



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



IN THE MATTER OF:

FRANCES SUPERALES,

Employee,

vs.

DEPARTMENT OF EDUCATION,

Management.

**GRIEVANCE APPEAL
CASE NO.: 23-GRE01**

DECISION AND JUDGMENT

I. INTRODUCTION

The above-captioned matter came before the Civil Service Commission (“Commission”) during the December 12, 2023, January 2, 2024, and January 4, 2024, Hearings on the Merits regarding Employee Frances Superales’s Grievance Appeal.

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1 Commissioners present were Chairperson Juan K. Calvo, Vice
2 Chairperson Anthony P. Benavente, Commissioner Robert C. Taitano, and
3 Commissioner Francisco T. Guerrero.

4 Employee was present, represented by Robert E. Koss, Lay Representative.
5 Guam Department of Education (“GDOE”) Lay Representative Phyllis Blas was
6 present with Kenneth R. Perez, Deputy Superintendent (“Management”). Both
7 Management and Employee were given the opportunity to call witnesses to testify
8 and present their case. Commissioners also questioned the witnesses.

9 The Commission also heard oral arguments from both parties. By a vote of
10 4 to 0, the Commission finds in favor of Management.

11 **II. JURISDICTION**

12 The jurisdiction of the Guam Civil Service Commission is based upon the
13 Organic Act of Guam, 4 GCA §§ 4401, *et seq.*, and relevant Personnel Rules and
14 Regulations.

15 **III. DELIBERATIONS**

16 Commissioners determined that there was no bullying or harassment by School
17 Principal Rose Castro. Commissioners also determined that there was no bullying or
18 harassment by school Administrative Assistant Franny Cepeda. The Commissioners
19 noted that the Principal heard Employee and simply chose when and how to take

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1 action on various school issues. Particularly noting that none of the actions were
2 against Employee individually.

3 **IV. CONCLUSION**

4 Accordingly, the Commission, after due deliberation, determined by a vote of
5 4 to 0 that employee failed to meet its burden of proof, clear and convincing, to show
6 that bullying and harassment by Administrator Rose Castro or Administrative
7 Assistant Franny Cepeda occurred. The Commission therefore finds for Management
8 to dismiss Employee's Grievance Appeal, Case Number 23-GRE01, with prejudice.

9 **SO ORDERED this 20th day of February, 2024.**

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12 **JUAN K. CALVO**
Chairman



ANTHONY P. BENAVENTE
Vice Chairman

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15 **ROBERT C. TAITANO**
Commissioner



FRANCISCO T. GUERRERO
Commissioner