

# Court of Appeals, State of Michigan

## ORDER

Teamsters Local 214 v Detroit Public Schools

Docket No. 299804

LC No. 10-008773-CL

Kurtis T. Wilder  
Presiding Judge

Brian K. Zahra

Kirsten Frank Kelly  
Judges

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The Court orders that the motions for immediate consideration are GRANTED.

Pursuant to MCR 7.205(D)(2), in lieu of granting leave to appeal, the August 24, 2010, order issuing a preliminary injunction, entered by the Wayne County Circuit Court, is REVERSED. Injunctive relief is an extraordinary remedy that issues only when justice requires, there is no adequate remedy at law, and there exists a real and imminent danger of irreparable injury. *Pontiac Firefighters Union Local 376 v City of Pontiac*, 482 Mich 1, 8; 753 NW2d 595 (2008). If MERC determines that the school district committed an unfair labor practice by not giving the union an opportunity to bid for noninstructional support services on an equal basis as other bidders under MCL 423.215(3)(f), as alleged in the union's charge, and by terminating the security officers' employment and entering into a contract with a third party for these services, MERC can award back pay, order reinstatement, or provide another remedy to make the security officers whole. *Id.* at 9-10. Upon reinstatement of the security officers, the union will be able to pursue collective bargaining with the school district. Moreover, contrary to the circuit court's finding, the union was not eliminated by the school district's termination of employment of security officers. The union still represents the campus security officers who apparently remain employed by the school district. Because the union failed to establish irreparable harm or an inadequate remedy at law, the issuance of the preliminary injunction was inappropriate and constituted an abuse of discretion. *Id.* at 10.

The motion for stay is DENIED as moot given the peremptory relief provided.

The order is to have immediate effect. MCR 7.215(F)(2). The Court retains no further jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

AUG 30 2010

Date

*Sandra Schultz Mengel*  
Chief Clerk