



BEFORE THE
GUAM CIVIL SERVICE COMMISSION



IN THE MATTER OF:

ROSE C. CASTRO,

Employee,

vs.

**GUAM HOUSING & URBAN
RENEWAL AUTHORITY,**

Management.

**ADVERSE ACTION APPEAL
CASE NO. 11-AA24T**

DECISION AND JUDGMENT

This case came before the Civil Service Commission at its regularly scheduled meetings on April 2, 2013, January 7, 2014, January 9, 2014 and January 15, 2014 at its office located at Suite 6A, Sinajana, Guam. Present were Employee Rose C. Castro (hereafter "Employee Castro") appearing with her counsel, the law offices of Cunliffe & Cook, A Professional Corporation, by Jeffrey A. Moots, Esq., and Management Guam Housing Urban Renewal Authority (hereafter "Management GHURA") appearing through its counsel, Cynthia V. Ecube, Esq.

I. ISSUES

1. Was there a violation of 4 Guam Code Annotated Sections 4406 in Management's issuance of the adverse action in question to Employee Castro?
2. By a vote of 7-0, the Commission found Management had not met its evidentiary burden necessary to support the issuance of the adverse action to Employee Castro.

1 **II. HOLDING**

2 1. By a vote of 7-0, the Commission found Management did not violated 4 G.C.A. § 4406,
3 when issuing the adverse action in question to Employee Castro.

4 2. By a vote of 7-0, the Commission found Management had not met its evidentiary burden
5 necessary to support the issuance of the adverse action to Employee Castro.

6 **III. JURISDICTION**

7 The jurisdiction of the Civil Service Commission is based on upon the Organic Act of
8 Guam and 4 G.C.A. § 4401 et. seq.


9 **IV. CONCLUSION**

10 Management GHURA is hereby ordered to immediately reinstate Employee Castro to her
11 prior position of employment.

12 Management GHURA is further ordered to fully compensate Employee Castro for all the
13 time following her termination on July 6, 2011 until the date she is reinstated to her prior
14 position of employment. The compensation shall include all employers' contributions to the
15 Government of Guam Retirement Fund, the awarding of all step increases Employee Castro
16 would have been entitled to between July 6, 2011 and the time she is reinstated, as well as the
17 accumulation of vacation and sick days for all the pay periods between July 6, 2011 and the date
18 Employee Castro is reinstated.

19 Management GHURA is further ordered to pay attorney's fees incurred by Employee
20 Castro during the appeal of the adverse action in the amount of \$7,367.00

21 **SO ADJUDGED THIS** 25th **DAY OF** March **2014.**

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23 **LUIS R. BAZA**
24 **Chairman**

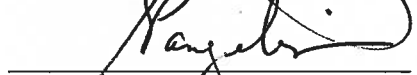
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23 **MANUEL R. PINAUIN**
24 **Vice-Chairman**


PRISCILLA T. TUNCAP
Commissioner


JOHN SMITH
Commissioner


LOURDES HONGYEE
Commissioner


DANIEL D. LEON GUERRERO
Commissioner


EDITH C. PANGELINAN
Commissioner

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