Gmail by Google

BENJAMIN CRUZ <speaker@senatorbjcruz.com>

Messages and Communications

BENJAMIN CRUZ <speaker@senatorbjcruz.com>
To: 34th Guam Legislature Clerks <clerks@guamlegislature.org>
Cc: Rennae Meno <rennae@guamlegislature.org>

Fri, Feb 2, 2018 at 11:52 AM

Hafa adai Clerk's: See consolidated Minutes 1.16.18,1.18.18, (Amended) and 1.30.18 (Amended) and Agenda 1.30.18 (Amended)_and 2.1.18 (Amended)

2/2/18	2/2/18	Civil Service Commission	Minutes 1.16.18,1.18.18, (Amended) and 1.30.18 (Amended) and Agenda 1.30.18 (Amended)_and 2.1.18 (Amended)	34-18-1494

OFFICE OF SPEAKER BENJAMIN J.F. CRUZ

Committee on Appropriations and Adjudication

I Minatbentat Kuattro na Liheslaturan Guahan

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

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

CSC_Meeting_Agenda_Minutes_MC 1494.pdf
84K

GL#34-18-1494
Speaker Benjamin J.F. Cruz

FEB 0 2 2018
Time: 1152 [ ] AM [ ] PM File No. ____
Received By:

2018 FEB -2 AM 11:58

1494

Gmail by Google

BENJAMIN CRUZ <speaker@senatorbjcruz.com>

AGENDA/MINUTES

Julita Santos <julita.santos@csc.guam.gov> Fri, Feb 2, 2018 at 10:39 AM
To: "B.J. CRUZ" <speaker@senatorbjcruz.com>, "TERLAJE, Therese M." <senatorterlajeguam@gmail.com>

Re: Jan. 30, 2015 & Feb. 01, 2018 Hearings

Hafa Adai.

Per PL 31-233; attached is the following information for your files.

Have a great day!

--



Si Yu'os Ma'åse'

Julita T. Santos
Board Secretary
Civil Service Commission
(671) 647-1856

5 attachments

AGENDA 1-30-18 (Amended).pdf
24K

MINUTES 1-16-18.pdf
48K

MINUTES 1-18-18(Amended2).pdf
45K

AGENDA 2-01-18 (Amended2).pdf
22K

MINUTES 1-30-18 (Amended).pdf
80K

Doc. No. 34GL-18-1494.*

I GOBIETNON GUAHAN

CIVIL SERVICE COMMISSION
KUMISION I SETBISION SIBIT

MINUTES OF MEETING
TUESDAY
January 16, 2018

The Civil Service Commission met on **January 16, 2018,** in the CSC Board Room, Bell Tower, 710 Marine Corps Dr., Suite 201, Hagatna, Guam 96910.

Commissioners present:	**CSC Employees present:**
Edith Pangelinan, Chairperson	Peter S. Calvo – Executive Director
Lourdes Hongyee, Vice Chairperson	Frederick J. Horecky–Administrative Counsel (ALJ)
Priscilla Tuncap	Roland Fejarang – PM Administrator
John Smith	Cynthia Camacho – PMA II
Catherine Gayle	Julita Santos – Board Secretary

I. CALL TO ORDER:

The meeting was called to order by Chairperson Pangelinan at 5:56 p.m.

II. APPROVAL OF MINUTES:

The Minutes for January 11, 2018 were submitted for approval. There was a motion to approve by Vice Chair Hongyee and seconded by Commissioner Smith. All present concurred.

III. NEW BUSINESS:

1. Hearing on the Merits:
   Tricia L. Alconaba vs. Department of Education; Case No. 17-GRE16

Present for Management was Lay Representative Phyllis Blas. Lay Representative Daniel Del Priore represented the Employee, Tricia L. Alconaba, whom was also present.

Mr. Del Priore advised the Board of Commissioners that they are in settlement talks. The Chair instructs Management to submit their response within ten (10) day.

A motion was made by Vice Chair Hongyee to allow both parties to continue settlement negotiations, and was seconded by Commissioner Gayle.

IV. OLD BUSINESS:

1.Signing: Order After Hearing
Frank Camacho, et al. vs. Guam Power Authority; CSC Case No. 17-PA05

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

V. GENERAL BUSINESS:

Nothing was discussed.

VI. ADJOURNMENT:

Upon a motion made by Commissioner Gayle and seconded by Vice Chair Hongyee, the Commissioners adjourned at approximately 6:09 p.m.

