

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

In the Matter of:

GARDEN CITY PUBLIC SCHOOLS,  
Public Employer,

Case No. R06 I-110

-and-

MICHIGAN EDUCATION ASSOCIATION,  
Incumbent Labor Organization,

-and-

TEAMSTERS STATE, COUNTY, AND MUNICIPAL  
EMPLOYEES LOCAL 214,  
Labor Organization - Petitioner.

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APPEARANCES:

Miller, Canfield, Paddock & Stone, P.L.C., by Beverly Hall Burns, Esq., for the Public Employer

Rudell & O'Neill, P.C., by Wayne A. Rudell, Esq., for the Petitioner

Law Offices of Lee & Clark, by Michael K. Lee, Esq., for the Incumbent Union

**DECISION AND ORDER DENYING MOTION FOR STAY**

On February 7, 2007, the Commission issued its Decision and Direction of Election in the above-entitled matter directing that an election be held on the representation petition filed by Teamsters State, County, and Municipal Employees, Local 214 (Petitioner). On February 27, 2007, the Incumbent Labor Organization, the Michigan Education Association (MEA), filed an appeal of our Decision with the Michigan Court of Appeals. On the same date, the MEA filed a motion with this Commission to stay enforcement of our Decision and Direction of Election pending its appeal. Petitioner and the Employer filed responses to the MEA's motion for stay on March 5 and 6. 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 Direction of Election because a stay is available only by court order under MCL 423.216(f). See *Chippewa Co*, 19 MPER 27 (2006).

In accordance with Rule 146(5) of the Commission's General Rules, 2002 AACRS R 423.146(5), the election in this matter shall proceed unless and until a stay is issued by the Court of Appeals.

**ORDER**

The Incumbent Union's Motion for Stay of Enforcement of the Commission's Decision and Direction of Election is denied.

MICHIGAN EMPLOYMENT RELATIONS COMMISSION<sup>1</sup>

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Christine A. Derdarian, Commission Chair

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Eugene Lumberg, Commission Member

Dated: \_\_\_\_\_

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<sup>1</sup> Commissioner Nino E. Green did not participate in this decision.