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

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

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

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

4. Management moves:
   A. To strike untimely motion filings on June 16, and 22, 2020.
      RECOMMENDATION: DENIED
   B. To quash subpoenas. RECOMMENDATION: SUBPOENAS FOR CORRECTION OFFICERS STAND, SUBPOENAS FOR INMATES QUASHED.
   C. To recall Employee. RECOMMENDATION: LEFT TO THE CHAIRMAN
   D. Management requests to admit Exhibits M326-M330.

RECOMMENDATION: DEFERRED TO THE CHAIRMAN
5. Management moves to strike affidavit in support of Employee’s Motion to Dismiss. **RECOMMENDATION: THE ISSUE IS MOOT**

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

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

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

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

[Signatures]

JUAN K. CALVO
Chairman

JOHN SMITH
Vice Chairman

PRISCILLA T. TUNCAP
Commissioner

EMILIA F. RICE
Commissioner

ANTHONY P. BENAVENTE
Commissioner

ROBERT C. TAITANO
Commissioner

**DECISION AND ORDER**

*Eric S.N. Santos vs. Department of Corrections*

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