Submitted for Approval:

JULITA T. SANTOS
Board Secretary

APPROVED:

EDITH PANGELINAN, Chairperson

I GOBIETNON GUAHAN

CIVIL SERVICE COMMISSION
KUMISION I SETBISION SIBIT

MINUTES OF MEETING
THURSDAY (Amended 2)
January 18, 2018

The Civil Service Commission met on **January 18, 2018,** in the CSC Board Room, Bell Tower, 710 Marine Corps Dr., Suite 201, Hagatna, Guam 96910.

Commissioners present:	**CSC Employees present:**
Edith Pangelinan, Chairperson	Peter S. Calvo – Executive Director
Lourdes Hongyee, Vice Chairperson	Roland Fejarang – PM Administrator
Priscilla Tuncap	Julita Santos – Board Secretary
John Smith	
Catherine Gayle	

I. **CALL TO ORDER:**

The meeting was called to order by Chairperson Pangelinan at 5:51 p.m.

II. **APPROVAL OF MINUTES:**

No Minutes were submitted for approval.

III. **NEW BUSINESS:**

No new business.

IV. **OLD BUSINESS:**

1. Status Hearing:
Tiffany N. Sablan vs. Department of Education; CSC Case No. 17-AA11T

Present for Management was Legal Counsel, Jesse N. Nasis, Esq. and Deputy Superintendent, Taling Taitano. Attorney Daniel S. Somerfleck, Esq. represented Employee Tiffany N. Sablan, whom was present.

This Status Hearing was set to re-visit the decision made by the Commission regarding Management's Motion of GDOE's Substantial Evidence Burden of Proof (CSC Rule 11).

A motion was made by Vice Chair Hongyee to Stay, and schedule a follow-up during a Status Call Hearing on April 19, 2018. This motion was seconded by Commissioner Gayle. Everyone concurred with a show of 5-0.

V. GENERAL BUSINESS:

Nothing was discussed.

VI. ADJOURNMENT:

Upon a motion made by Commissioner Gayle and seconded by Vice Chair Hongyee, the Commissioners adjourned at approximately 6:03 p.m.

Submitted for Approval:

JULITA T. SANTOS
Board Secretary

APPROVED

EDITH PANGELINAN, Chairperson

I GOBIETNON GUAHAN

CIVIL SERVICE COMMISSION
KUMISION I SETBISION SIBIT

MINUTES OF MEETING
TUESDAY
(Amended)
January 30, 2018

The Civil Service Commission met on **January 30, 2018,** in the CSC Board Room, Bell Tower, 710 Marine Corps Dr., Suite 201, Hagatna, Guam 96910.

Commissioners present:	**CSC Employees present:**
Edith Pangelinan, Chairperson	Peter S. Calvo – Executive Director
Lourdes Hongyee, Vice Chairperson	R. Todd Thompson – Administrative Counsel (ALJ)
Priscilla Tuncap	Roland Fejarang – PM Administrator
John Smith	Maria Masnayon – PMA III
	Cynthia Camacho – PMA II
	Julita Santos – Board Secretary

I. CALL TO ORDER:

The meeting was called to order by Chairperson Pangelinan at 5:50 p.m.

II. APPROVAL OF MINUTES:

The Minutes for January 16 & 18, 2018 were submitted for approval. There was a motion to approve by Commissioner Smith and seconded by Commissioner Tuncap. All present concurred.

III. NEW BUSINESS:

1. Hearing On The Merits: (ALJ Findings)
   Annie Sablan vs. Guam Waterworks Authority; CSC Case No. 17-AA13T

Present for Management was Attorney Kelly O. Clark, and General Manager Miguel C. Bordallo, P.E.. Lay Representative Daniel Del Priore represented the Employee, Annie Sablan, whom was also present.

Administrative Law Judge R. Todd Thompson presented his Findings, Conclusions and Recommendations.

Both parties were afforded time to comment. The Commissioners questioned the Employee.

By a vote of 4-0 the Commissioners ratified the ALJ's recommendations. Management's Adverse Action was upheld.

2. Motion Hearing:
Ronnie P. Chiguina vs. Guam Fire Department; CSC Case No. 17-GRE24

Present for Management was Acting Fire Chief Daren D. Burrier. Employee Ronnie P. Chiguina, represented himself.

The three (3) motions being addressed were:

1. Employee's Motion to Compel Discovery.

Both parties presented oral arguments.
Upon a motion by Commissioner Smith, and seconded by Commissioner Tuncap, the Employee's Motion was approved. By a show of 4-0, the Board of Commissioners instructed Management to provide the requested documents in ten (10) days.

2. Employee's Motion to Compel Discovery for Department of Administration Director and Human Resource Recruitment Branch Officers Shane L. Ngata and Michael Schneip to provide testimony and produce their Standard Operating Procedures or methodology in evaluating applicants or candidates based on criteria provided by Guam Fire Department.

