

**STATE OF MICHIGAN  
EMPLOYMENT RELATIONS COMMISSION  
LABOR RELATIONS DIVISION**

In the Matter of:

WAYNE COUNTY,  
Public Employer-Respondent,

-and-

MICHIGAN AFSCME COUNCIL 25, AFL-CIO,  
Labor Organization-Charging Party,

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Case No. C10 J-266  
Docket No. 10-000060-MERC

APPEARANCES:

Wayne County Corporation Counsel, by Bruce Campbell & Nemeth Law, P.C., by Clifford Hammond, for Respondent

Miller Cohen, P.L.C., by Keith Flynn, for Charging Party

**DECISION AND ORDER DENYING MOTION FOR STAY**

On May 19, 2015, the Commission issued its Decision and Order in the above-entitled matter directing that Wayne County, Respondent, cease and desist from failing to give notice and an opportunity to bargain to AFSCME Council 25, Charging Party, before making unilateral changes to mandatory subjects of bargaining during fact finding proceedings or during mandatory bargaining subsequent to those proceedings. On June 5, 2015, Charging Party filed an appeal of our Decision to the Michigan Court of Appeals. On June 8, 2015, Respondent also appealed to the Court of Appeals. On June 15, 2015, Respondent filed a motion requesting that we stay enforcement of our Decision pending the parties' appeals. Charging Party filed a response opposing Respondent's motion on June 24, 2015. Upon reviewing arguments of the parties carefully and thoroughly, we find that the motion for stay must be denied.

Jurisdiction over this matter now rests with the Court of Appeals. Accordingly, we decline to stay our Decision and Order because a stay is available only by court order under MCL 423.216(f). See *Chippewa Co*, 19 MPER 27 (2006).

**ORDER**

Respondent's Motion to Stay Proceedings pending appeal to the Michigan Court of Appeals is denied.

MICHIGAN EMPLOYMENT RELATIONS COMMISSION

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/s/  
Edward D. Callaghan, Commission Chair

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/s/  
Robert S. LaBrant, Commission Member

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/s/  
Natalie P. Yaw, Commission Member

Dated: July 27, 2015