



**CIVIL SERVICE COMMISSION**  
**KOMISION ISETBISION SIBIT**  
**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 17<sup>th</sup> day of January, 2019.

  
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LUIS R. BAZA, Chairperson

  
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LOURDES HONGYEE, Vice Chairperson

  
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PRISCILLA TUNCAP, Commissioner

  
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JOHN SMITH, Commissioner

NOT PRESENT  
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CATHERINE GAYLE, Commissioner