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Civil Service Commission Agendas and Minutes

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To: senatorterlajeguam@gmail.com

Thu, Sep 20, 2018 at 10:50 AM

Hafa Adai Senator Terlaje: As Acting Speaker, the Civil Service Commission has been providing courtesy copies of the Commission's Agendas and Minutes to the Speaker's Office for its information. Please find attached the Agenda for August 14, 2018; September 4, 6, and 18, 2018; and the minutes of May 29, 2018.

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Legal Secretary
Civil Service Commission
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Civil Service Commission Agendas and Minutes. as of September 20, 2018.pdf
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Vice Speaker Therese M. Terlaje
34GL-18-2330
SEP 20 2018
Time: 10:50 AM
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CIVIL SERVICE COMMISSION
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AGENDA
Tuesday, August 14, 2018

I. CALL TO ORDER

II. APPROVAL OF MINUTES: May 29, 2018

III. OLD BUSINESS

1. Hearing on the Merits:
   Anthony Sanders vs. Port Authority of Guam; Case No. 17-AA17T

2. Hearing on the Merits:
   Lydia Taleu vs. Department of Land Management; (Continuation);
   Case No. 18-AA02T

IV. NEW BUSINESS

V. GENERAL BUSINESS

1. Bills and Laws affecting CSC
2. Pending Litigation

VI. ADJOURNMENT

Peter S. Calvo
Executive Director

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CIVIL SERVICE COMMISSION
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MINUTES OF MEETING
Tuesday
May 29, 2018

The Civil Service Commission convened on Tuesday, May 29, 2018, in the CSC Board Room, Bell Tower, 710 Marine Corps Drive, Suite 201, Hagatna, Guam.

Commissioners Present:	**CSC Employees Present:**
Edith Pangelinan, Chairperson	Peter S. Calvo, Executive Director
Catherine Gayle, Commissioner	Maria Masnayon, PMA III
Priscilla Tuncap, Commissioner	Vickilynn Sablan, PMA III
John Smith, Commissioner	Cynthia Camacho, PMA II
	Susan L. Corbin, Board Secretary, Acting

I. CALL TO ORDER

The meeting was called to order by Chairperson Pangelinan at 5:52 p.m.

II. APPROVAL OF MINUTES: March 15, 2018.

Commissioner Tuncap moved to approve the minutes; seconded by Commissioner Smith; all the Commissioners concurred.

III. NEW BUSINESS

1. Signing: Decision and Judgment
   Robert Miranda vs. Department of Parks and Recreation; Case No. 17-AA01T

The Decision and Judgment was read into the record by Maria Masnayon, Personnel Management Analyst III.

Commissioner Tuncap moved to approve; seconded by Commissioner Smith; the Commissioners all concurred.

2. Signing: Judgment of Dismissal:
   Shane Anthony Cruz vs. Department of Corrections; Case No. 17-AA19T

The Judgment of Dismissal was read into the record by Maria Masnayon, Personnel Management Analyst III.

Commissioner Smith moved to approve; seconded by Commissioner Tuncap; the Commissioners all concurred.

3. Signing: Judgment of Dismissal:
   Mark P. Ada vs. Guam Fire Department; Case No. 17-PA06

The Judgment of Dismissal was read into the record by Maria Masnayon, Personnel Management Analyst III.

Commissioner Smith moved to approve; seconded by Commissioner Tuncap; the Commissioners all concurred.

4. Signing: Judgment of Dismissal:
   Jonathan Esteves vs. Department of Public Works; Case No. 17-AA14T

The Judgment of Dismissal was read into the record by Maria Masnayon, Personnel Management Analyst III.

Commissioner Smith moved to approve; seconded by Commissioner Tuncap; the Commissioners all concurred.

5. Hearing on the Merits:
   Erwin Aquino vs. Guam Memorial Hospital Authority; Case No. 18-AA01S

Present for the Employee was Erwin Aquino, with Lay Representative, Robert Koss, and present for Management was Attorney Minakashi Hemlani, and Peter John Camacho, CEO and Hospital Administrator. Both parties presented closing arguments.

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Commissioners Smith, Tuncap, and the Chairperson voted in favor of Management; Commissioner Gayle voted in favor of the Employee. Commissioner Tuncap moved to approve the case of Mr. Aquino against Management, in favor of Management; seconded by Commissioner Smith. Commissioners Smith, Tuncap, and the Chairperson voted in favor of Management, and Commissioner Gayle voted in favor of the Employee. Commissioners discussed the requisite of the voting and the Chairperson announced that relative to 4 GCA, Section 4402, Quorum, as cited, "The affirmative vote of four (4) members shall be required for any action of the Commission." In light of this provision, the Chairperson stated the Employee prevailed in this action.

