

**STATE OF MICHIGAN
COURT OF CLAIMS**

TAMERA MARTIN, an individual, and
RICHARD SULLIVAN, an individual,

Plaintiffs,

No. 25-_____ -MM

Hon. _____

v.

MICHIGAN EMPLOYMENT RELATIONS
COMMISSION (MERC),
a state government agency, TINAMARIE
PAPPAS, MERC Chairperson (in her official
capacity), WILLIAM F. YOUNG, MERC
Commissioner (in his official capacity),
ROBERT L. CHIARAVALLI, MERC
Commissioner (in his official capacity),
MICHIGAN DEPARTMENT OF LABOR
AND ECONOMIC OPPORTUNITY (LEO),
a state government agency, and SUSAN
CORBIN, LEO Director (in her official
capacity),

Defendants.

**Plaintiffs' 7/30/25 motion for preliminary
injunction and mandamus**

Oral argument requested.

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**PLAINTIFFS' 7/30/25
MOTION FOR PRELIMINARY INJUNCTION AND MANDAMUS**

NOW COMES PLAINTIFFS, Tamera Martin and Richard Sullivan, by and through their attorneys, and state for their Motion for Preliminary Injunction and Mandamus:

1. As detailed in the accompanying Brief in Support, the Legislature has passed two acts, 2024 PA 144 and 145, (Acts) which violate the state and federal constitutions.
2. These Acts create state employees but remove them from the jurisdiction of the state civil service. This violates Const 1963, art 11, § 5.
3. Plaintiffs are home help caregivers under a Medicare program.
4. These Acts attempt to make Plaintiffs and similarly-situated caregivers state employees, but only for the purpose of collective bargaining and union membership.
5. A union has petitioned the Defendant MERC for an election to be certified as a bargaining unit representative.
6. These Acts force Plaintiffs, in violation of the federal First Amendment, to associate against their wills with a union representing them in a bargaining unit. This despite the fact that Plaintiffs are not full-fledged public employees—as has been found by the United States Supreme Court.
7. Because these Acts are unconstitutional, these are void *ab initio*.
8. Because these Acts are void *ab initio*, the sought-after certification of a union bargaining unit would be illegitimate.

CONCLUSION AND REQUEST FOR RELIEF

For the reasons cited above and discussed in the accompanying Brief in Support, Plaintiffs request that this Court issue a preliminary injunction enjoining the Defendants from certifying an election for a union bargaining unit covering Plaintiffs and similarly-situated home help

caregivers. Alternatively, Plaintiffs request that a mandamus issue ordering the Defendants to refrain from certifying such an election for a bargaining unit.

Dated: July 30, 2025

By: /s/ Derk A. Wilcox
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