

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

In the Matter of:

HOLT PUBLIC SCHOOLS,
Public Employer - Respondent,

Case No. C06 L-298

-and-

TEAMSTERS LOCAL 580,
Labor Organization - Charging Party.

APPEARANCES:

Jim Gilmore, Business Representative, for the Charging Party

DECISION AND ORDER

On March 6, 2007, Administrative Law Judge David M. Peltz issued his Decision and Recommended Order in the above matter finding that Respondent has not engaged in and was not engaging in certain unfair labor practices, and recommending that the Commission dismiss the charges and complaint as being without merit.

The Decision and Recommended Order of the Administrative Law Judge was served on the interested parties in accord with Section 16 of the Act.

The parties have had an opportunity to review the Decision and Recommended Order for a period of at least 20 days from the date of service and no exceptions have been filed by any of the parties.

ORDER

Pursuant to Section 16 of the Act, the Commission adopts the recommended order of the Administrative Law Judge as its final order.

MICHIGAN EMPLOYMENT RELATIONS COMMISSION

Christine A. Derdarian, Commission Chair

Nino E. Green, Commission Member

Eugene Lumberg, Commission Member

Dated: _____

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In the Matter of:

HOLT PUBLIC SCHOOLS,
Respondent-Public Employer,

Case No. C06 L-298

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TEAMSTERS LOCAL 580,
Charging Party-Labor Organization.

APPEARANCES:

Jim Gilmore, Business Representative, for the Charging Party

**DECISION AND RECOMMENDED ORDER
OF ADMINISTRATIVE LAW JUDGE**

Pursuant to Sections 10 and 16 of the Public Employment Relations Act (PERA), 1965 PA 379, as amended, MCL 423.10 and 423.216, this case was assigned for hearing before David M. Peltz, Administrative Law Judge for the Michigan Employment Relations Commission. This matter comes before the Commission on an unfair labor practice charge filed by Teamsters Local 580 on December 10, 2006. The charge, in its entirety, alleges that Respondent Holt Public Schools “has made unilateral changes to the collective bargaining agreement.”

In an order issued by the undersigned on December 29, 2006, Charging Party was granted fourteen days in which to show cause why the charge should not be dismissed for failing to meet the minimum pleading requirements set forth in Rule 151(2)(c), R 423.151, of the General Rules and Regulations of the Employment Relations Commission. Charging Party did not file a response to this order.

Rule 151(2)(c) provides that a charge shall include “a clear and complete statement of the facts which allege a violation of LMA or PERA, including the date of occurrence of each particular act, the names of the agents of the charging party who engaged there and the sections of the LMA or PERA alleged to have been violated.” The instant charge does not describe the specific contract provisions which the Employer allegedly altered, the date upon which the changes are alleged to have occurred or the specific provisions of the Act implicated by Respondent’s actions. Furthermore, Charging Party failed to remedy these deficiencies despite having been ordered to do so by the undersigned. For these reasons, I recommend that the Commission issue the following order:

RECOMMENDED ORDER

The unfair labor practice charge is hereby dismissed in its entirety.

MICHIGAN EMPLOYMENT RELATIONS COMMISSION

David M. Peltz
Administrative Law Judge

Dated: _____