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BENJAMIN CRUZ <speaker@senatorbjcruz.com>

Civil Service Commission

BENJAMIN CRUZ <speaker@senatorbjcruz.com> Thu, Mar 16, 2017 at 10:18 AM
To: 34th Guam Legislature Clerks <clerks@guamlegislature.org>
Cc: Rennae Meno <rennae@guamlegislature.org>

3/16/2016	3/16/2016	Civil Service Commission	Minutes of Meeting: November 3, 2016*E-Mailed*	34-17-296

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OFFICE OF SPEAKER BENJAMIN J.F. CRUZ

Committee on Appropriations and Adjudication

I Mina'trentai Kuattro na Liheslaturan Guåhan

Guam Congress Building | 163 Chalan Santo Papa | Hagatna, GU 96910

T: (671) 477-2520/1 | F: (671) 477-2522 | www.senatorbjcruz.com

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Speaker Benjamin J.F. Cruz

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CIVIL SERVICE COMMISSION
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MINUTES OF MEETING
THURSDAY
November 3, 2016

The Civil Service Commission met on **November 3, *2016,*** in the CSC Board Room, 1st Floor, Phase II Complex, Suite 6A, 777 Route 4, Sinajana, Guam.

Commissioners present:	**CSC employees present:**
Edith Pangelinan, Chairperson	Peter Calvo – Executive Director
Daniel Leon Guerrero, Vice Chairperson	John Nowakowski – Administrative Counsel
Catherine Gayle	Roland Fejarang – PM Administrator
Lourdes Hongyee	Vickilynn Sablan – PMA III
Priscilla Tuncap	Jolene Duenas – Board Secretary
John Smith	

I. CALL TO ORDER:

The meeting was called to order by Chairperson Pangelinan at 5:53 pm.

II. APPROVAL OF MINUTES:

No minutes submitted for approval.

III. NEW BUSINESS:

1. Motion Hearing:
Robert Koss vs. Department of Education; Case No. 16-AA25T

Present for Management were Attorney Jesse Nasis and Deputy Superintendent Taling Taitano. Attorney Daniel Somerfleck represented Employee Robert Koss, who was also present.

Four motions were heard-
First Motion: The Commissioners voted 6-0 for Management to provide Employee with discovery.
Second Motion: The Commissioners voted 6-0 to deny Management's Motion to Dismiss.
Third Motion: The Commissioners voted 5-1 to deny Employee's Motion to voide for procedural defect.
Fourth Motion: The Commissioners voted 6-0 to deny Employee's Motion to Void Personnel Action due to failure of Management to provide discovery.

ORIGINAL

Employee and Management to provide briefs for Decisions on approved Motions.

2. Motion Hearing:
Robert Koss vs. Department of Education; Case No. 16-WB01

Present for Management were Attorney Jesse Nasis and Deputy Superintendent Taling Taitano. Attorney Daniel Somerfleck represented Employee Robert Koss, who was also present.

By a vote of 6-0 to accept Employee's compelling reason for late submission of the Whistle Blower Complaint. A status call hearing was set for November 10, 2016 for parties to provide briefs of Staying the Whistle Blower complaint until after the Adverse Action case is adjudicated.

3. Order to Show Cause:
Timothy Fedenko vs. Department of Education; Case No. 16-GRE07

Matters were vacated due to Employee withdrawing his grievance appeal.

IV. OLD BUSINESS:

1. Signing: Decision and Judgment
Eleuterio J. Mesa vs. Department of Education; Case No. 11-AA13T

Mr. Nowakowski read into record. There was a motion to approve by Vice Chair Leon Guerrero and seconded by Commissioner Tuncap. All present concurred.

2. Signing: Decision and Order
Franklin S. Fejeran vs. Guam Power Authority; Case No. 15-AA05T

Mr. Nowakowski read into record. There was a motion to approve by Commissioner Tuncap and seconded by Vice Chair Leon Guerrero. All present concurred.

3. Signing: Judgment
Jonathan Concepcion vs. Port Authority of Guam; Case No. 16-AA21S

Mr. Nowakowski read into record. There was a motion to approve by Commissioner Smith and seconded by Vice Chair Leon Guerrero. All present concurred.

4. Signing: Decision and Judgment
Daniel Santos vs. Guam International Airport Authority; Case No. 16-GRE01

Mr. Nowakowski read into record. There was a motion to approve by Vice Chair Leon Guerrero and seconded by Commissioner Smith. All present concurred.

V. GENERAL BUSINESS:

No General Business.

VI. ADJOURNMENT:

Upon a motion made by Commissioner Tuncap and seconded by Vice Chair Leon Guerrero. The Commissioners recessed approximately around 8:06 pm.

Submitted for Approval:

JOLENE P. DUENAS
Board Secretary

APPROVED:

EDITH PANGELINAN, Chairperson