



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



IN THE MATTER OF:

JOHN D. SANTOS,

Employee,

vs.

GUAM FIRE DEPARTMENT,

Management.

**ADVERSE ACTION APPEAL
CASE NO.: 18-GRE10**

JUDGMENT OF DISMISSAL

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

SO ADJUDGED THIS 17th day of January 2019.

Luis R. Baza
LUIS R. BAZA
Chairperson

Lourdes Hongyee
LOURDES HONGYEE
Vice-Chairperson

Priscilla T. Tuncap
PRISCILLA T. TUNCAP
Commissioner

John Smith
JOHN SMITH
Commissioner

(Absent)
CATHERINE GAYLE
Commissioner



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



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

8 **JOHN D. SANTOS**

9 **Employee,**

10 **vs.**

11 **GUAM FIRE DEPARTMENT,**

12 **Management.**

GRIEVANCE APPEAL
CSC Case No:18- GRE10

STIPULATION OF SETTLEMENT

13 To the Civil Service Commission of Guam.

14
 15 **THIS STIPULATION OF SETTLEMENT AND AGREEMENT**, is by and between **JOHN**
 16 **D. SANTOS** (hereinafter “employee”) and the **GUAM FIRE DEPARTMENT**, (hereinafter
 17 referred to as “management”) as follows:

18
 19 **RECITALS**

- 20 A. The Employee commenced a Grievance Appeal, CSC case no. 18-GRE10 in the Civil
 21 Service Commission; and,
 22 B. In the interest of fairness and equity, the parties desire to enter into this Settlement
 23 Agreement (hereinafter “Agreement”) for this matter in order to provide for certain
 24 arrangements in full settlement and discharge of the Appeals and Complaints in
 25 accordance with the terms and conditions set forth herein.
 26 C. The terms and conditions of said Agreement shall become operative upon execution of
 27 this Agreement.

ORIGINAL



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

3 **1. Purpose of Agreement.** Employee and Management acknowledge and agree that this
4 Agreement is a Settlement and Compromise of the referenced matter. It is the intention of
5 the parties by the execution of this Agreement to fully, finally and completely resolve all
6 disputes between them regarding these matters, in the manner more specifically set forth in
7 the terms of this Agreement that follow.

8 **2. Employee's Obligation.**

9 2.1 Employee agrees he shall dismiss his Grievance Appeals 18-GRE10 with prejudice
10 pursuant to the terms of this agreement.

11 2.2 Employee agrees that he shall be paid a sum total of \$2,000 as a compromise and full
12 and complete resolution of his grievance.

13 2.3 Employee agrees that this settlement agreement is a compromise of a disputed claim and
14 is expressly not an admission by either party of any wrongdoing or any violation of policy.

15 **3. Management's Obligation.**

16 3.1 Management agrees to pay the Employee the sum total of \$2,000 as complete and full
17 compromise and settlement of the dispute raised in the employee's grievance.

18 3.2 Management agrees that this settlement agreement is a compromise of a disputed claim
19 and is expressly not an admission by either party any wrongdoing or any violation policy.

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

26 **5. Additional Documents.** All parties agree to cooperate fully and execute any and all
27 supplementary documents and take all additional actions that may be necessary as
28 appropriate to give full force and effect to the basic terms and intent of this Agreement within
thirty (30) days of its effective date.

29 **6. Independent Advice of Counsel.** Each party represents and declares that it has received
independent advice from its respective attorneys and representative with respect to the



1 advisability of making the settlement provided for herein and with respect to the advisability
2 of executing this Agreement. Each party further represents and declares that it has not relied
3 upon any statement or representation by the other party or of any of its partners, agents,
4 employees, or attorneys in executing this Agreement or in making the settlement provided for
5 herein, except as expressly provided for herein.

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

9 **IN WITNESS WHEREOF**, the parties have executed this Agreement as of the date written
10 by their respective names.

11 **For Employee:**

11 **For Management:**

12
13
14 

15 **JOHN SANTOS, Employee**

12
13
14 

15 **ALEXANDER M. CASTRO,
Assistant Fire Chief**



Susan Corbin <susan.corbin@csc.guam.gov>

Civil Service Commission Judgments and Orders

1 message










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

Thu, Jan 31, 2019 at 9:31 AM

Hafa Adai Senator Shelton: Please find attached the judgments and orders executed by the Civil Service Commission in its meeting of January 17, 2019. This is mandated under 4 GCA, Section 4403.

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

9 attachments

-  **4GCA, Section 4403.pdf**
11K
-  **6 Police Officers.CSC18-PA06.Order After Hearing.pdf**
43K
-  **Jasen M. Dodd.CSC18-PA07.Order After Hearing.pdf**
38K
-  **AnnMarie S. Trusso.CSC18-GRE12.Decision and Order.pdf**
44K
-  **Janna Manglona.CSC18-GRE18.Judgment of Dismissal.pdf**
219K
-  **John D. Santos.CSC18-GRE10.Judgment of Dismissal.pdf**
110K
-  **Jonathan Diaz.CSC18-WB03.Order After Hearing.pdf**
41K
-  **Pearl Angel Cruz.CSC14-AA05T.Judgment of Dismissal.pdf**
75K
-  **Ken San Nicolas.CSC18-GRE14.Judgment of Dismissal.pdf**
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Transmission Report

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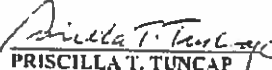


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	<p>BEFORE THE GUAM CIVIL SERVICE COMMISSION</p> <p>BOARD OF COMMISSIONERS</p>	
<p>IN THE MATTER OF:</p> <p>PEARL ANGEL CRUZ,</p> <p style="text-align: center;">Employee,</p> <p style="text-align: center;">vs.</p> <p>PORT AUTHORITY OF GUAM,</p> <p style="text-align: center;">Management.</p>	<p>ADVERSE ACTION APPEAL CASE NO.: 14-AA05T</p> <p>JUDGMENT OF DISMISSAL</p>	
<p>The Civil Service Commission hereby dismisses the above captioned case with prejudice pursuant to the signed Stipulation to Amend Judgment of Dismissal, attached hereto.</p> <p>SO ADJUDGED THIS <u>17th</u> day of <u>January</u> 2019, nunc pro tunc to August 15, 2017.</p>		
<p> _____ LUIS R. BAZA Chairperson</p> <p> _____ PRISCILLA T. TUNCAP Commissioner</p> <p style="text-align: center;">(Absent) _____ CATHERINE GAYLE Commissioner</p>	<p> _____ LOURDES HONGYEE Vice-Chairperson</p> <p> _____ JOHN SMITH Commissioner</p>	
<p>JUDGMENT OF DISMISSAL <i>Pearl Angel Cruz vs. Port Authority of Guam</i> Adverse Action Appeal Case No.: 14-AA05T</p>		

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Abbreviations:

HS: Host send
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
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EC: Error Correct

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Commissioner

JOHN SMITH
Commissioner

(Absent)

CATHERINE GAYLE
Commissioner

JUDGMENT OF DISMISSAL
John D. Santos vs. Guam Fire Department
Grievance Appeal Case No.: 18-GRE10

Page 1

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Abbreviations:

HS: Host send
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