

# Order

Michigan Supreme Court  
Lansing, Michigan

June 30, 2015

Robert P. Young, Jr.,  
Chief Justice

145924-6 & (54)

Stephen J. Markman  
Mary Beth Kelly  
Brian K. Zahra  
Bridget M. McCormack  
David F. Viviano  
Richard H. Bernstein,  
Justices

AFT MICHIGAN, HENRY FORD COMMUNITY COLLEGE ADJUNCT FACULTY ORGANIZATION, AFL-CIO, AFT, ALPENA MONTMORENCY ALCONA ISD PARAPROFESSIONALS, ALPENA MONTMORENCY ALCONA ISD TEACHERS, ARENAC EASTERN FEDERATION, BAY ARENAC SKILLS CENTER FEDERATION, BROWN CITY EMPLOYEES ORGANIZATION, BROWN CITY FEDERATION OF TEACHERS, CHEBOYGAN OTSEGO PRESQUE ISLE SUPPORT PERSONNEL, CHEBOYGAN OTSEGO PRESQUE ISLE INTERMEDIATE PARAPROFESSIONALS, CHESANING UNION AUXILIARY SERVICE EMPLOYEES, CLARE GLADWIN ISD FEDERATION, CRAWFORD AUSABLE BUS DRIVERS FEDERATION, CRAWFORD AUSABLE CUSTODIANS SECRETARIAL FEDERATION, CRAWFORD AUSABLE FEDERATION OF TEACHERS, CRAWFORD AUSABLE SUPPORT STAFF FEDERATION, CRESTWOOD FEDERATION OF TEACHERS, CTR FEDERATION, DEARBORN FEDERATION OF SCHOOL EMPLOYEES, DEARBORN FEDERATION OF TEACHERS, DETROIT ASSOCIATION OF EDUCATIONAL OFFICE EMPLOYEES, DETROIT FEDERATION OF PARAPROFESSIONALS, DETROIT FEDERATION OF TEACHERS, EAST DETROIT FEDERATION OF TEACHERS, ECORSE FEDERATION OF TEACHERS, FAIRVIEW FEDERATION OF TEACHERS, FEDERATION OF TEACHERS, GLEN LAKE FEDERATION OF TEACHERS, HALE FEDERATION OF TEACHERS, HAMTRAMCK FEDERATION OF TEACHERS, HEMLOCK FEDERATION OF TEACHERS, HENRY FORD COMMUNITY COLLEGE ADJUNCT FACULTY ORGANIZATION, HENRY FORD COMMUNITY COLLEGE FEDERATION OF TEACHERS, HIGHLAND PARK FEDERATION OF PARAPROFESSIONALS, HIGHLAND PARK FEDERATION OF TEACHERS, HURON VALLEY CONTINUING EDUCATION, IMLAY CITY FEDERATION OF TEACHERS, INKSTER FEDERATION OF TEACHERS, IOSCO ISD FEDERATION OF TEACHERS,

IOSCO ISD INTERMEDIATE FEDERATION OF  
AUXILIARY EMPLOYEES, KINGSLEY  
FEDERATION OF TEACHERS, KIRTLAND  
COMMUNITY COLLEGE FEDERATION OF  
TEACHERS, LAMPHERE FEDERATION OF  
PARAPROFESSIONALS, LAMPHERE  
FEDERATION OF TEACHERS, LANSING  
COMMUNITY COLLEGE ADMINISTRATIVE  
ASSOCIATION, LES CHENEAUX  
FEDERATION OF SUPPORT STAFF, LES  
CHENEAUX FEDERATION OF TEACHERS,  
LAKE CITY SUPPORT STAFF  
FEDERATION, LAKE CITY TEACHERS AND  
PARAPROFESSIONALS FEDERATION, LAKE  
SHORE FEDERATION OF EDUCATIONAL  
SECRETARIES, LAKE SHORE FEDERATION  
OF TEACHERS, LAKE SHORE FEDERATION  
SUPPORT STAFF, MACOMB INTERMEDIATE  
FEDERATION OF PARAPROFESSIONALS,  
MACOMB INTERMEDIATE FEDERATION OF  
TEACHERS, MELVINDALE NAP  
FEDERATION OF TEACHERS, MELVINDALE  
NAP PARAPROFESSIONALS, MIDLAND  
FEDERATION OF PARAPROFESSIONALS,  
MIDLAND ISD FEDERATION OF  
PARAPROFESSIONALS, MIDLAND ISD  
FEDERATION OF TEACHERS, NORTHVILLE  
FEDERATION OF PARAPROFESSIONALS,  
ONAWAY FEDERATION OF SCHOOL  
RELATED PERSONNEL, ONAWAY  
FEDERATION OF TEACHERS, PLYMOUTH  
CANTON COMMUNITY SCHOOL  
SECRETARIAL UNIT, PLYMOUTH CANTON  
FEDERATION OF PLANT ENGINEERS,  
ROMULUS FEDERATION OF  
PARAPROFESSIONALS, ROSEVILLE  
FEDERATION OF TEACHERS, RUDYARD  
FEDERATION OF AIDES, RUDYARD  
FEDERATION OF TEACHERS, SAGINAW  
ISD FEDERATION OF TEACHERS, TAWAS  
AREA FEDERATION OF TEACHERS, TAYLOR  
FEDERATION OF TEACHERS, UTICA  
FEDERATION OF TEACHERS, VAN DYKE  
EDUCATIONAL ASSISTANTS FEDERATION,  
VAN DYKE PROFESSIONAL PERSONNEL,  
WARREN WOODS FEDERATION OF  
PARAPROFESSIONALS, WASHTENAW  
INTERMEDIATE SCHOOL EMPLOYEES  
FEDERATION, WATERFORD ASSOCIATION  
OF SUPPORT PERSONNEL, WAYNE COUNTY  
COMMUNITY COLLEGE FEDERATION OF  
TEACHERS, WAYNE COUNTY COMMUNITY  
COLLEGE PROFESSIONAL AND ADMIN

