



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



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.

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DECISION AND JUDGMENT

Jonathan B. Diaz vs. Department of Education
Whistle Blower Case No.: 19-WB01

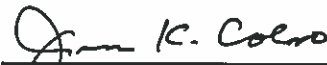
1 Public Employee Protection Act, Rule 10, requires the employee who feels aggrieved
2 by the retaliatory action as described in 4 GCA, §4502(b) by the appointing authority or
3 supervisor for alleging a violation of 4 GCA, §4503 must file a complaint in writing with the
4 Personnel Board , ...**within twenty (20) days** of the action.

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

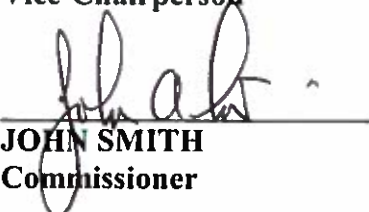
7 By a vote of 4 to 0, the Commission voted not to proceed with an investigation.

8 **SO ORDERED THIS** 9th day of July 2019.

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10 
11 **LUIS R. BAZA**
12 **Chairperson**

10 
11 **JUAN K. CALVO**
12 **Vice-Chairperson**

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13 **PRISCILLA T. TUNCAP**
14 **Commissioner**

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14 **JOHN SMITH**
15 **Commissioner**

15 (absent)
16 **CATHERINE GAYLE**
17 **Commissioner**

Transmission Report

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CIVIL SERVICE COMMISSION

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Abbreviations:

HS: Host send	PL: Polled local	MP: Mailbox print	CP: Completed	TS: Terminated by system
HR: Host receive	PR: Polled remote	RP: Report	FA: Fail	G3: Group 3
WS: Waiting send	MS: Mailbox save	FF: Fax Forward	TU: Terminated by user	EC: Error Correct



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

Civil Service Commission Judgments

1 message

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

Wed, Jul 10, 2019 at 2:02 PM

To: Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>

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'ásé

Susan Corbin

Legal Secretary

Civil Service Commission

Tel: 647-1855

 **Civil Service Commission Judgments of July 9, 2019.pdf**
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