



**BEFORE THE
GUAM CIVIL SERVICE COMMISSION
BOARD OF COMMISSIONERS**



IN THE MATTER OF:

TIFFANY N. SABLAN,

Employee,

vs.

DEPARTMENT OF EDUCATION,

Management.

**ADVERSE APPEAL ACTION
CASE NO.: 17-AA11T**

ORDER

INTRODUCTION

This matter came before the Civil Service Commission for a Status Hearing on January 18, 2018. The five members of the Commission present were: Chairperson Edith Pangelinan, Vice-Chairperson Lourdes Hongyee, Priscilla Tuncap, Catherine Gayle, and John Smith.

I. JURISDICTION

The Commission has jurisdiction over this matter pursuant to the Organic Act of Guam, Title 4 of the Guam Code Annotated §4401, *et seq.*, and the Department of Administration's Personnel Rules and Regulations.

ORDER TO STAY

Tiffany Sablan vs. Department of Education
Adverse Appeal Action Case No.: 17-AA11T

1 **II. ISSUE**


2 Should the Commission base its decision on Management's Motion Re: Substantial
3 Evidence; Burden of Proof based on CSC Rules of Procedures for Adverse Action Appeals
4 ("CSC Rule 11")?


5 After further discussion on the matter, as required by 4 G.C.A. Section 4407 (c), and
6 the probability that the Employee may be subject to a criminal action, the Commission
7 therefore referenced the impending Supreme Court decision in case of *Port Authority of Guam*
8 *vs. Civil Service Commission and Josette Javelosa*, Supreme Court Case Number CVA15-025,
9 and voted to STAY the proceedings until an opinion is rendered by the Supreme Court.


10 Therefore, by a vote of 5 to 0, the Civil Service Commission hereby orders that any and all
11 proceedings before the Civil Service Commission in the case of *Tiffany Sablan vs. Department*
12 *of Education*, Civil Service Case Number 17-AA11T shall be STAYED.

13 IT IS SO ADJUDGED this 13th day of February, 2018.

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15 _____
16 EDITH PANGELINAN
Chairperson

17 
18 _____
19 LOU HONGYEE
Vice-Chairperson

20 
21 _____
22 PRISCILLA TUNCAP
Commissioner

23 
24 _____
25 JOHN SMITH
Commissioner

26 
27 _____
28 CATHERINE GAYLE
Commissioner

29 ORIGINAL