



CIVIL SERVICE COMMISSION
KUMISION I SETBISION SIBIT
GOVERNMENT OF GUAM

RELATIVE TO SCHEDULING OF "MOTIONS TO ENFORCE"
CSC RESOLUTION NO. 2017-002

WHEREAS, there have been a number of "motions to enforce" filed with the Commission; and,

WHEREAS, the Supreme Court of Guam in *Limtiaco v. Guam Fire Dept.*, 2007 Guam 10, stated that "[t]here is no process by which [an employee] could petition the CSC to go to court under section 4408 on his behalf," further adjudging that such motions were unnecessary for the party to have exhausted their administrative remedies before this body; and,

WHEREAS, an active case in the Judiciary of Guam is handled under the discretion of our Administrative Counsel while other parties have their own attorneys to represent their interests; and,

WHEREAS, we are without jurisdiction over cases that are dismissed due to settlement by the parties; and,


WHEREAS, as a small agency we have limited time and resources to hear matters brought and it is wasteful to spend time and resources on motions that are futile and unrecognized by the Supreme Court of Guam.

NOW THEREFORE BE IT RESOLVED, that the Civil Service Commission hereby grants authority to the Executive Director to decline to schedule on our calendar "motions to enforce" (or differently titled motions seeking the same effect) where: (A) the case is currently active in the Judiciary of Guam, and/or (B) the case was dismissed pursuant to a stipulated settlement between the parties.

Duly and regularly adopted this 7TH DAY OF SEPTEMBER, 2017.



EDITH PANGELINAN, Chairperson



LOURDES HONGYEE, Vice Chairperson



PRISCILLA TUNCAP, Commissioner



JOHN SMITH, Commissioner



CATHERINE GAYLE, Commissioner



MICHAEL G. TOPASNA, Commissioner

