



BEFORE THE
 GUAM CIVIL SERVICE COMMISSION
 BOARD OF COMMISSIONERS



IN THE MATTER OF:

GRIEVANCE APPEAL
 CASE NO.: 16-AA21S

JONATHAN CONCEPCION,
 Formerly known as Jonathan J. Quenga,

Employee,

JUDGMENT

vs.

PORT AUTHORITY OF GUAM,

Management.

Pursuant to the Offer of Judgment by Management, we hereby enter Judgment in favor of the Employee. Employee is entitled to all back pay and benefits for the days of the suspension served during his regularly scheduled work days, up until Employee's date of resignation.

SO ADJUDGED THIS 3rd DAY OF November 2016.




 EDITH PANGELINAN
 Chairperson



 DANIEL D. LEON GUERRERO
 Vice-Chairperson



 PRISCILLA T. TUNCAP
 Commissioner



 JOHN SMITH
 Commissioner



 LOURDES HONGYEE
 Commissioner



 CATHERINE GAYLE
 Commissioner

ORIGINAL



The Law Offices of

PHILLIPS & BORDALLO

A Professional Corporation

410 West O'Brien Drive, Suite 102 Hagåtña, Guam 96910-5044

Tel: (671) 477-ABCD (2223) • Fax: (671) 477-2FAX (2329)

"I Erensia, Lina'la', Espiritu-ta"



5 *Attorneys for Management,*
6 *Port Authority of Guam*

7 **CIVIL SERVICE COMMISSION**
8 **GOVERNMENT OF GUAM**

9 In the Matter of:)

ADVERSE ACTION APPEAL)

CASE NO. 16-AA21S)

10 JONATHAN CONCEPCION,)

11 formerly known as Jonathan J. Quenga,)

12 Employee,)

13 **MANAGEMENT'S**
14 **OFFER OF JUDGMENT**

15 vs.)

16 PORT AUTHORITY OF GUAM,)

17 Management.)

18 **COMES NOW** Management, Port Authority of Guam ("PAG" or "PORT"), through its
19 attorneys of record, Law Offices of Phillips & Bordallo, P.C., by Michael F. Phillips, and hereby
20 offers an entry of Judgment.

21 **INTRODUCTION**

22 On May 27, 2016, Management served Employee with an adverse action for discourteous
23 treatment of another employee and for threatening, coercing, and harassment. As a result,
24 Management ordered that Employee serve a fifteen (15) day suspension. The suspension began
25 on May 28, 2016; however, Employee resigned from his position as a Port Police Officer II
26 before completing his fifteen (15) day suspension. Employee's resignation became effective on
27 June 2, 2016. As of the date of this filing, Employee is no longer an employee of the Port
28 Authority of Guam.

Management's Offer of Judgment
Jonathan Concepcion vs. Port Authority of Guam
Civil Service Commission Case No.: 16-AA21S

CONCLUSION

Considering the Employee's unforeseen resignation and the time Management, Employee, and the Commission may take to try this matter, Management offers, consents, and requests that the Commission enter judgment in favor of the Employee to revoke Management's May 27, 2016, adverse action to close this matter. Employee may also receive all back pay and benefits for the days of suspension served during his regularly scheduled work days, excluding non-work days (*i.e.*, applicable weekends and holidays), up until Employee's date of resignation.

Respectfully submitted this 19th day of October, 2016.

PHILLIPS & BORDALLO, P.C.
Attorneys for Port Authority of Guam

By:



MICHAEL F. PHILLIPS