

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-1871

THESIS PAINTING, INC.,

Petitioner,

v.

NATIONAL LABOR RELATIONS BOARD,

Respondent.

No. 16-2031

NATIONAL LABOR RELATIONS BOARD,

Petitioner,

v.

THESIS PAINTING, INC.,

Respondent.

On Petition for Review and Cross-application for Enforcement of an Order of the
National Labor Relations Board. (05-CA-172905)

Submitted: March 16, 2017

Decided: April 7, 2017

Before GREGORY, Chief Judge, THACKER, Circuit Judge, and HAMILTON, Senior Circuit Judge.

No. 16-1871 petition for review denied; No. 16-2031 cross-application for enforcement granted by unpublished per curiam opinion.

Maurice Baskin, LITTLER MENDELSON, P.C., Washington, D.C., for Petitioner. Richard F. Griffin, Jr., General Counsel, Jennifer Abruzzo, Deputy General Counsel, John H. Ferguson, Associate General Counsel, Linda Dreeben, Deputy Associate General Counsel, Usha Dheenani, Molly Sykes, NATIONAL LABOR RELATIONS BOARD, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

In these consolidated appeals, Thesis Painting, Inc. (Thesis) petitions for review of a National Labor Relations Board (Board) order granting summary judgment on its complaint alleging Thesis violated the National Labor Relations Act, 29 U.S.C. §§ 151-169 (2012) (NLRA), when it refused to recognize and bargain with the International Union of Painters and Allied Trades, AFL-CIO, District Council 51 (Union) after the Board certified the Union as the representative of Thesis' employees. The Board's order directed Thesis to bargain with the Union upon request. The Board has cross-petitioned, asking this court to enforce its order.

We conclude that substantial evidence supports the Board's factual findings, and find that the Board's legal interpretations of the NLRA are rational and consistent with the Act. *See* 29 U.S.C. § 160(e) (2012); *NLRB v. Air Contact Transp. Inc.*, 403 F.3d 206, 210 (4th Cir. 2005). Accordingly, we deny Thesis' petition and grant the Board's cross-petition for enforcement. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

16-1871 *PETITION FOR REVIEW DENIED*;
16-2031 *CROSS-APPLICATION FOR ENFORCEMENT GRANTED*