Speaker's Office <speaker@guamlegislature.org>

M&C Fwd: Civil Service Commission Judgments of February 27, 2020

1 message

Speaker's Office <speaker@guamlegislature.org> Wed, Mar 4, 2020 at 3:13 PM
To: Clerks Office <clerks@guamlegislature.org>
Cc: Rennae Meno <rennae@guamlegislature.org>
Bcc: Tina Muna Barnes <tinamunabarnes@gmail.com>

03-03-20	5:19 PM	02-27-20	Civil Service Commission Judgments of February 27, 2020.*	Civil Service Commission	35GL-20-1620

35GL-20-1620
Speaker Tina Rose Muña Barnes

MAR 0 3 2020
Time 5:19 ( )AM ( )PM
Received By: Matt

Sinseru yan Minagåhet,

Office of the Speaker • Tina Rose Muña Barnes
Committee on Public Accountability, Human Resources & the Guam Buildup

35th Guam Legislature
I Mina'trentai Singko na Liheslaturan Guåhan

Guam Congress Building | 163 Chalan Santo Papa | Hagatna, GU 96910
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speaker@guamlegislature.org

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Gumai pribilehu yan konfedensia este siha na mensåhi. Solo espesiåtmente para hågu ma entensioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespåtcha. Yanggen lachi rinisibu-mu nu este na mensåhi , put fabor ago' guatu gi I numa'huyong gi as speaker@guamlegislature.org yan despues destrosa todu siha I kopian mensåhi. Si Yu'os ma'åse'.

---------- Forwarded message ---------
From: **Office of Senator Shelton Guam Legislature** <officeofsenatorshelton@guamlegislature.org>
Date: Tue, Mar 3, 2020 at 5:19 PM
Subject: Fwd: Civil Service Commission Judgments of February 27, 2020
To: Speaker's Office <speaker@guamlegislature.org>

Good afternoon Speaker Barnes:

Forwarding for your information.

Regards.

Evelyn Claros

---------- Forwarded message ---------
From: **Susan Corbin** <susan.corbin@csc.guam.gov>
Date: Tue, Mar 3, 2020 at 11:42 AM
Subject: Civil Service Commission Judgments of February 27, 2020
To: Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>

Hafa Adai Senator Shelton: Please find attached the judgments executed by the Civil Service Commission in its meeting of February 27, 2020. This is mandated under 4 GCA, Section 4403. Thank you.

Si Yu'os Ma'åsé
Susan Corbin
Legal Secretary
Civil Service Commission
Tel: 647-1855

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Si Yu'os Ma'åse,

Office of the People • Senator Amanda L. Shelton
Legislative Secretary & Chairwoman of the Committee on Higher Education and the Advancement of Women, Youth, and Senior Citizens

35th Guam Legislature
I Mina'trentai Singko na Liheslaturan Guåhan

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Civil Service Commission Judgments of February 27, 2020.pdf
99K

1620

BEFORE THE
GUAM CIVIL SERVICE COMMISSION

BOARD OF COMMISSIONERS

IN THE MATTER OF:

JOE MARIE SALOMA,

Employee,

vs.

DEPARTMENT OF CORRECTIONS,

Management.

ADVERSE ACTION APPEAL
CASE NO.: 19-AA06S

DECISION AND ORDER

This matter came before the Civil Service Commission (CSC) January 21, 2020, on Management's motions. Present for the hearing were Employee with his Lay Representative, Robert Koss. Also present were Antone F. Aguon, Department of Corrections Assistant Superintendent, with his counsel, Assistant Attorney General Donna Lawrence. Commissioners present were Chairman Juan K. Calvo, Vice Chairman John Smith, Commissioner Priscilla T. Tuncap, and Commissioner Anthony P. Benavente.

Management moved for the following:

1. That CSC issue a declaratory ruling invalidating any and all CSC's practices policies or rules that have not been promulgated under the Administrative Adjudication Law (AAL).

2. An order invalidating CSC's currently non –promulgated adjudicatory practices, rules and policies.

3. An order that procedural and evidentiary provisions of Article 2 of the AAL will not be applied to CSC hearings.

4. An order that Management be allowed to call witnesses, including Employee in any order.

5. That there be no time limits on examining witnesses.

6. An order that invalidates paragraph 10 of its Case Management Statement.

By a vote of 4 to 0 the Civil Service Commission voted to deny all of Management's motions described above.

SO ORDERED THIS 27th **DAY OF** February, **2020**.

JUAN K. CALVO
Chairman

JOHN SMITH
Vice Chairman

PRISCILLA T. TUNCAP
Commissioner

EMILIA F. RICE
Commissioner

ANTHONY P. BENAVENTE
Commissioner

BEFORE THE
GUAM CIVIL SERVICE COMMISSION

BOARD OF COMMISSIONERS

IN THE MATTER OF:

CIVIL SERVICE COMMISSION,

Employee,

vs.

GUAM FIRE DEPARTMENT,

Management.

[Complainant: Manuel R. Santos, Jr.]

POST AUDIT
CASE NO.: 19-PA06

ORDER AFTER HEARING

This matter came on before the Commission, February 20, 2020, for Staff Investigative Report. Present for the hearing was Employee's Lay Representative, Daniel Del Priore. Present for Management was Joey San Nicholas, Deputy Fire Chief. Commissioners present were Chairman Juan K. Calvo, Vice Chairman John Smith, Commissioner Priscilla T. Tuncap, Commissioner Emilia F. Rice, and Commissioner Anthony P. Benavente.

On September 27, 2019, Manuel R. Santos Jr., an employee of Guam Fire Department (GFD), requested for the Civil Service Commission to conduct a Post Audit in GFD"s merit process for the selection and promotion of the Fighter II position.

Cynthia Camacho, Personnel Management Analyst II, read the report into the record. Staff concluded that eleven (11) candidates selected for the Fire Fighter II position met the minimum qualifications and had the highest of all interview scores. One (1) candidate scored higher, but was not selected.

Department of Administration (DOA) did announce the position, rated the applicants, sent out notices of ratings, allowed the ten day appeal of rating to complete, re-rated those candidates that did not agree with their rating scores, ranked the list of eligible and provided GFD with a certification list from which to conduct interviews in compliance with DOA Personnel Rules and Regulations.

The staff recommended that the Commission find the selection by GFD for the Fire Fighter II position was in compliance with the merit system process. The Commission voted 5 to 0 to accept the recommendations of the staff.

SO ORDERED THIS 27th **day of** February, **2020.**

JUAN K. CALVO
Chairman

JOHN SMITH
Vice-Chairman

PRISCILLA T. TUNCAP
Commissioner

EMILA F. RICE
Commissioner

ANTHONY P. BENAVENTE
Commissioner