



## GOVERNMENT OF GUAM

### CIVIL SERVICE COMMISSION

### KUMISION I SETBISION SIBIT

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#### **CIVIL SERVICE COMMISSION BOARD OF COMMISSIONERS**

#### **RESOLUTION NO. 2001-003**

#### **RELATIVE TO THE ADOPTION OF RULES OF PROCEDURE TO GOVERN ACTIONS BEFORE THE CIVIL SERVICE COMMISSION PURSUANT TO 4 GUAM ANNOTATED, SECTIONS 4402 AND 4409**

**WHEREAS**, the Civil Service Commission is granted jurisdiction to null and void any Government of Guam personnel action taken in violation of law or regulation. (4 G.C.A. §4403(d)); and,

**WHEREAS**, the Civil Service Commission needs procedural rules to govern actions to void personnel actions; and,

**WHEREAS**, the Civil Service Commission is granted authority to adopt rules of procedure to govern actions before it pursuant to 4 G.C.A. Sections 4402 and 4409.

#### **NOW, THEREFORE, BE IT RESOLVED** as follows:

- 1) A party may petition to void a personnel action taken against him or her by filing with the Civil Service Commission a petition to do so within thirty (30) days of the effective date of the personnel action to be challenged. The thirty-day limitation above shall not take effect until 180 days after this resolution is approved.
- 2) The petition shall be a short and plain statement setting forth the personnel action taken, the law or rule alleged to have been violated, and shall identify the government department or agency that took the action to be challenged.
  - A. *A personnel action is defined as any action taken by management that substantially changes the status quo of an employee. Personnel actions are not limited to actions reflected in G.G. #1 Forms.*
- 3) Within three (3) days of receiving the petition, the Civil Service Commission shall cause the petition to be served on the office of the director or chief executive of the department or agency that took the personnel action to be challenged. The department or agency shall file its response to the petition within twenty (20) days of receipt of the petition. The response shall state the reasons why the personnel action at issue did not violate law or regulation.

4) After the response is filed with the Civil Service Commission, the action to void a personnel action shall proceed, as far as is practicable, under the Civil Service Commission's Rules of Procedure for Adverse Actions.

**DULY ADOPTED AND RATIFIED this 8<sup>th</sup> DAY OF FEBRUARY 2001.**

**RICHARD J. UNTALAN**  
 Chairman

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**MANUEL R. PINAQUIN**  
 Vice Chairman

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**JULIA R. CRUZ**  
 Commissioner

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**JOAQUIN T. ANGOCO**  
 Commissioner

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**PRISCILLA T. TUNCAP**  
 Commissioner

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**ZENON A. BELANGER, JR.**  
 Commissioner

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**JOHN V. GERBER**  
 Commissioner

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