BEFORE THE
GUAM CIVIL SERVICE COMMISSION

BOARD OF COMMISSIONERS

2017 JAN 18 PM 5:03

IN THE MATTER OF: **ANTHONY O. QUINENE,** **Employee,** **vs.** **GUAM INTERNATIONAL AIRPORT AUTHORITY,** **Management.**	**POST AUDIT** **CASE NO.: 15-PA04** **DECISION AND JUDGMENT**

Speaker Benjamin J.F. Cruz
GL#34-17-069
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I.

INTRODUCTION

This matter came before the Civil Service Commission (the "Commission") for hearing on November 13, 2015. A.B. Won Pat International Airport Authority, Guam (the "Airport" or "GIAA") was represented by its legal counsel Genevieve P. Rapadas, Calvo Fisher & Jacob LLP, and it's Executive Manager Charles H. Ada II. The Post Audit Investigation Report ("Report") was presented by Maria L.G. Cruz, Personnel Management Analyst III ("Ms. Cruz"), and Roland P. Fejerang ("Mr. Fejerang"), Personnel Management Administrator, both of whom are employees of the Commission.

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II.

JURISDICTION

The jurisdiction of the Civil Service Commission is based upon the Organic Act of Guam, 4 GCA §§ 4401, *et seq.*, and the GIAA Personnel Rules and Regulations.

III.

INVESTIGATION

Anthony O. Quinene ("Mr. Quinene"), the complaining employee, through legal counsel, Curtis C. Van De Veld, filed a request for investigation pursuant to the Commission's authority found at 4 GCA § 4403(a), (d) on August 10, 2015. Mr. Quinene claimed that he was denied promotion to the position of Fire Captain (Airfield) with the Airport and a person who did not meet the minimum qualifications was promoted ahead of him. On September 1, 2015, the Commission granted approval for and instructed staff to proceed with the post-audit investigation of the complaints raised by Mr. Quinene.

Pursuant to the approval and instruction of the Commission, Ms. Cruz conducted an extensive investigation, which included a comprehensive review of the pertinent rules and regulations, the relevant documents including, the job announcement, employment applications, rating records, eligibility certification list, and all other related documents, evaluation of all nine (9) Fire Captain (Airfield) applications and conferral with Virginia Molo, GIAA Personnel Specialist IV, and Michael Schniep, Department of Administration Personnel Specialist IV. As a result of the investigation, Ms. Cruz concluded that there were no improprieties in the merit recruitment process of the two (2) Fire Captain (Airfield) positions; that recruitment was accomplished in accordance with the merit principle recruitment process; and that although Mr. Quinene was not selected for the Fire Captain (Airfield) position, he was not denied his rights

under the principle of the merit recruitment process. He was considered for selection but, the Executive Manager by his authority pursuant to 12 GCA § 1107, could only select and appoint two (2) from any of the seven (7) certified applicants. On November 12, 2015, Ms. Cruz presented the Report to the Commission and Mr. Fejerang represented to the Commission that he reviewed the Report and consulted with Ms. Cruz and agreed with the conclusions of the Report.

IV.

CONCLUSION

Following presentation of the Report to the Commission, the Commission adopted the recommendations of the Report by a vote of 6-0: that no further action be taken with regard to the recruitment and selection for the Fire Captain (Airfield) position.

Thus, it is the determination of the Commission that this matter is now finally adjudged closed.

SO ORDERED and ADJUDGED this 17th day of January, 2017, as determined by a vote of 6-0 on November 12, 2015.

EDITH PANGELINAN
Chairperson

LOURDES HONGYEE
Vice-Chairperson

PRISCILLA T. TUNCAP
Commissioner

Not present
JOHN SMITH
Commissioner

CATHERINE GAYLE
Commissioner

MICHAEL G. TOPASNA
Commissioner