



BEFORE THE
GUAM CIVIL SERVICE COMMISSION
BOARD OF COMMISSIONERS



IN THE MATTER OF:

DONALD SAN AGUSTIN, JAY J.
FEJERAN, CELINE M. TAITAGUE and
GABRIELLA P.R. RIPPEL,

Employee,

vs.

ATTORNEY GENERAL'S OFFICE and
DEPARTMENT OF ADMINISTRATION,

Management.

GRIEVANCE APPEAL
CASE NOS. 14-GRE-56, 14-GRE-51,
14-GRE-47 and 14-GRE-55

DECISION AND ORDER

This case came before the Civil Service Commission at its regularly scheduled meeting on February 12, 2015, at 5:45 p.m., at its office located in Sinajana, Guam.

By a vote of 5-0, the Commission accepted the parties request pursuant to the attached Stipulation and Order Remanding Grievance Appeals to Office of Attorney General for Compliance with DOA RULE 12.802.

IT IS SO ORDERED THIS 7th DAY OF April 2015 *nunc pro tunc* to February 12, 2015.

Luis R. Baza
LUIS R. BAZA
Chairman

Manuel R. Pinauin
MANUEL R. PINAUIN
Vice-Chairman

Priscilla T. TunCap
PRISCILLA T. TUNCAP
Commissioner

John Smith
JOHN SMITH
Commissioner

ORIGINAL

Lou Hongyee

LOU HONGYEE
Commissioner

Not present

DANIEL D. LEON GUERRERO
Commissioner

Pangelinan

EDITH C. PANGELINAN
Commissioner

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**Office of the Attorney General
Elizabeth Barrett-Anderson**

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Attorneys for the Government of Guam



15-28
15-68
15-84
15-73

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

IN THE MATTER OF:

DONALD SAN AGUSTIN, JAY J.
FEJERAN, CELINE M. TAITAGUE, and
GABRIELA P.R. RIPPEL,

Employees,

vs.

ATTORNEY GENERAL'S OFFICE and
DEPARTMENT OF ADMINISTRATION,

Management.

) GRIEVANCE APPEAL CASE NOS.
) 14-GRE-56, 14-GRE-51, 14-GRE-47
) and 14-GRE-55

**STIPULATION AND ORDER
REMANDING GRIEVANCE APPEALS TO
OFFICE OF ATTORNEY GENERAL FOR
COMPLIANCE WITH
DOA RULE 12.802**

It is hereby stipulated between the employee(s) and management that this grievance shall be remanded to the Office of the Attorney General for the conduct of the Step Four Formal Grievance Procedure before a properly constituted Grievance Review Board, as authorized by Title Five, Guam Code Annotated, Section 30121.2, and pursuant to the Department of Administration's Personnel Rules and Regulations Rule 12.800 and 12.802.

The employee(s) and management further stipulate that the Office of the Attorney General has authority to conduct the Step Four Formal Grievance Procedure and neither party can later raise the lack of such authority of the Office of the Attorney General in this regard as a basis for overturning a resolution or decision in this matter.

As DOA rule 12.802A provides for appointment of the Grievance Review Board within 10 days of receipt of Step 4, and as Step 4 was filed by employees quite a while ago, the parties agree that the 10 day period will begin upon the date of entry of this Stipulation and Order by the Civil Service Commission.

As DOA rule 12.802D provides for the Grievance Review Board to conclude its investigation within 20 days of its appointment, in the interests of justice, the parties agree that the Grievance Review Board shall conclude its investigation within 40 days of its appointment.

The parties agree that failing mutual agreement on the outcome of the Grievance Review Board process (i.e., Step 4) – the parties will resume Step 5 of the Grievance Review Process at its current stage, i.e., continuation of the appeal before the Civil Service Commission.


For tracking purposes, these matters are scheduled for prehearing conferences in 2016.

So agreed:



DONALD SAN AGUSTIN
Employee

Date: 01/22/15




JAY J. FEJERAN
Employee

Date: 1/22/15



CELINE M. TAITAGUE
Employee

Date: 01.22.15




GABRIELA P.R. RIPPEL
Employee

Date: 01/22/15

So agreed:

OFFICE OF THE ATTORNEY GENERAL
Elizabeth Barrett-Anderson, Attorney General

By: 
KARL P. ESPALDON
Deputy Attorney General
Management

Date: _____

So Ordered.

Dated this ____ day of _____, 2015.

MANUAL R. PINAUI, Vice Chairman

DANIEL LEON GUERRERO, Commissioner

LOURDES HONGYEE, Commissioner

PRISCILLA T. TUNCAP, Commissioner

JOHN SMITH, Commissioner

EDITH PANGELINAN, Commissioner