Upon a motion by Commissioner Smith, and seconded by Commissioner Tuncap, the Employee's Motion was approved. By a show of 4-0, the Board of Commissioners instructed Management to provide the requested documents in ten (10) days.

3. Employee's Motion to Compel Discovery to define and clarify Department Of Administration Step 4 Grievance Review Board's decision.

Upon a motion by Commissioner Smith, and seconded by Commissioner Tuncap, the Employee's Motion was approved. By a show of 4-0, the Board of Commissioners instructed Management to provide the requested documents in ten (10) days.

IV. OLD BUSINESS:

1. Post Audit Hearing:
Jasen M. Dodd vs. Guam Police Department; CSC Case No. 17-PA03

Personnel Management Administrator and the Personnel Management Analyst III presented the Assessment report.

A motion was made by Vice Chair Hongyee and seconded by Commissioner Tuncap to complete the Post Audit investigation and to compel Management to submit the required documentation by February 12, 2018. Personnel Management Administrator will expedite the Provisional Null and Void for Chairperson Pangelinan's signature. By a show of 4-0, all present concurred.

2. Signing: Decision and Judgment
Juan P. San Nicolas vs. Guam Fire Department; CSC Case No. 17-GRE17

Mr. Thompson read into record. There was a motion to approve by Commissioner Tuncap and seconded by Vice Chair Hongyee. Before all could concur, Management requested to speak, and was given an opportunity to comment.

Management brought up the legal authority of the Commission to order that the "Employee shall be paid the statutory interest on unpaid wages (4GCA § 6221) of 10% per annum on all amounts unpaid, until received."
This motion failed, and is put on abeyance pending clarification on this issue. This Signing has been re-scheduled for Thursday, February 8, 2018 at 5:45 p.m.

V. GENERAL BUSINESS:

Mr. Calvo briefed the Commissioners of our current finances. He also advised them of the Political Activity Training we are conducting on Friday, February 2, 2018.

VI. ADJOURNMENT:

Upon a motion made by Commissioner Tuncap and seconded by Vice Chair Hongyee, the Commissioners adjourned at approximately 7:50 p.m.

Submitted for Approval:

JULITA T. SANTOS
Board Secretary

APPROVED:

EDITH PANGELINAN, Chairperson

ORIGINAL

I GOBIETNON GUAHAN

CIVIL SERVICE COMMISSION
KUMISION I SETBISION SIBIT

AGENDA
(Amended)
Tuesday, January 30, 2018

I. CALL TO ORDER

II. APPROVAL OF MINUTES

January 16 & 18, 2018

III. NEW BUSINESS

1. Hearing On The Merits: (ALJ Findings)
   Annie Sablan vs. Guam Waterworks Authority; CSC Case No. 17-AA13T

2. Motion Hearing:
   Ronnie P. Chiguina vs. Guam Fire Department; CSC Case No. 17-GRE24

IV. OLD BUSINESS

1. Post Audit Hearing: (Staff Findings)
   Jasen M. Dodd vs. Guam Police Department; CSC Case No. 17-PA03

2. Signing: Decision and Judgment
   Juan P. San Nicolas vs. Guam Fire Department; CSC Case No. 17-GRE17

V. GENERAL BUSINESS

1. Bills and Laws affecting CSC
2. Pending Litigation
3. Training
4. Political Activity Pamphlet

VI. ADJOURNMENT

Peter S. Calvo
Executive Director

ORIGINAL

Doc. No. 34GL-18-1494.*

I GOBIETNON GUAHAN

CIVIL SERVICE COMMISSION
KUMISION I SETBISION SIBIT

AGENDA
(Amended2)
Thursday, February 01, 2018

I. CALL TO ORDER

II. APPROVAL OF MINUTES

January 30, 2018

III. NEW BUSINESS

1. Motion Hearing:
   Eleuterio J. Mesa vs. Department of Education; CSC Case No. 17-AA20S
2. Motion Hearing:
   Mathi Mathews vs. DPHSS; CSC Case No. 17-GRE22
3. Hearing On The Merits:
   Mathi Mathews vs. DPHSS; CSC Case No. 17-GRE22

IV. OLD BUSINESS

1. Signing: Judgment of Dismissal
   Patrick Artero vs. Department of Agriculture; CSC Case No. 17-GRE19

V. GENERAL BUSINESS

1. Bills and Laws affecting CSC
2. Pending Litigation
3. Training

VI. ADJOURNMENT

Peter S. Calvo
Executive Director

ORIGINAL

Doc. No. 34GL-18-1494.*