

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

In the Matter of:

CITY OF DETROIT,
Public Employer-Respondent,

-and-

MERC Case No. C12 F-114
Hearing Docket No. 12-001085

AMERICAN FEDERATION OF STATE, COUNTY,
AND MUNICIPAL EMPLOYEES, COUNCIL 25,
Labor Organization-Charging Party.

APPEARANCES:

Andrew Jarvis, for Respondent

Miller Cohen, PLC, by Richard G. Mack, Jr., for Charging Party_

DECISION AND ORDER

On June 22, 2012, Charging Party American Federation of State, County and Municipal Employees (AFSCME), Council 25 filed a charge in this matter against Respondent, the City of Detroit. The matter was assigned to Administrative Law Judge (ALJ) David M. Peltz for hearing. On July 25, 2013, before the ALJ issued a decision in this case, United States Bankruptcy Judge Stephen Rhodes issued an order staying proceedings against the City before all domestic governmental units including the Michigan Employment Relations Commission. Subsequent to this, the Respondent exited bankruptcy and this case was placed back on the ALJ's active docket.

ALJ Peltz issued his Decision and Recommended Order in this matter on August 23, 2016 and recommended that the charge be dismissed. The Decision and Recommended Order was served on the interested parties in accordance with Section 16 of PERA.

After requesting and receiving two extensions of time, Charging Party filed exceptions to the ALJ's Decision and Recommended Order on December 12, 2016.

On February 21, 2017, we received a letter from Charging Party asking to withdraw the charge and its exceptions in this case. Charging Party's request to withdraw the charge and exceptions in this case is hereby approved. This Decision and Order and the Decision and Recommended Order of the Administrative Law Judge will be published in accordance with Commission policy.

MICHIGAN EMPLOYMENT RELATIONS COMMISSION

/s/
Edward D. Callaghan, Commission Chair

/s/
Robert S. LaBrant, Commission Member

/s/
Natalie P. Yaw, Commission Member

Dated: March 29, 2017

STATE OF MICHIGAN
MICHIGAN ADMINISTRATIVE
HEARING SYSTEM

IN THE MATTER OF:

City of Detroit,
Respondent

v

AFSCME Council 25,
Charging Party

Docket No.: 12-001085-MERC

Case No.: C12 F-114

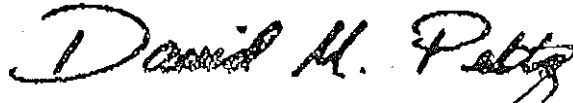
Agency: Michigan
Employment
Relations
Commission

Case Type: MERC Unfair Labor
Practice

ORDER

An Order was issued giving Charging Party twenty-one (21) days in which to file a written statement explaining why the charge(s) in the above matter should not be dismissed. No response was filed. Therefore, this matter is dismissed due to Charging Party's failure to respond to the prior order.

DATED: 8/23/2016



David M. Peltz
ADMINISTRATIVE LAW JUDGE

Direct correspondence to the ALJ at:
Michigan Administrative Hearing System
3026 W, Grand Boulevard
2nd Floor Annex, Suite 2-700
Detroit, Michigan 48202
Phone: 313.456.2713
FAX: 313.456.3681

COPY TO:

Andrew Jarvis
Richard G. Mack, Jr.