



**BEFORE THE  
GUAM CIVIL SERVICE COMMISSION  
BOARD OF COMMISSIONERS**



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

**IN THE MATTER OF:**

**CIVIL SERVICE COMMISSION,**

**Employee,**

**vs.**

**GUAM VISITORS BUREAU,**

**Management.**

**POST AUDIT  
CASE NO.: 15-PA-02 SP**

**ORDER AFTER HEARING**

This matter came to be heard before the Commission ("CSC") on the 28<sup>th</sup> day of May, 2019 on a Post Audit Staff Investigative Report. Present for the hearing were Commissioners Luis R. Baza, John Smith, Catherine Gayle, and Juan K. Calvo. Present and representing Guam Visitors Bureau were GVB President, Pilar Laguana and Attorney Thomas Fisher. Also present were Employee, Lisa Linek, represented by Attorney William B. Brennan.

//  
//

1           The Commission heard argument on Employee's Motion to Dismiss.  
2 Employee advanced the theory that the CSC had failed to take action within the  
3 time frame mandated by 4 GCA §4403(d) which requires that all actions by the  
4 CSC pursuant to this section shall be taken within one hundred eighty (180)  
5 calendar days after the personnel action or complaint is filed with the  
6 Commission. In this case, the original decision of the CSC was appealed to  
7 Superior Court. On October 30<sup>th</sup> 2018, Judge Alberto C. Lamorena, III filed  
8 Findings of Fact and Conclusions of Law. Employee argues that the 180 days  
9 started running from the October 30, 2018 date, and therefore the CSC had to  
10 take action prior to April 28, 2019. However, the Commission noted that this  
11 was not a final judgment and that in this case the judgment did not become final  
12 and not appealable until April 28, 2019. The 180-day clock will commence from  
13 April 28, 2019. Additionally, the Employee argued that due process was not  
14 afforded to the Employee.

15           The Commission voted 4-0 to deny Employee's motion. MOTION  
16 DENIED.

17           The Post Audit Investigation report found that Employee did not  
18 qualify for the position of Accountant III because she lacked the necessary work  
19 experience at the time of her employment. The Accountant III position requires  
20 at least two-years experience as an Accountant II or equivalent work. Employee  
21 had eight (8) months and seven (7) days experience in the Office of Public  
22 Auditor, and one (1) month experience as an Accounting Clerk.

23  
24 **ORDER AFTER HEARING**

*Civil Service Commission vs. Guam Visitors Bureau*

Post Audit Case No.: 15-PA-02 SP

Page 2 of 3

1 The Commission voted 4-0 to provisionally null and void the selection  
2 of Employee. The Commission also decided to allow Management ten (10) days  
3 to respond to the Post Audit Staff Investigative Report, pursuant to 4 G.C.A,  
4 §4403(d).

5 SO ORDERED THIS 9<sup>th</sup> day of July 2019.

7 Luis R. Baza  
8 **LUIS R. BAZA**  
9 **Chairperson**

7 Juan K. Calvo  
8 **JUAN K. CALVO**  
9 **Vice-Chairperson**

10 Priscilla T. Tuncap  
11 **PRISCILLA T. TUNCAP**  
12 **Commissioner**


10 John Smith  
11 **JOHN SMITH**  
12 **Commissioner**

13 (absent)  
14 **CATHERINE GAYLE**  
15 **Commissioner**

# Transmission Report


Date/Time: 07-10-2019 01:36:00 p.m. Transmitt Header Text  
 Local ID 1: 6716471867 Local Name 1: CIVIL SERVICE COMMISSION

**This document : Failed**  
**(reduced sample and details below)**  
**Document size : 8.5"x11"**



**BEFORE THE**  
**GUAM CIVIL SERVICE COMMISSION**

**BOARD OF COMMISSIONERS**



**IN THE MATTER OF:**

**CIVIL SERVICE COMMISSION,**

**Employee,**

**vs.**

**GUAM VISITORS BUREAU,**

**Management.**

**POST AUDIT**  
**CASE NO.: 15-PA-02 SP**

**ORDER AFTER HEARING**

This matter came to be heard before the Commission ("CSC") on the 28<sup>th</sup> day of May, 2019 on a Post Audit Staff Investigative Report. Present for the hearing were Commissioners Luis R. Baza, John Smith, Catherine Gayle, and Juan K. Calvo. Present and representing Guam Visitors Bureau were GVB President, Pilar Laguana and Attorney Thomas Fisher. Also present were Employee, Lisa Linek, represented by Attorney William B. Brennan.

//

//

**ORDER AFTER HEARING**  
*Civil Service Commission vs. Guam Visitors Bureau*  
 Post Audit Case No.: 15-PA-02 SP

Page 1 of 3

Total Pages Scanned : 3

Total Pages Confirmed : 0

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
001	871	472-1246	01:34:50 p.m. 07-10-2019	00:00:00	0/3	1	--	HS	FA

**Abbreviations:**

HS: Host send	PL: Polled local	MP: Mailbox print	CP: Completed	TS: Terminated by system
HR: Host receive	PR: Polled remote	RP: Report	FA: Fall	G3: Group 3
WS: Waiting send	MS: Mailbox save	FF: Fax Forward	TU: Terminated by user	EC: Error Correct



Susan Corbin &lt;susan.corbin@csc.guam.gov&gt;

---

**Civil Service Commission Judgments**

1 message

---

**Susan Corbin** <susan.corbin@csc.guam.gov>

Wed, Jul 10, 2019 at 2:02 PM

To: Office of Senator Shelton Guam Legislature &lt;officeofsenatorshelton@guamlegislature.org&gt;

*Hafa Adai Senator Shelton: Please find attached the judgments executed by the Civil Service Commission in its meeting of July 9, 2019. This is mandated under 4 GCA, Section 4403. Thank you.*

**Si Yu'os Ma'ásé**

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

---

 **Civil Service Commission Judgments of July 9, 2019.pdf**  
335K