IN THE MATTER OF:

JONATHAN B. DIAZ,
   Employee,

vs.

DEPARTMENT OF EDUCATION,
   Management.

WHISTLE BLOWER
CASE NO.: 19-WB01

DECISION AND
JUDGMENT

This matter came on before the Commission the 21st day of May 2019, for a Whistle Blower Assessment Report. Commissioners present were Luis R. Baza, Juan K. Calvo, John Smith, and Catherine Gayle. Phyllis Blas was present representing Department of Education. Employee, Jonathan F. B. Diaz, was not present.

Civil Service Commission Staff read the Assessment Report. Mr. Diaz was hired by the Department of Education as a Probationary Term Appointment employee. Mr. Diaz publicly complained about the number of instructional days in the SY 2016-2017. Mr. Diaz was terminated on July 3, 2017.

DECISION AND JUDGMENT
Jonathan B. Diaz vs. Department of Education
Whistle Blower Case No.: 19-WB01
Public Employee Protection Act, Rule 10, requires the employee who feels aggrieved by the retaliatory action as described in 4 GCA, §4502(b) by the appointing authority or supervisor for alleging a violation of 4 GCA, §4503 must file a complaint in writing with the Personnel Board, …within twenty (20) days of the action.

The Employee had up until July 23, 2017 to meet the deadline. Mr. Diaz filed his complaint on March 19, 2019, and has therefore had not filed a timely complaint.

By a vote of 4 to 0, the Commission voted not to proceed with an investigation.

SO ORDERED THIS 4th day of July 2019.

[Signatures]

LUIS R. BAZA
Chairperson

JUAN K. CALVO
Vice-Chairperson

PRISCILLA T. TUNCAP
Commissioner

JOHN SMITH
Commissioner

(CA absent)
CATHERINE GAYLE
Commissioner

DECISION AND JUDGMENT
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Jonathan B. Diaz vs. Department of Education
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Civil Service Commission Judgments

Hafa Adai Senator Shelton: Please find attached the judgments executed by the Civil Service Commission in its meeting of July 9, 2019. This is mandated under 4 GCA, Section 4403. Thank you.

Si Yu'os Ma'asé
Susan Corbin
Legal Secretary
Civil Service Commission
Tel: 647-1855

 civilizations of July 9, 2019.pdf
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