



BEFORE THE
GUAM CIVIL SERVICE COMMISSION



IN THE MATTER OF:

MARK CHARFAUROS,

Employee,

vs.

GUAM POLICE DEPARTMENT,

Management.

ADVERSE ACTION APPEAL
CASE NOS. 13-AA07S and
13-AA09D

JUDGMENT OF DISMISSAL

The Civil Service Commission hereby dismisses the above captioned cases with prejudice pursuant to the Stipulated Judgment signed by both parties and submitted to the Commission on February 27, 2014, which is attached hereto.

SO ADJUDGED THIS 13th DAY OF March 2014.

NOT present

LUIS R. BAZA
Chairman

[Signature]

MANUEL R. PINAUI
Vice-Chairman

[Signature]

PRISCILLA T. TUNCAP
Commissioner

[Signature]

JOHN SMITH
Commissioner

[Signature]

LOURDES HONGYEE
Commissioner

[Signature]

DANIEL D. LEON GUERRERO
Commissioner

[Signature]

EDITH C. PANGELINAN
Commissioner

ORIGINAL



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Attorneys for the Government of Guam

**BEFORE THE CIVIL SERVICE COMMISSION
 GOVERNMENT OF GUAM**

| | | |
|--------------------------------|---|----------------------------|
| IN THE MATTER OF: |) | ADVERSE ACTION APPEAL CASE |
| |) | NO. 13-AA07S |
| MARK C. CHARFAUROS, |) | |
| |) | ADVERSE ACTION APPEAL CASE |
| Employee, |) | NO. 13-AA09D |
| |) | |
| vs. |) | |
| |) | |
| GUAM POLICE DEPARTMENT, |) | STIPULATED JUDGMENT |
| |) | |
| Management. |) | |

This matter came before the Civil Service Commission for a merits hearing on February 18, 2014. Present were Chief F. E. Bordallo and management's counsel, Assistant Attorney General David J. Highsmith; and the Employee and his counsel, Curtis C. Van de Veld. The parties announced a settlement to the Commission that the Commission voted unanimously to accept. In accordance with said settlement, the Commission now orders as follows:

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ORIGINAL

1. The Adverse Actions taken against the Employee that are the subjects of Case No. 13-AA09D and Case No. 13-AA07S are hereby vacated and declared null and void. Management shall remove from the Employee's personnel folder all notices, allegations and other documents that relate to the Adverse Actions taken against the Employee except as described herein.

2. Employee shall be reinstated to the rank of Captain effective January 28, 2013.

3. The Guam Police Department shall pay Employee back pay retroactive to January 28, 2013 as a Captain and shall be made whole for any loss of compensation by reason of Adverse Action 13-AA09D, except as provided herein.

4. The Employee shall forfeit and surrender five days back pay as a result of Adverse Action 13-AA07S.

5. The Guam Police Department shall issue a Letter of Reprimand/Caution to the Employee, effective January 20, 2013, arising from the charges in 13-AA07S. Said letter shall be removed from the Employee's personnel file one year after the effective date of the Adverse Action in said case.

6. No later than March 17, 2014, the Guam Police Department shall pay the Employee's attorney, Curtis Van de Veld, the sum of Two Thousand Five Hundred Dollars (\$2,500.00) for his attorney's fees in 13-AA09D, pursuant to 4 GCA § 4406.1. No attorney's fees shall be paid for Adverse Action 13-AA07S.

7. The Employee hereby withdraws his Whistleblower Complaint, 13-WB-01, as being moot, and the Commission shall dismiss the same.

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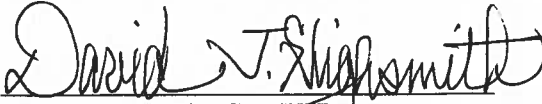
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Respectfully submitted:

OFFICE OF THE ATTORNEY GENERAL
Leonardo M. Rapadas, Attorney General

GUAM POLICE DEPARTMENT

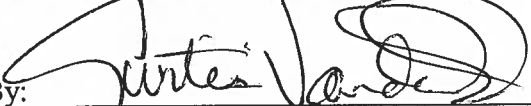
By: 
DAVID J. HIGHSMITH
Assistant Attorney General


By: 
FRED E. BORDALLO
Chief of Police

Dated: 2/25/14

Dated: 2/26/14

SO STIPULATED BY:
THE VAN DE VELD LAW OFFICE, P.C.

By: 
CURTIS C. VAN DE VELD, ESQ.
Counsel for Employee


By: 
MARK C. CHARFAUROS
Employee

Dated: 02-26-14

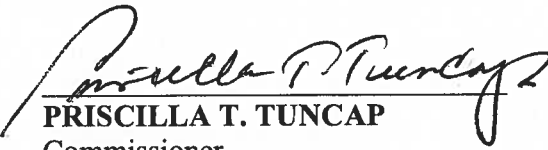
Dated: 2/26/14

SO ORDERED THIS 13th **DAY OF** MARCH 2014 as determined by a
vote of 7-0 on February 18, 2014.


LUIS R. BAZA
Chairman



MANUEL PINAUIÑ
Vice-Chairman



PRISCILLA T. TUNCAP
Commissioner




JOHN SMITH
Commissioner



LOURDES HONGYEE
Commissioner



DANIEL D. LEONGUERRERO
Commissioner



EDITH C. PANGELINAN
Commissioner