

DEPARTMENT OF LABOR

Employment and Training Administration

TA-W-95,940

FXI, INC.

AUBURN PLANT

A SUBSIDIARY OF FXI HOLDINGS, INC.
INCLUDING ON-SITE LEASED WORKERS FROM
ADECCO, PEOPLELINK STAFFING, LEADERS STAFFING,
PRO RESOURCES, AND SPHERION
AUBURN, 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(e) of the Act, 19 U.S.C. § 2272(e), are satisfied if the following criteria are met:

- (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));

- (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
- (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 investigation was initiated in response to a petition filed on May 28, 2020 by a state workforce office on behalf of workers of FXI, Inc., Auburn Plant, a subsidiary of FXI Holdings, Inc., Auburn, Indiana ("FXI, Inc."). The worker group includes on-site leased workers from Adecco, Peoplelink Staffing, Leaders Staffing, Pro Resources, and Spherion. The workers' firm is engaged in activities related to the production of finished mattresses and foam components for home furnishings.

The investigation revealed that on December 12, 2019, the International Trade Commission found that an industry in the United States is materially injured by reason of imports of mattresses from China. A petition has been filed on behalf of workers of FXI, Inc. That firm was publicly identified by name

by the International Trade Commission as a member of a domestic industry in an investigation resulting in a category of determination that is listed in Section 222(e) of the Act, 19 U.S.C. § 2272(e). In addition, that determination was published in the Federal Register on December 12, 2019, which is within one year of the date of the petition filed requesting Trade Adjustment Assistance (TAA) Certification.

Furthermore, the workers have become totally or partially separated from the workers' firm during the 1-year period of the publication within the Federal Register.

Conclusion

After careful review of the facts obtained in the investigation, I determine that workers of FXI, Inc., Auburn Plant, a subsidiary of FXI Holdings, Inc., including on-site leased workers from Adecco, Peoplelink Staffing, Leaders Staffing, Pro Resources, and Spherion, Auburn, Indiana, engaged in activities related to the production of finished mattresses and foam components for home furnishings meet the requirements of Section 222(e) of the Act. In accordance with Section 223 of the Act, I make the following certification:

"All workers of FXI, Inc., Auburn Plant, a subsidiary of FXI Holdings, Inc., including on-site leased workers from Adecco, Peoplelink Staffing, Leaders Staffing, Pro Resources, and Spherion, Auburn, Indiana, who became

totally or partially separated from that employment on or after December 12, 2018, through the date of the certification and who become totally or partially separated from that employment from the date of the certification through December 12, 2020, 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 17th day of June 2020.

/s/Hope D. Kinglock

HOPE D. KINGLOCK

Certifying Officer, Office of
Trade Adjustment Assistance