From: **Susan Corbin** susan.corbin@csc.guam.gov
Subject:
Date: November 28, 2018 at 3:12 PM
To: Speaker's Office speaker@guamlegislature.org

Hafa Adai Speaker Terlaje: Please find attached the Civil Service Commission Agenda of November 20, 2018, and the Minutes of August 2, 2018, executed on November 20, 2018, for your information.

Susan Corbin
Legal Secretary
Civil Service Commission
Tel: 647-1855

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Vice Speaker Therese M. Terlaje
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CIVIL SERVICE COMMISSION
KUMISION I SETBISION SIBIT

AGENDA
Tuesday, November 20, 2018

I. **CALL TO ORDER**

II. **APPROVAL OF MINUTES**: August 2, 2018

III. **OLD BUSINESS**

1. Signing: Decision and Judgment
   Steven A. Cruz vs. Guam Power Authority; Case No.: 17-AA22S

2. Signing: Decision and Order
   Kozue Shimabukuro, M.D. vs. Guam Memorial Hospital;
   CSC Case No.: 18-AA09T

3. Signing: Decision and Order
   Thomas Iglesias vs. Guam Behavioral Health and Wellness Center;
   CSC Case No.: 18-AA05T

4. Motion hearing:
   Mark C. Charfauros vs. Guam Police Department; CSC Case No.: 17-AA03T

5. Motion Hearing:
   Manuel R. Santos, Jr. vs. Guam Fire Department; CSC Case No.: 17-GRE27

6. Motion Hearing; Reconsideration of Remand
   Manuel R. Santos, Jr. vs. Guam Fire Department; CSC Case No.: 18-GRE01

IV. **NEW BUSINESS**

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

VI. **ADJOURNMENT**

Peter S. Calvo
Executive Director

I GOBIETNON GUAHAN

CIVIL SERVICE COMMISSION
KUMISION I SETBISION SIBIT

MINUTES OF MEETING
Thursday, August 2, 2018

The Civil Service Commission convened on Thursday, August 2, 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
Lourdes Hongyee, Vice Chairperson	Maria Masnayon, PMA III
Catherine Gayle, Commissioner	Vickilynn Sablan, PMA III
John Smith, Commissioner	Susan 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

III. OLD BUSINESS

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

Present for the Employee was Daniel Del Priore, GFT lay representative, and the Employee, Joseph L.G. Acfalle. Present for Management was Vanessa Williams, on behalf of the Guam Solid Waste Authority, and Chase Anderson, Receivers Manager.

The Chairperson announced that an Amended Decision and Judgment has been submitted to the Commission for consideration. However, the Commissioners would not be entertaining the matter as there are only four Commissioners present, and one has recused themselves, so the Commission lacks a quorum. The matter would be rescheduled for August 9, 2018.

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2. Signing: Decision and Judgment
   Erwin Aquino vs. Guam Memorial Hospital; CSC Case No. 18-AA01S

Maria Masnayon, Personnel Management Analyst III, read the Decision and Judgment on the record. Commissioner Smith moved to approve the Decision and Judgment; seconded by Commissioner Hongyee; all the Commissioners concurred.

3. Signing: Decision and Judgment
   Kristoffer Castro vs. Department of Agriculture; CSC Case No. 18-AA03S

Maria Masnayon, Personnel Management Analyst III, read the Decision and Judgment on the record. Commissioner Smith moved to approve the Decision and Judgment; seconded by Commissioner Hongyee; all the Commissioners concurred.

IV. NEW BUSINESS

1. Mini-Hatch Act Staff Assessment
   Michelle Taitano vs. Department of Labor; CSC Case No. 18-MH03

Vickilynn Sablan, Personnel Management Analyst III, read the Mini-Hatch Act Staff Assessment on the record; accompanied by Maria Masnayon, Personnel Management Analyst III. Commissioner Hongyee moved to approve the staff's recommendation; seconded by Commissioner Smith; all the Commissioners concurred.

2. Mini-Hatch Act Staff Assessment
   Amanda Blas vs. Commission on Decolonization; CSC Case No. 18-MH04

Vickilynn Sablan, Personnel Management Analyst III, read the Mini-Hatch Act Staff Assessment on the record; accompanied by Maria Masnayon, Personnel Management Analyst III. Commissioner Hongyee to approve the staff's assessment report; seconded by Commissioner Smith; all the Commissioners concurred.

3. Hearing on the Merits (Continuation)
   Steven A. Cruz vs. Guam Power Authority; CSC Case No. 17-AA22S

The Commissioners had an extensive inquiry into the incidence with the Employee, including his present position and role in the department.

The Commissioners had a 10-minute break.

4. Post Audit Hearing (Continuation); Simon Pinaula vs. Port Authority of Guam; Case No. 18-PA02

The Chairperson addressed Mr. Simon Pinaula, and announced that Management was not present therefore, the Commission is rescheduling the matter for a later date.

5. Hearing on the Merits (Continuation)
Steven A. Cruz vs. Guam Power Authority; CSC Case No. 17-AA22S

The Commissioners had an extensive inquiry into the incidence with the Employee, including his present position and role in the department.

Present for Management was Graham Botha; and present to the Employee was Robert Koss, lay representative, and the Employee, Steven A. Cruz. Management offered its closing statement. Mr. Koss offered his closing statement. The Chairperson announced that deliberation will be held next Thursday, August 9th.

6. Hearing on the Merits: Lydia Taleu vs. Department of Land Management; Case No.: 18-AA02T

Mr. Robert Cruz, Guam Legal Services, was present for the Employee, and Employee, Lydia Taleu. Mr. Michael Borja, Director, Department of Land Management was cross-examined by Mr. Cruz. Mr. Cruz stated that they stipulated to the exhibits filed with the Commission with regards to the doctor's statement.

Lydia Taleu, Employee, was sworn and testified. She explained her job duties and medical issues. The Chairperson suggested that the matter be continued to a later date because of the late evening, and would continue with closing statements and the Commissioner's deliberation.

V. GENERAL BUSINESS

1. Bills and Law Affecting CSC

2. Pending Litigation: The Executive Director reported that the CSC has scheduled Bernadette Meno's and Vivian Leon's cases for a status conference.

VI. ADJOURNMENT

Commissioner Hongyee moved to adjourn; second by Commissioner Smith; all the Commissioners concurred. The meeting adjourned at approximately 8:09 p.m.

Submitted for Approval:

Susan L. Corbin
Board Secretary, Acting

APPROVED:

EDITH PANGELINAN, Chairperson