BEFORE THE
GUAM CIVIL SERVICE COMMISSION
BOARD OF COMMISSIONERS

IN THE MATTER OF:
JULIA G. SALAS and
YVONNE ARCEO,
Employee,

vs.
DEPARTMENT OF EDUCATION,
Management.

GRIEVANCE APPEAL
CASE NO. 14-GRE-64 and 14-GRE-63

DECISION AND ORDER

This case came before the Civil Service Commission at its regularly scheduled meeting on May 7, 2015, at 5:45 p.m., at its office located in Sinajana, Guam.

By a vote of 7-0, the Commission accepted the parties' request pursuant to the attached Stipulation and Order Remanding Grievance Appeals to Office of Attorney General for Compliance with DOA RULE 12.802.

SO ADJUDGED THIS 30th day of July 2015.

LUIS R. BAZA
Chairman

MANUEL R. PINAUIIN
Vice-Chairman

PRISCILLA T. TUNCAP
Commissioner

JOHN SMITH
Commissioner

Decision and Order
Case No. 14-GRE-64 and 14-GRE-63

ORIGINAL
LOURDES HONGYEE
Commissioner

DANIEL D. LEON GUERRERO
Commissioner

EDITH C. PANGELINAN
Commissioner
BEFORE THE CIVIL SERVICE COMMISSION
GOVERNMENT OF GUAM

IN THE MATTER OF:

JULIE G. SALAS and YVONNE ARCEO,
Employees,

vs.

ATTORNEY GENERAL’S OFFICE and
DEPARTMENT OF ADMINISTRATION,
Management.

GRIEVANCE APPEAL CASE NOS.
14-GRE-64 and 14-GRE-63

STIPULATION AND ORDER
REMANDING GRIEVANCE APPEALS TO
OFFICE OF ATTORNEY GENERAL FOR
COMPLIANCE WITH
DOA RULE 12.802

It is hereby stipulated between the employee(s) and management that this grievance shall be remanded to the Office of the Attorney General for the conduct of the Step Four Formal Grievance Procedure before a properly constituted Grievance Review Board, as authorized by Title Five, Guam Code Annotated, Section 30121.2, and pursuant to the Department of Administration’s Personnel Rules and Regulations Rule 12.800 and 12.802.

The employee(s) and management further stipulate that the Office of the Attorney General has authority to conduct the Step Four Formal Grievance Procedure and neither party
can later raise the lack of such authority of the Office of the Attorney General in this regard as a basis for overturning a resolution or decision in this matter.

As DOA rule 12.802A provides for appointment of the Grievance Review Board within 10 days of receipt of Step 4, and as Step 4 was filed by employees quite a while ago, the parties agree that the 10 day period will begin upon the date of entry of this Stipulation and Order by the Civil Service Commission.

As DOA rule 12.802D provides for the Grievance Review Board to conclude its investigation within 20 days of its appointment, in the interests of justice, the parties agree that the Grievance Review Board shall conclude its investigation within 40 days of its appointment.

The parties agree that failing mutual agreement on the outcome of the Grievance Review Board process (i.e., Step 4) – the parties will resume Step 5 of the Grievance Review Process at its current stage, i.e., continuation of the appeal before the Civil Service Commission.

For tracking purposes, these matters are scheduled for prehearing conferences in 2016.

So agreed:

JULIE G. SALAS
Employee
Date: 03.25.2015

YVONNE ARCEO
Employee
Date: 03.25.2015

So agreed:

OFFICE OF THE ATTORNEY GENERAL
Elizabeth Barrett-Anderson, Attorney General

By:

KARL P. ESPALDON
Deputy Attorney General
Management

Date: March 26, 2015
So Ordered.

Dated this ___ day of ____________, 2015.

MANUAL R. PINAUN, Vice Chairman

DANIEL LEON GUERRERO, Commissioner

LOURDES HONGYEE, Commissioner

PRISCILLA T. TUNCAP, Commissioner

JOHN SMITH, Commissioner

EDITH PANGELINAN, Commissioner