



CIVIL SERVICE COMMISSION
KUMISION I SETBISION SIBIT
GOVERNMENT OF GUAM

CSC RESOLUTION NO.: 2024-001

**RELATIVE TO DETERMINE THAT ALL COMPLAINTS FILED
UNDER TITLE 4 GCA §4403 (d) WILL BE INVESTIGATED.**

WHEREAS, Title 4 of Guam Code Annotated Subsection 4403(d) states, The Commission may investigate and set aside and declare null and void any personnel action of an employee in the classified service if the Commission finds after conducting the necessary investigation that the personnel action was taken in violation of personnel laws or rules; and,

WHEREAS, Title 4 of Guam Code Annotated Subsection 4403(d)(2)(B), states, All actions taken by the Commission pursuant to this Section shall be taken within One Hundred and Eighty (180) calendar days after the personnel action or complaint is filed with the Commission; and,

WHEREAS, Title 4 of Guam Code Annotated, Subsection 4405(b), states The Executive Director may, with Commission approval, hire such professional, clerical, and other staff as may be deemed necessary to assist the Commission in performing its duties and functions; and,

WHEREAS, Title 5 of Guam Code Annotated, Subsection 8107. Notices. Requires all meetings before the Commission shall give five (5) working days public notice, and a second public notice at least forty-eight (48) hours prior to the start of the meeting; and,

WHEREAS, The Commissions budget is sometimes constrained to pay for such media announcements as required by the Open Government Law, or stipends for the Commissioners; and,

WHEREAS, The Civil Service Commission currently has only four (4) Commissioners and has recently experienced difficulty in maintaining quorum to conduct meetings, hearings, which greatly affects the scheduling of Assessment Hearings to meet the one hundred and eighty (180) calendar day time limits; and,

WHEREAS, The Civil Service Commission's current process could be improved to provide the maximum time to the staff to conduct Investigations under Title 4 of Guam Code Annotated Subsection 4403 (d); and,

WHEREAS, The Civil Service Commission's current process requires the CSC staff to go before the Commission for an Assessment Hearing, to obtain the Commission's approval and authority prior to proceeding into an investigation; and,

WHEREAS, The Civil Service Commission's current process requires that each time the Commissioners have a hearing, a media announcement must be generated in compliance with the Open Government Law; and,

WHEREAS, The Commission has already experienced exceeding the one hundred and eighty (180) day time limitations pursuant 4 Guam Code Annotated Subsection 4403(d) due to Open Government Law requirements, budget requirements and/or no quorum; and,

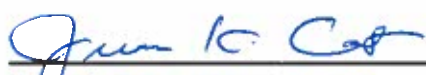
THEREFORE, BE IT RESOLVED THAT the Civil Service Commission determines, that the Commission shall investigate every complaint received by the Civil Service Commission under Title 4 of Guam Code Annotated Subsection 4403(d); and,

BE IT FURTHER RESOLVED THAT the Civil Service Commission determines, that the Civil Service Commission staff may begin Investigating immediately upon the filing of a Complaint under Title 4 of Guam Code Annotated Subsection 4403(d); and,

BE IT FURTHER RESOLVED THAT this Resolution shall continue until cancelled by further Resolution or December 31, 2024, whichever comes first; and,

BE IT FURTHER RESOLVED THAT this determination to investigate every complaint received under Title 4 of Guam Code Annotated, Subsection 4403(d), is to be transmitted to the Honorable Lourdes A. Leon Guerrero, *Maga'hågan Guåhan*, Governor of Guam; the Honorable Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*, Lieutenant Governor of Guam; and, to the Speaker of the 37th Guam Legislature - *I Mina'Trentai Siette Na Lihelatruan Guåhan*.

Duly and regularly adopted on this 20th day of FEBRUARY, 2024.



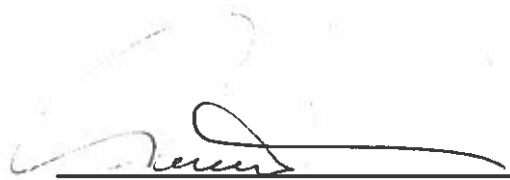
JUAN K. CALVO,
Chairman



ANTHONY P. BENAVENTE,
Vice Chairman



ROBERT C. TAITANO,
Commissioner



FRANCISCO T. GUERRERO,
Commissioner