



**BEFORE THE  
GUAM CIVIL SERVICE COMMISSION  
BOARD OF COMMISSIONERS**



**IN THE MATTER OF:**

**JOHN D. SANTOS,**

**Employee,**

**vs.**

**GUAM FIRE DEPARTMENT,**

**Management.**

**GRIEVANCE APPEAL  
CASE NO.: 17-GRE21**

**ADVERSE ACTION APPEAL  
CASE NO.: 17-AA15D**


**JUDGMENT OF DISMISSAL**


The Civil Service Commission hereby dismisses the above captioned case with prejudice pursuant to the signed Stipulated Global Settlement Agreement, attached hereto.

SO ADJUDGED THIS 4<sup>th</sup> day of April 2019.

  
\_\_\_\_\_  
**LUIS R. BAZA**  
Chairperson

  
\_\_\_\_\_  
**LOURDES HONGYEE**  
Vice-Chairperson

  
\_\_\_\_\_  
**PRISCILLA T. TUNCAP**  
Commissioner

  
\_\_\_\_\_  
**JOHN SMITH**  
Commissioner

(absent)  
\_\_\_\_\_  
**CATHERINE GAYLE**  
Commissioner

**JUDGMENT OF DISMISSAL**  
*John D. Santos vs. Guam Fire Department*  
Grievance Appeal Case No.: 17-GRE21 and  
Adverse Action Appeal Case No.: 17-AA15D



1 Robert E. Koss, Lay Representative  
 2 Guam Federation of Teachers  
 3 P.O. Box 2301  
 4 Hagatna, Guam 96910  
 5 Ph. (671) 735-4390 Fax (671) 734-8085  
 6 Email rkoss@gftunion.com

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2:45 3-26-19  
 178



7 **BEFORE THE CIVIL SERVICE COMMISSION OF GUAM**

8 **JOHN D. SANTOS,**  
 9 **Employee,**  
 10 **vs.**  
 11 **GUAM FIRE DEPARTMENT,**  
 12 **Management.**

**CSC APPEALS Case Nos:  
 17-GRE21 and 17-AA15D**

**STIPULATED  
 GLOBAL SETTLEMENT  
 AGREEMENT**

13 To the Civil Service Commission of Guam.

14 THIS STIPULATION OF SETTLEMENT AND AGREEMENT, is by and between JOHN  
 15 D. SANTOS (hereinafter "Employee") and, THE GUAM FIRE DEPARTMENT (hereinafter  
 16 referred to as "Management") as follows:

17 **RECITALS**

- 18 A. The Employee commenced a Grievance and Adverse Action Appeals, Case nos. 17-GRE21  
 and 17-AA15D in the Civil Service Commission; and,
- 19 B. The parties desire to enter into this Settlement Agreement (hereinafter "Agreement") for  
 20 this and all pending matters in order to provide for certain arrangements in full settlement  
 21 and discharge of the Appeal and Complaint in fair and equitable means and upon the terms  
 22 and conditions set forth herein.
- 23 C. The terms and conditions of said Agreement shall become operative upon execution of this  
 24 Agreement.

25 **NOW THEREFORE**, for and in consideration of the mutual promises set forth herein, the  
 26 parties agree as follows:

- 27 **1. Purpose of Agreement.** Employee and Management acknowledge and agree that this  
 28 Agreement is a Settlement and Compromise of the referenced matter. It is the intention of the



1 parties by the execution of this Agreement to fully, finally and completely resolve all disputes  
2 between them regarding these matters, in the manner more specifically set forth in the terms of  
3 this Agreement that follow.

4 **2. Employee's Obligation.**

5 2.1 Employee shall withdraw the Grievance Appeal 17-GRE21 and his Adverse Action Appeal  
6 17-AA15D with prejudice pursuant to the terms of this agreement. Employee will not seek  
7 payment retroactive upon rescinding of the adverse action. Employee will not seek retroactive  
8 payment to retirement fund retroactive upon rescinding of the adverse action

9 **3. Management's Obligation.**

10 3.1 Management agrees that it shall rescind the Adverse Action (Demotion), CSC Case No. 17-  
11 AA15D. Management will reinstate employee to previous rank without retroactive payment.

12 **4. Performance Accepted.** The parties agree and acknowledges: (a) that it accepts performance  
13 of its obligations specified in this Agreement as a full and complete compromise of matters  
14 involving disputed issues; (b) that the negotiations for this settlement (including all statements,  
15 admissions or communications by the parties of their attorneys or representative shall not be  
16 considered by any of said parties; (c) and that no past or present wrong doing on the part of the  
17 parties shall be implied by such negotiations.

