



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



IN THE MATTER OF:

**CIVIL SERVICE COMMISSION,
3 GFD EMPLOYEES: [J.J. CRUZ, R.T.
CANDASO, and J.A. PANGELINAN,
COMPLAINANTS]**

Employees,

vs.

GUAM FIRE DEPARTMENT,

Management.

**POST AUDIT APPEAL
CASE NO.:21-PA06**

**DECISION AND JUDGMENT;
NULL AND VOID PERSONNEL
ACTION OF ROY T.
CANDASO, JASON J. CRUZ,
AND JAMES A. PANGELINAN**

This matter came on to be heard the March 17, 2022, hearing on the Post Audit Provisional Null and Void. Assistant Attorney General Matthew Wolff was present for Management. Attorney Jacqueline Taitano Terlaje was present for Employees. Commissioners present were Acting Chairman Anthony P. Benavente, Vice Chairman John Smith, Commissioner Priscilla T. Tuncap, and Commissioner Robert C. Taitano.

DECISION AND JUDGMENT

*Civil Service Commission, 3 GFD Employees vs. Guam Fire Department
[R.T. Candaso, J.A. Cruz, and J.A. Pangelinan, Complainants]
Post Audit Case No.: 21-PA06*

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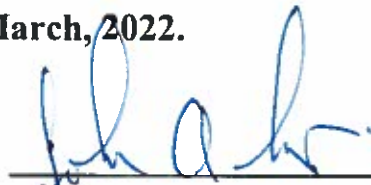
1 The Staff report found that Management required the three (3) Employees to
2 resign their current Government positions in order to be selected for the new position.
3 The requirement of the resignations as a condition of employment violated the
4 Personnel Rules and Regulations (PR&R) because the rules do not address
5 conditional merit selection, and because Management was trying to avoid the
6 requirements of PR&R 6.003, which addresses lateral transfers. Rule 6.003 would
7 require the three (3) Employees to be placed closest to, but not more than the
8 employee's salary at the time of demotion. Management placed them at level 1 which
9 is lower than their pay at their previous position.

10 The Commission voted 4 to 0 to **Finally NULL AND VOID** the personnel actions
11 of Roy T. Candaso, Jason J. Cruz, and James A. Pangelinan.

12 **SO ORDERED THIS 17th day of March, 2022.**

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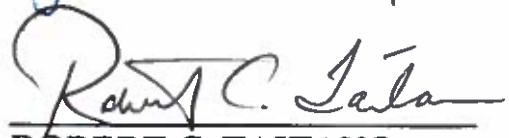
14 **ANTHONY P. BENAVENTE**
Chairman, Acting

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14 **JOHN SMITH**
Vice Chairman

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16 **PRISCILLA T. TUNCAP**
Commissioner

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16 **ROBERT C. TAITANO**
Commissioner

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20 **DECISION AND JUDGMENT**

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