.S.C. § 2273, the Department of Labor (“Department”) herein presents the results of an investigation regarding certification of eligibility to apply for Trade Adjustment Assistance (“TAA”) for workers.

The investigation was initiated in response to a TAA petition dated March 2, 2021 and filed on March 3, 2021 by a State Workforce Office, on behalf of former workers of Delaware Dynamics, LLC., Muncie, Indiana (hereafter referred to as the “worker group”). In accordance with 20 C.F.R. 618.110 a worker group is defined as, “...inclusive of teleworkers and staffed workers.”

The worker group is engaged in activities related to the production of machined parts for die cast molds and tooling and are not separately identifiable by product.

The petition alleged that worker separations, or threats thereof, were due to foreign trade because, “[of] Investigation 701-TA-632-635 and 731-TA-1466 and 1468.”

The International Trade Commission (ITC) found that an industry in the United States is materially injured by reason(s) of imports of fluid end blocks from China, Germany, India, and Italy that have been found by the U.S. Department of Commerce (“Commerce”) to be subsidized by the respective governments of those countries and imports of fluid end blocks from Germany and Italy that have been found by Commerce to be sold in the United States at less than fair value (“LTFV”). The ITC’s determination(s) was published in the Federal Register on January 29, 2021.

During the course of the investigation, the Department collected information from the petitioner(s), the workers’ firm, and other relevant sources.

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

Member of Domestic Industry Criterion

- (1) the workers’ firm is publicly identified by name by the International Trade Commission as a member of a domestic industry in an investigation resulting in—

- (A) an affirmative determination of serious injury or threat thereof under section 202(b)(1);
- (B) an affirmative determination of market disruption or threat thereof under section 421(b)(1); or
- (C) an affirmative final determination of material injury or threat thereof under section 705(b)(1)(A) or 735(b)(1)(A) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)(1)(A) and 1673d(b)(1)(A));

The Department determines that the member of a domestic industry criterion has been met.

Timely Petition Filing Criterion

- (2) the petition is filed during the 1-year period beginning on the date on which—
 - (A) a summary of the report submitted to the President by the International Trade Commission under section 202(f)(1) with respect to the affirmative determination described in paragraph (1)(A) is published in the Federal Register under section 202(f)(3); or
 - (B) notice of an affirmative determination described in subparagraph (B) or (C) of paragraph (1) is published in the Federal Register; and

The Department determines that the timely filing of a petition criterion has been met.

Employment Criterion

- (3) the workers have become totally or partially separated from the workers' firm within—
 - (A) the 1-year period described in paragraph (2); or
 - (B) notwithstanding section 223(b), the 1-year period preceding the 1-year period described in paragraph (2).

The Department determines that the employment criterion has been met.

Conclusion

After careful review of the facts obtained in the investigation, I determine that workers of Delaware Dynamics, LLC., Muncie, Indiana, who are engaged in activities related to the production of machined parts for die cast molds and tooling meet the worker group certification criteria under Section 222(e) of the Act, 19 U.S.C. § 2272(e). In accordance with Section 223 of the Act, 19 U.S.C. § 2273, I make the following certification:

“All workers of Delaware Dynamics, LLC., Muncie, Indiana, who became totally or partially separated from that employment on or after January 29, 2020, through January 29, 2022, 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 20th day of April, 2021



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