18 **5. Additional Documents.** All parties agree to cooperate fully and execute any and all  
19 supplementary documents and take all additional actions that may be necessary as appropriate to  
20 give full force and effect to the basic terms and intent of this Agreement within thirty days of the  
21 effective date.

22 **6. Independent Advice of Counsel.** Each party represents and declares that it has received  
23 independent advice from its respective attorneys and representative with respect to the  
24 advisability of making the settlement provided for herein and with respect to the advisability of  
25 executing this Agreement. Each party further represents and declares that it has not relied upon  
26 any statement or representation by the other party or of any of its partners, agents, employees, or  
27 attorneys in executing this Agreement or in making the settlement provided for herein, except as  
28 expressly provided for herein.

**7. Voluntary Agreement.** Each party represents and declares that it has carefully read this  
Agreement, that it knows the contents of this Agreement, and that it has signed the same freely  
and voluntarily.



1        **IN WITNESS WHEREOF**, the parties have executed this Agreement as of the date written  
2 below their respective names.

3  
4        **For Employee:**

5        **For Management:**

6   
7 \_\_\_\_\_  
8        **JOHN SANTOS, Employee**

6   
7 \_\_\_\_\_  
8        **DANIEL C. STONE, Fire Chief**

9        **Date:** 3/26/19

9        **Date:** 3/27/19

# Transmission Report


Date/Time 04-18-2019  
Local ID 1 6716471867

09:23:59 a.m.


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CIVIL SERVICE COMMISSION

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c/o Naomi @  
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HR: Host receive	PR: Polled remote	RP: Report	FA: Fall	G3: Group 3
WS: Waiting send	MS: Mailbox save	FF: Fax Forward	TU: Terminated by user	EC: Error Correct

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**Abbreviations:**

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HR: Host receive  
WS: Waiting send

PL: Polled local  
PR: Polled remote  
MS: Mailbox save

MP: Mailbox print  
RP: Report  
FF: Fax Forward

CP: Completed  
FA: Fail  
TU: Terminated by user

TS: Terminated by system  
G3: Group 3  
EC: Error Correct

*Law Library*



Susan Corbin &lt;susan.corbin@csc.guam.gov&gt;

## Civil Service Commission Judgments

3 messages

Susan Corbin <susan.corbin@csc.guam.gov>  
To: officeofsenatorshelton@guamlegislature.org

Mon, Apr 8, 2019 at 4:32 PM

*Hafa Adai Senator Shelton: Please find attached the Judgments executed by the Civil Service Commission in its meeting of April 4, 2019. This is mandated under 4 GCA, Section 4403. Thank you.*

Susan Corbin  
Legal Secretary  
Civil Service Commission  
Tel: 647-1855

### 2 attachments

John D. Santos.CSC17-GRE21 and CSC17-AA15D.April 4-2019.pdf  
113K

Kristoffer Castro.CSC18-GRE06.April-4-2019.pdf  
124K

Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org> Mon, Apr 8, 2019 at 4:35 PM  
To: Susan Corbin <susan.corbin@csc.guam.gov>

Good afternoon Ms. Corbin:

Confirming receipt of your judgement.

Regards.

Evelyn Claros  
Administrative Officer  
Office of Senator Amanda L. Shelton

[Quoted text hidden]



**Name**  
*Title*

Office of the People • Senator Amanda L. Shelton  
Legislative Secretary & Chairwoman of the Committee  
on Higher Education and the Advancement of Women,  
Youth and Senior Citizens  
35th Guam Legislature  
*I Mina'trentai Singko na Liheslaturan Guåhan*

Tel: (671) 969-2574

Email: [officeofsenatorshelton@guamlegislature.org](mailto:officeofsenatorshelton@guamlegislature.org)

---

**Susan Corbin** <[susan.corbin@csc.guam.gov](mailto:susan.corbin@csc.guam.gov)>

Mon, Apr 8, 2019 at 4:35 PM

To: Office of Senator Shelton Guam Legislature <[officeofsenatorshelton@guamlegislature.org](mailto:officeofsenatorshelton@guamlegislature.org)>

Thank you.

*Susan Corbin  
Legal Secretary  
Civil Service Commission  
Tel: 647-1855*

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Page 2

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