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
Manuel R. Santos, Jr. vs. Guam Fire Department
Grievance Appeals CSC Case Nos.: 17-GRE27 and 18-GRE01
In 18-GRE01, Employee grieves that he was interviewed but not accepted for the job. Management correctly argued that DOA Rules and Regulation 12.301 B. excludes "disqualification of an eligible," as a matter subject to the grievance procedures.

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

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

[Signatures]

LUIS R. BAZA
Chairperson

PRISCILLA TUNCAP
Commissioner

(absent)

CATHERINE GAYLE
Commissioner

JUAN K. CALVO
Vice-Chairperson

JOHN SMITH
Commissioner

EMILIA F. RICE
Commissioner