

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

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No. 14-15341

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Agency No. 12-CA-26758

AMBASSADOR SERVICES, INC.,

Petitioner-Cross Respondent,

versus

NATIONAL LABOR RELATIONS BOARD,

Respondent-Cross Petitioner.

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Petition for Review of a Decision of the  
National Labor Relations Board

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(November 17, 2015)

Before HULL and WILSON, Circuit Judges, and MARTINEZ,<sup>\*</sup> District Judge.

PER CURIAM:

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<sup>\*</sup>Honorable Jose E. Martinez, United States District Judge for the Southern District of Florida, sitting by designation.

We vacate our previous opinion, filed on November 12, 2015, and substitute this opinion in its place.

Ambassador Services, Inc. (“Ambassador”) petitions this Court for review of the National Labor Relations Board’s Decision and Order, which found Ambassador in violation of Sections 8(a)(1) and 8(a)(5) of the National Labor Relations Act (the “NLRA”), 29 U.S.C. §§ 158(a)(1), (5). The Board cross-petitions for enforcement of its order.

On appeal, Ambassador claims that substantial evidence did not support the Board’s decisions that

- John Martin was not a statutory supervisor;
- Donnie May’s conduct violated NLRA § 8(a)(1);
- Ambassador’s safety rule prohibiting “walking off the job” violated NLRA § 8(a)(1);
- Ambassador did not establish that a majority of employees signed the decertification petition; and
- Ambassador unlawfully failed and refused to recognize and bargain with the Union.

After oral argument and careful consideration of the entire record and all of the merits issues, we conclude that substantial evidence supported the Board’s determinations. Thus, we affirm the Board’s decision and grant the Board’s petition for enforcement.

For the foregoing reasons, we **DENY** Ambassador's petition for review and **GRANT** the Board's cross-petition for enforcement of its order in full.