



BEFORE THE
GUAM CIVIL SERVICE COMMISSION
BOARD OF COMMISSIONERS



21-390

IN THE MATTER OF:

ERIC S.N. SANTOS,

Employee,

vs.

DEPARTMENT OF CORRECTIONS,

Management.

**ADVERSE ACTION
APPEAL
CASE NO.: 18-AA12S**

**DECISION AND
ORDER**

This matter came on to be heard before the Civil Service Commission for hearing on the Administrative Law Judge's (ALJ) Recommendations on the Motions of the Parties.

Commissioners present were Chairman Juan K. Calvo, Vice Chairman John A. Smith, Commissioner Priscilla T. Tuncap, Commissioner Emilia F. Rice, Commissioner Anthony P. Benavente, and Commissioner Robert C. Taitano.

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DECISION AND ORDER

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1 ALJ Miller made the following recommendations as to the Motions of
2 the Parties:

3 1. Management seeks a written order that the exhibits be admitted into
4 evidence. RECOMMENDATION: granted.

5 2. Employee moves to dismiss on the basis that Employee was barred
6 from work for two (2) days in addition to the suspension.
7 RECOMMENDATION: DENIED

8 3. Employee seek to dismiss on the grounds of witness tampering.
9 RECOMMENDATION: DENIED

10 4. Management moves:

11 A. To strike untimely motion filings on June 16, and 22, 2020.

12 RECOMMENDATION: DENIED

13 B. To quash subpoenas. RECOMMENDATION: SUBPOENAS
14 FOR CORRECTION OFFICERS STAND, SUBPOENAS FOR INMATES
15 QUASHED.

16 C. To recall Employee. RECOMMENDATION: LEFT TO THE
17 CHAIRMAN

18 D. Management requests to admit Exhibits M326-M330.

19 RECOMMENDATION: DEFERED TO THE CHAIRMAN

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1 5. Management moves to strike affidavit in support of Employee's
2 Motion to Dismiss. RECOMMENDATION: THE ISSUE IS MOOT

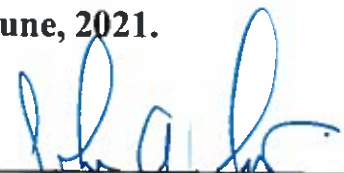
3 6. Management moves to for a written order from the Commission
4 that its order of 9/17/19 voted to accept all exhibits.
5 RECOMMENDATION: GRANTED

6 7. Management moves to exclude any new witnesses or exhibits by
7 Employee. RECOMMENDATION: DENIED

8 The Commission voted 5 to 1 to adopt the RECOMMENDATIONS of
9 the ALJ.

10 **SO ORDERED THIS 4th day of June, 2021.**

11 
12 JUAN K. CALVO
13 Chairman

11 
12 JOHN SMITH
13 Vice Chairman

14 
15 PRISCILLA T. TUNCAP
16 Commissioner

14 (absent for this portion)
15 EMILIA F. RICE
16 Commissioner

16 
17 ANTHONY P. BENAVENTE
18 Commissioner

16 
17 ROBERT C. TAITANO
18 Commissioner

19
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