ASSOCIATION, WAYNE COUNTY RESA  
SALARIED STAFF, WEXFORD MISSAUKEE  
ISD FEDERATION OF TEACHERS,  
WHITEFISH TOWNSHIP FEDERATION OF  
TEACHERS, CHEBOYGAN OTSEGO  
PRESQUE ISLE ISD TEACHERS, and  
HEMLOCK AUXILIARY SERVICE  
EMPLOYEES,

Plaintiffs-Appellees,

v

SC: 145924  
COA: 303702  
Ct of Claims: 10-000091-MM

STATE OF MICHIGAN,  
Defendant-Appellant.

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TIMOTHY L. JOHNSON, JANET HESLET,  
RICKY A. MACK, and DENISE ZIEJA,  
Plaintiffs-Appellees,

v

SC: 145925  
COA: 303704  
Ct of Claims: 10-000047-MM

PUBLIC SCHOOL EMPLOYEES'  
RETIREMENT SYSTEM, PUBLIC SCHOOL  
EMPLOYEES' RETIREMENT SYSTEM  
BOARD, TRUST FOR PUBLIC EMPLOYEE  
RETIREMENT HEALTH CARE, and  
DEPARTMENT OF TECHNOLOGY,  
MANAGEMENT AND BUDGET,

Defendants-Appellants,

and

DIRECTOR OF DEPARTMENT OF  
TECHNOLOGY, MANAGEMENT AND  
BUDGET, DIRECTOR OF RETIREMENT  
SERVICES OFFICE, and STATE  
TREASURER,

Defendants.

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DEBORAH MCMILLAN, THOMAS

BRENNER, THERESA DUDLEY,  
KATHERINE DANIELS, and COREY CRAMB,  
Plaintiffs-Appellees,  
Cross-Appellants,

v

SC: 145926  
COA: 303706  
Ct of Claims: 10-000045-MM

PUBLIC SCHOOL EMPLOYEES'  
RETIREMENT SYSTEM, PUBLIC SCHOOL  
EMPLOYEES' RETIREMENT SYSTEM  
BOARD, TRUST FOR PUBLIC EMPLOYEE  
RETIREMENT HEALTH CARE, and  
DEPARTMENT OF TECHNOLOGY,  
MANAGEMENT AND BUDGET,  
Defendants-Appellants,  
Cross-Appellees,

and

DIRECTOR OF DEPARTMENT OF  
TECHNOLOGY, MANAGEMENT AND  
BUDGET, DIRECTOR OF RETIREMENT  
SERVICES OFFICE, and STATE  
TREASURER,  
Defendants.

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By order of May 21, 2014, the application for leave to appeal the August 16, 2012 judgment of the Court of Appeals and the application for leave to appeal as cross-appellants were held in abeyance pending the decision in *AFT Michigan, et al v State of Michigan* (Docket No. 148748). On order of the Court, the case having been decided on April 8, 2015, 497 Mich \_\_\_ (2015), the applications are again considered. Pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we VACATE the judgment of the Court of Appeals and we REMAND these cases to the Court of Appeals for reconsideration in light of the enactment of 2012 PA 300 and this Court's decision in *AFT Michigan, et al v State of Michigan*. On remand, the Court of Appeals shall consider what issues presented in these cases have been superseded by the enactment of 2012 PA 300 and this Court's decision upholding that Act, and it shall only address any outstanding issues the parties may raise regarding 2010 PA 75 that were not superseded or otherwise rendered moot by that enactment and decision.

We do not retain jurisdiction.



t0622

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 30, 2015

Clerk