

# Court of Appeals, State of Michigan

## ORDER

Detroit Police Officers Association v City of Detroit

Docket No. 312439

LC No. 12-010859-CL

Karen M. Fort Hood  
Presiding Judge

Michael J. Talbot

Kurtis T. Wilder  
Judges

The Court orders that the motion for immediate consideration is GRANTED.

The motion to waive the requirements of MCR 7.209 is GRANTED.

The motion for stay is DENIED. Furthermore, although plaintiff challenges the merits of the circuit court's decision, it has not filed a motion for peremptory reversal.

\_\_\_\_\_  
Presiding Judge

Fort Hood, P.J. (*concurring*). The request for injunctive relief is an extraordinary remedy, and it may issue only when justice requires, when an adequate remedy at law is lacking, and when a real and imminent danger of irreparable injury is presented. *Pontiac Fire Fighters Union Local 376 v City of Pontiac*, 482 Mich 1, 8; 753 NW2d 595 (2008). When a request for injunctive relief arises in the context of labor disputes, public policy precludes issuance of an injunction unless there is a showing of violence, irreparable injury, or breach of the peace. *Id.* Irreparable harm must be established by a particularized showing. Mere apprehension of future injury is insufficient. *Id.* at 9. "The public hires, trains, and compensates fire fighters and police officers to deal with dangerous, but inevitable situations." *Kreski v Modern Wholesale Electric Supply Co*, 429 Mich 347, 366; 415 NW2d 178 (1987). "The very nature of police work . . . is to confront danger." *Id.* at 367. They are "employed, specially trained, and paid to confront dangerous situations for the protection of society." *Id.* at 371. "They enter their professions with the certain knowledge that their personal safety is at risk while on duty." *Id.* at 371-372. "Police officers work in a milieu of criminal activity where every decision is fraught with uncertainty." *Norris v City of Lincoln Park Police Officers*, 292 Mich App 574, 579; 808 NW2d 578 (2011) (citation omitted). One could surmise that police work is inherently dangerous and a change to twelve hours shifts could cause a detriment to the psychological and physical well-being of officers as well as impact the protection of the public. However, plaintiff did not raise this issue and present documentary evidence in support. Consequently, in light of plaintiff's focus on the suspension of the emergency manager law and "low morale," I join in the denial of the stay.



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

October 5, 2012

Date

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Chief Clerk