

DOC # LEG/PMA-1001	Procedure: Receiving and Filing an Appeal or Complaint	Date: September 14, 2017
Revision Number 2.0	Prepared By: Roland Fejarang Personnel Management Administrator	Date Prepared: September 14, 2017
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Standard: Standard procedure.	Approved By: Daniel D. Leon Guerrero Executive Director	Date Approved: 3/8/2019

RECEIVING A SETTLEMENT AGREEMENT, WITHDRAWAL OF APPEAL, OR PROPOSED JUDGMENT

Policy:

The mission is to insure all Settlements, Withdrawals, or Proposed Judgments are received and completed in an expedited manner.

Purpose:

To insure active cases are closed expeditiously, and that any submission of a settlement, withdrawal of appeal, or proposed judgment is prepared and scheduled for the Commissioners to sign.

Scope:

Primarily the Personnel Management Division (PMD), however all Legal division employees are required to know this policy.

Responsibilities:

All employees of the PMD Division and Legal Division.

Definitions:

Settlement – A signed & dated agreement between the parties to amicably resolve the issue.

Withdrawal – A signed and dated statement from the employee withdrawing their appeal.

Proposed Judgment – The prevailing party’s recollection of the motion or merits hearing before the Commission.

Procedure: (preparation)

- 1.1 13 sets of a settlement, withdrawal of appeal, or proposed judgment should be received. A electronic Word Document should accompany all proposed Decisions. Note, documents must be received, logged in and scanned, in accordance to the INCOMING PROCESS sop.

- 1.2 The Case Manager shall give 1 copy of the 13 sets to the Legal Secretary for disposition and transmittal to the Administrative Counsel to finalize document.

Procedure: (action 1)

- 2.1 After the administrative counsel has reviewed the document and has made any necessary changes, he will then advise the legal secretary what disposition to take.
- 2.2 The legal secretary shall then give the final draft for signing to the board secretary for appropriate scheduling date.
- 2.3 The Board secretary shall then prepare all finalized signings for the Commission's approval.

Procedure: (action 2)

- 3.1 The board secretary will then review the current calendar and proceed to notice the signing in compliance with the open government law.
- 3.2 The board secretary shall forward the "Notice of Signing" to the executive director for their review and approval.
- 3.3 After approval of the Notice by the executive director, the board secretary shall then proceed to retrieve the remaining 11 copies from the case manager and make the necessary copies for the scheduled board hearing.

Procedure: (action 3)

- 4.1 On the day of the scheduled hearing, the Commission shall then approve or disapprove the signing.
- 4.2 If approved, then the document shall be disseminated to the appropriate parties by the board secretary, if the document is disapproved, the matter will be re-scheduled until another day.
- 4.3 The board secretary shall then place the original signed document into the "Decision & Judgment" binder with all attached facsimile confirmations, etc.

Procedure: (action 4)

- 5.1 The case manager shall then receive a copy of the signed document and proceed to abstract the case, and insure all files are properly organized and fasten to the file.
- 5.2 The case manager shall then forward the case file to PMA for his review and disposition.

Effectiveness Criteria:

- The settlement agreement, withdrawal of appeal or proposed judgment is expeditiously tracked and processed to bring finality to the case.
- The document is reviewed and approved through the appropriate channels.
- The document is scheduled in accordance to the open government law and signed by the Commissioners.
- The document is filed accordingly and the case file is closed.

References:

5 GCA Chapter 8, subsection 8107

PL33-55

The above laws and rules provide jurisdiction to the CSC to address Signings of active cases.

Form Number	Record/Form/Activity Name	Satisfies Clause
Revised 10/1/17	Receiving a settlement agreement, withdrawal of appeal or proposed judgment.	Yes