INTRODUCTION

This matter came before the Civil Service Commission (CSC) on Management’s Motion to Dismiss on March 3, 2020. Present for the hearing were the Employee, Christopher Anderson, and Deputy Superintendent, Zenaida Asuncion of the Department of Education (DOE) with her Lay Representative, Phyllis Blas. Commissioners present were Chairman Juan K. Calvo, Vice Chair John Smith, Commissioner Emilia Rice and Commissioner Anthony P. Benavente.
JURISDICTION

The jurisdiction of the Commission is based upon the Organic Act of Guam §4401 et seq., Title 4 of the Guam Code Annotated, and relevant portions of the Government of Guam Personnel Rules and Regulations.

DISCUSSION

Management moved to dismiss the Grievance on the grounds that Employee dismissed the Grievance and then tried to refile it. DOE Personnel Rules and Regulations 909.406 provides, “An employee who has filed a grievance may terminate the grievance at any time.” When Employee dismissed the Grievance, the Grievance was terminated and further appeals or resubmissions are outside the DOE Personal Rules and Regulations.

CONCLUSION

The Commission voted 4 to 0 in favor of Management’s Motion to Dismiss.

IT IS SO ADJUDGED this 30th day of July, 2020.

[Signatures of Commissioners]

DECISION AND JUDGMENT
Christopher Anderson vs. Department of Education
Grievance Appeal Case No.: 19-GRE11