



**BEFORE THE
GUAM CIVIL SERVICE COMMISSION**



IN THE MATTER OF:

Kin Fernandez,

Employee,

vs.

DEPARTMENT OF EDUCATION,

Management.

**POST AUDIT COMPLAINT
CASE NO. 13-PA-02**

**FINAL JUDGMENT
(ADOPTING POST AUDIT
INVESTIGATIVE REPORT
RECOMMENDATIONS)**

This matter came before the Civil Service Commission for hearing on October 22, 2013. The Department of Education was represented by its lay representative, Robert Koss, and its deputy superintendent, Robert Malay. The Post Audit Investigative Report ("Report") was presented by Maria Masnayon ("Masnayon"), Personnel Management Analyst III, and Roland Fejarang, Personnel Management Administrator, both of whom are employees of the Commission.

Kin Fernandez, the complaining employee, filed a request for investigation pursuant to the Commission's authority found at 4 G.C.A. § 4403(d) on May 2, 2013. He contended that there had been violations of policies governing hiring, promotion and pay classification with regard to assistant principals assigned to Southern High School. The Commission made a determination that there was sufficient cause to proceed with an investigation on June 27, 2013 by a vote of 6-0 and ordered the Commission's staff to undertake an investigation of the complaints raised by Fernandez.

ORIGINAL

1 On October 22, 2013, following an extensive investigation conducted by Masnayon,
2 which included a comprehensive review of the Department of Education's pay, hiring and
3 promotional policies as well as personnel actions related to Raymond Mantanona, Geraldine
4 Pablo, Trisha-Claire San Miguel, Janet Duenas, Gerald Tedpahago, Joel Punzalan, Gaylene Cruz,
5 and Fernandez himself. Masnayon concluded that the appropriate policies had been properly
6 followed and that the pay calculations were correct.


7 Following presentation of the Report to the Commission, the Commission adopted the
8 recommendations of the Report, that is, that no further action be taken with regard to
9 Fernandez's complaint because no discrepancies had been uncovered and no evidence of non-
10 compliance with rule or law had been found.

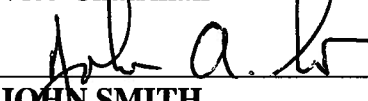
11 Thus, it is the determination of the Commission that this matter is now finally adjudged
12 closed.

13 So ordered and adjudged this 1st day of April, 2014 as determined by a
14 vote of 6-0 on October 22, 2013.

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16 **LUIS R. BAZA**
17 **Chairman**

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16 **MANUEL R. PINAUN**
17 **Vice-Chairman**

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18 **PRISCILLA T. TUNCAP**
19 **Commissioner**

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18 **JOHN SMITH**
19 **Commissioner**

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20 **LOURDES HONGYEE**
21 **Commissioner**

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20 **DANIEL D. LEONGUERRERO**
21 **Commissioner**

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22 **EDITH C. PANGELINAN**
23 **Commissioner**