CIVIL SERVICE COMMISSION
GOVERNMENT OF GUAM

CSC RESOLUTION NO. 2019-001
ADVERSE ACTION APPEAL TIME STANDARDS
PUBLIC LAW 34-145 ADVERSE ACTION TIME STANDARDS

WHEREAS, Public Law No. 34-145 has made the time standards of 4 GCA, Section 4406.2 mandatory as opposed to aspirational, and,

NOW, BE IT HEREBY RESOLVED, the following timelines for adverse actions shall be adhered to:

A) The hearing on the merits will commence within one hundred and twenty (120) days within the filing of the Notice of Appeal;

B) The Pre-Hearing Conference will be scheduled within one hundred (100) days from the filing of the Notice of Appeal;

C) All witness lists and exhibit binders are due the day before the Pre-Hearing Conference;

D) All motions will be filed within forty (40) days of the filing of a Notice of Appeal and shall be scheduled for hearing within ninety (90) days of the filing of a Notice of Appeal;

E) First Status Call Conference will be scheduled within fourteen (14) days of the filing of a Notice of Appeal, wherein parties will be provided a Case Management Statement template; and a completed Case Management Statement is due the day before the Second Status Call Conference which will be held within thirty (30) days of the filing of the Notice of Appeal.

BE IT FURTHER RESOLVED, that requests for delays, agreeing to delays, or non-compliance with the time standards by employees shall constitute a waiver of the one hundred twenty (120) day requirement.

BE IT FURTHER RESOLVED, that non-compliance with the time standards by management, where the employee has not agreed to waive the time standards, shall subject management to a motion to void the adverse action for failure to prosecute.

Duly and regularly adopted this 12th day of January, 2019.

Signature: LUIS R. BAZA, Chairperson

Signature: LOURDES HONOLUE, Vice Chairperson

Signature: PRISCILLA TUNCAP, Commissioner

Signature: JOHN SMITH, Commissioner

Signature: CATHERINE GAYLE, Commissioner

NOT PRESENT