



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



IN THE MATTER OF:

MANUEL R. SANTOS, JR.,

Employee,

vs.

GUAM FIRE DEPARTMENT,

Management.

**GRIEVANCE APPEALS
CASE NOS.: 17-GRE27 and
18-GRE01**

DECISION AND JUDGMENT

This matter came before the Civil Service Commission (Commission) September 5, 2019, on Management's motions to dismiss. Commissioners present were Chairman Luis R. Baza, Vice-Chairman Juan K. Calvo, Commissioner John Smith, and Commissioner Emilia F. Rice. Present for the Employee was Lay Representative Daniel Del Priore. Present for Management were Danny Taitano, and Joey San Nicolas.

In 17-GRE27, Employee seeks credit for five (5) preference points for his military service. Management argues correctly that ratings by Department of Administration (DOA) are excluded from the grievance procedures by DOA Rules and Regulations 12.301.C.

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DECISION AND JUDGMENT

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1 In 18-GRE01, Employee grieves that he was interviewed but not accepted for the job.
2 Management correctly argued that DOA Rules and Regulation 12.301 B. excludes
3 "disqualification of an eligible," as a matter subject to the grievance procedures.

4 The Commission, by a vote of 4 to 0 granted Management's motions to dismiss for lack
5 of jurisdiction in both cases.

6 IT IS SO ADJUDGED on this 7th day of November, 2019.

7 Luis R. Baza
8 LUIS R. BAZA
9 Chairperson

Juan K. Calvo
10 JUAN K. CALVO
11 Vice-Chairperson

Priscilla Tuncap
12 PRISCILLA TUNCAP
13 Commissioner

John Smith
14 JOHN SMITH
15 Commissioner

(absent)
16 CATHERINE GAYLE
17 Commissioner

Emilia F. Rice
18 EMILIA F. RICE
19 Commissioner

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23 **DECISION AND JUDGMENT**

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