BEFORE THE
GUAM CIVIL SERVICE COMMISSION
BOARD OF COMMISSIONERS

IN THE MATTER OF:

CIVIL SERVICE COMMISSION,
[JONH V. SANTIAGO]

Employee,

VS.

GUAM INTERNATIONAL AIRPORT
AUTHORITY,

Management.

ORDER AFTER HEARING

This matter came on to be heard the 4th day June 2021 before the Civil Service Commission (CSC). Present for the hearing was the Employee Complainant, with his counsel, John R.B. Bell; and also present were John M. Quinata, Executive Manager for Guam International Airport Authority (GIAA) with his counsel, William Brennan. Commissioners present were Chairperson
Juan Calvo, Vice Chairman John Smith, Commissioner Priscilla T. Tuncap, Commissioner Emilia F. Rice and Commissioner Anthony P. Benavente. Complainant, John V. Santiago, Clerk III, with the Guam International Airport Authority requested for the CSC to conduct a Post Audit Investigation under 4 GCA, §4403(d) regarding his reassignment of position from Airport Police Officer II to Clerk III. Claimant developed a disability which prevents him from doing the tasks of Police Officer II. GIAA Personnel Rules and Regulations (PR&R), Rule 6.101 provides where an employee is transferred to another position because of a disability unrelated to work, the employee shall be compensated at the lowest sub-step of the implementation range of the lower graded position.

Personnel Analyst III, Maria Masnayon, read the Investigation Report into the record. Her recommendation concluded that the personnel action was correct and lawful. Chairman Juan K. Calvo stated that Rule 6.101 violates the Americans with Disabilities Act because it decimates against employees with //

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ORDER AFTER HEARING
Civil Service Commission vs. Guam International Airport Authority [John V. Santiago]
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disabilities. The Commission voted 5 to 1 to issue a preliminary null and void of
the personnel action.

**SO ORDERED this 15th day of June, 2021.**

\[Signature\]
JUAN K. CALVO
Chairman

\[Signature\]
JOHN SMITH
Vice Chairman

\[Signature\]
PRISCILLA T. TUNCAP
Commissioner

\[Signature\]
EMILIA F. RICE
Commissioner

\[Signature\]
ANTHONY P. BENAVENTE
Commissioner

\[Signature\]
ROBERT C. TAITANO
Commissioner