

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

In the Matter of:

YPSILANTI TOWNSHIP,  
Public Employer-Respondent,

MERC Case No. C16 C-030

-and-

YPSILANTI TOWNSHIP FIRE FIGHTERS  
UNION, LOCAL 1830, I.A.F.F.,  
Labor Organization-Charging Party.

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Appearances:

McLain & Winters, by Wm. Douglas Winters and Angela B. King, for Respondent

Michael L. O'Hearon, for Charging Party

**DECISION AND ORDER**

On January 26, 2017, Administrative Law Judge Julia C. Stern (ALJ) issued her Decision and Recommended Order on Motion for Summary Disposition<sup>1</sup> in the above matter finding that Respondent Ypsilanti Township (Employer) violated its duty to bargain in good faith under §15(1) and §10(1)(a) and (e) of the Public Employment Relations Act (PERA), 1965 PA 379, as amended, MCL 423.215 and 423.210, by refusing to provide Charging Party Ypsilanti Township Fire Fighters Union, Local 1830, I.A.F.F. (Union) with a copy of a February 1, 2016 settlement agreement pertaining to bargaining unit member Jamie James. The ALJ found that Charging Party demonstrated that the terms of the agreement settling James' EEOC claim were relevant to its duty to represent its members by policing the collective bargaining agreement. Further, the ALJ found that Respondent did not show that the information Charging Party sought was confidential or that Respondent was prohibited by any statute or by the terms of the settlement agreement itself from disclosing the terms of the agreement to the Charging Party. The ALJ's Decision and Recommended Order was served upon the interested parties in accordance with § 16 of PERA.

Respondent filed exceptions and a brief in support of exceptions to the ALJ's Decision and Recommended Order on Motion for Summary Disposition on February 17, 2017. After being granted an extension of time, Charging Party filed its brief in support of the ALJ's Decision and Recommended Order on Motion for Summary Disposition on March 31, 2017.

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<sup>1</sup> MAHS Hearing Docket No. 16-009231

On December 4, 2017, the Commission received a “Joint Request to Withdraw the Charge and Exceptions in Their Entirety and for Non-Publication of the Administrative Law Judge’s Decision and Recommended Order.” This joint request was signed by counsel for the Union and counsel for the Employer and seeks to withdraw the charge and exceptions. The parties’ request is hereby approved. In accordance with the request signed by both parties, the Decision and Recommended Order of the Administrative Law Judge will not be published.

**ORDER**

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

MICHIGAN EMPLOYMENT RELATIONS COMMISSION

\_\_\_\_\_/s/  
Edward D. Callaghan, Commission Chair

\_\_\_\_\_/s/  
Robert S. LaBrant, Commission Member

\_\_\_\_\_/s/  
Natalie P. Yaw, Commission Member

Dated: December 13, 2017