IV. NEW BUSINESS

1. Motion Hearing:
   Kristoffer Castro vs. Department of Agriculture; Case No. 18-AA03S

Present was the Employee, Kristoffer Castro, with Lay Representative, Robert Koss; and present for Management was Lt. Mark Aguon, and Conservation Officer III, Richard Ragadio from the Department of Agriculture.

Mr. Koss stated that Lt. Aguon, representing the Department of Agriculture, was not granted settlement authority, including Mr. Ragadio, as promulgated in the Civil Service Commission Rule 9.7, and requested that the Commission to relief Mr. Ragadio from participating in the proceedings. Mr. Koss introduced a motion for failure to prosecute.

The Commissioners were all in agreement that the hearing on the matter should continue. Commissioner Smith moved in favor of the Employee for Management's failure to prosecute, seconded by Commissioner Tuncap; all Commissioners concurred.

2. Hearing on the Merits:
   Anthony Sanders vs. Port Authority of Guam; Case No. 17-AA17T

Present was the Employee, Anthony Sanders, with Attorney Daniel Somerfleck; and present for Management was Attorney Michael Phillips with Joanne Brown, General Manager, Port Authority of Guam. Both parties presented its opening statement.

Felix Roy Pangelinan was sworn in by the Chairperson as Management's witness, and testified. The Chairperson recessed the hearing until Thursday.

V. GENERAL BUSINESS

1. Bills and Laws affecting CSC
2. Pending Litigation

VI. ADJOURNMENT

Commissioner Gayle moved to adjourn; seconded by Commissioner Smith; all the Commissioners concurred. The meeting adjourned at approximately 8:45 p.m.

Submitted for Approval:

Susan L. Corbin
Acting Board Secretary

APPROVED:

EDITH PANGELINAN, Chairperson

Doc. No. 34GL-18-2330. *

CIVIL SERVICE COMMISSION
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AGENDA
Tuesday, September 4, 2018

I. CALL TO ORDER

II. APPROVAL OF MINUTES

III. OLD BUSINESS

1. Kenneth Q. Blas vs. Guam Waterworks Authority; Signing: Judgment of Dismissal; Case No. 18-AA04T

2. Simon Pinaula vs. Port Authority of Guam; Signing: Decision and Judgment; Case No. 18-PA02

3. Joseph L.G. Acfalle vs. Guam Solid Waste Authority; Status Hearing; Case No. 17-AA07T

IV. NEW BUSINESS

1. Thomas Iglesias vs. Guam Behavioral Health & Wellness Center; Motion Hearing; Case No. 18-AA05T

2. Andrew Santos vs. Department of Land Management; Hearing on the Merits; Case No. 18-AA06D

V. GENERAL BUSINESS (Administrative Counsel)
1. Bills and Laws affecting CSC (Javelosa Rule)
2. Pending Litigation (Juanita Aguon vs. Department of Corrections; SP0132-18)

VI. ADJOURNMENT

Peter S. Calvo
Executive Director

CIVIL SERVICE COMMISSION
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AGENDA
Thursday, September 6, 2018

I. CALL TO ORDER

II. APPROVAL OF MINUTES

III. OLD BUSINESS

1. Hearing on the Merits:
   John Leon Guerrero vs. Guam Power Authority; Case No. 16-AA23T

2. Political Activity Investigative Report:
   Michelle Taitano vs. Department of Labor; Case No. 18-MH03

3. Political Activity Investigative Report:
   Amanda Blas vs. Commission on Decolonization; Case No. 18-MH04

IV. NEW BUSINESS

V. GENERAL BUSINESS
1. Bills and Laws affecting CSC
2. Pending Litigation

VI. ADJOURNMENT

Peter S. Calvo
Executive Director

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CIVIL SERVICE COMMISSION
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AGENDA
Tuesday, September 18, 2018

I. CALL TO ORDER

II. APPROVAL OF MINUTES

III. OLD BUSINESS

1. Signing: Decision and Judgment:
   Juanita Aguon vs. Department of Corrections; CSC
   Case No.: 17-GRE25

2. Signing: Decision and Judgment:
   Jonathan Diaz vs. Department of Education; CSC Case No.: 18-WB01

3. Staff Investigative Report:
   Thomas Tedtaotao vs. Guam Fire Department; CSC Case No.: 18-PA04

4. Motion Hearing:
   Christopher Florig vs. Guam Fire Department; CSC Case
   No.: 18-AA07T

IV. NEW BUSINESS

V. GENERAL BUSINESS

1. Bills and Laws affecting CSC: CSC RESOLUTION NO.: 2018-002; Adverse Action Appeal Time Standards; Public Law 33-55, Adverse Action Time Standards; re: Case Management Statement

2. Pending Litigation: None

3. Training: Training re: Javelosa Rule

VI. ADJOURNMENT

Peter S. Calvo
Executive Director