



BEFORE THE  
GUAM CIVIL SERVICE COMMISSION  
BOARD OF COMMISSIONERS



IN THE MATTER OF:

FRANCIS MANLAPAZ,

Employee,

vs.

GUAM MEMORIAL HOSPITAL  
AUTHORITY,

Management.

21-417

ADVERSE ACTION APPEAL  
CASE NO.: 21-AA04T

JUDGMENT OF DISMISSAL

The Civil Service Commission hereby dismisses the above captioned case with prejudice pursuant to the signed Stipulation of Settlement Agreement, attached hereto.

SO ADJUDGED this 15 day of June, 2021.

\_\_\_\_\_  
JUAN K. CALVO  
Chairman

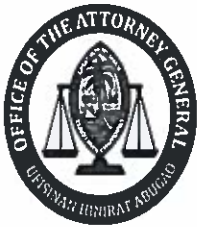
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JOHN SMITH  
Vice Chairman

(absent)  
\_\_\_\_\_  
PRISCILLA T. TUNCAP  
Commissioner

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EMILIA F. RICE  
Commissioner

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ANTHONY P. BENAVENTE  
Commissioner

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ROBERT C. TAITANO  
Commissioner



**Office of the Attorney General**  
**Leevin Taitano Camacho**  
 Attorney General of Guam  
**Solicitor Division**  
 590 South Marine Corps Dr.  
 ITC Bldg., Ste. 706  
 Tamuning, Guam 96913 • USA  
 (671) 475-3324 • (671) 472-2493 (Fax)  
 www.guamag.org



21-406

**BEFORE THE CIVIL SERVICE COMMISSION  
 GOVERNMENT OF GUAM**

**IN THE MATTER OF:** )  
**FRANCIS MANLAPAZ,** )  
 )  
**Employee,** )  
 )  
**vs.** )  
 )  
**GUAM MEMORIAL HOSPITAL** )  
**AUTHORITY,** )  
 )  
**Management.** )

**ADVERSE ACTION APPEAL  
 CASE NO. 21-AA04T**

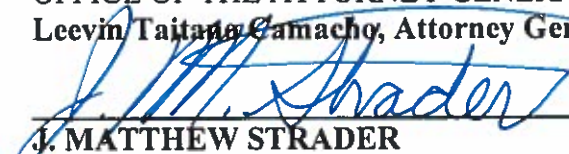
**ERRATA**

Management filed a Stipulation of Settlement and Agreement on Monday, June 7, 2021, indicating the wrong case number. Eliminating the mistake, management files this Errata and alters the Adverse Action Appeal Case from No. 20-AA04T to No. 21-AA04T.

Submitted this 11<sup>th</sup> day of June, 2021.

**OFFICE OF THE ATTORNEY GENERAL  
 Leevin Taitano Camacho, Attorney General**

By:

  
**J. MATTHEW STRADER**  
 Assistant Attorney General

**ORIGINAL**



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**BEFORE THE CIVIL SERVICE COMMISSION  
 GOVERNMENT OF GUAM**

IN THE MATTER OF:

FRANCIS MANLAPAZ,

Employee,

vs.

GUAM MEMORIAL HOSPITAL  
 AUTHORITY,

Management.

) ADVERSE ACTION APPEAL  
 ) CASE NO. ~~20-AA04T~~

STIPULATION OF  
 SETTLEMENT AND AGREEMENT


The Guam Memorial Hospital Authority ("Management"), represented by the Office of the Attorney General, submits this Stipulation of Settlement and Agreement in the above captioned matter. Due to this Agreement that resolves the dispute between the parties, Management requests a Judgment of Dismissal.

**COPY**

Dated this 7<sup>th</sup> day of June, 2021

OFFICE OF THE ATTORNEY GENERAL  
Lcevin Taitano Camacho, Attorney General

By:

  
\_\_\_\_\_  
J. MATTHEW STRADER  
Assistant Attorney General



1           **1. Purpose of Agreement.** Employee and Management acknowledge that  
2           this Agreement is a Settlement and Compromise of the referenced matter.  
3           By executing this agreement, the parties intend to resolve all disputes  
4           between them.

5           **2. Employee' Obligation.**

6           2.1 Employee shall withdraw his appeal from the Civil Service  
7           Commission and request that the Commission dismiss his Appeal with  
8           prejudice according to the terms of this Agreement. Employee waives  
9           all right to further appeal.

10          2.2 Employee agrees that this Settlement Agreement and CSC's Judgment  
11          of Dismissal, which will rely on the terms of this Agreement, shall  
12          supersede the Notice of Final Adverse Action.

13          2.3 Employee shall not receive any back pay, compensation, or benefits  
14          as a result of this Agreement.

15          2.4 Employee shall submit a letter of resignation retroactive to the date of  
16          his termination on April 1, 2021.

17          2.5 Employee waives all rights known or unknown against Management  
18          as of his signature on this Agreement.

19          **3. Management's Obligation.**

20          3.1 Management shall allow Employee to resign retroactive to the date of  
21          his termination. This Agreement and the CSC's Judgment of  
22          Dismissal shall supersede the Notice of Final Adverse Action that  
23          terminated Employee. The parties agree that Management will prepare  
24          all documents to effectuate Employee's resignation within a  
25          reasonable time after receiving Employee's letter of resignation.

1 3.2 Management and Employee agree that this settlement does not  
2 recognize any wrongdoing by Employee or Management. Rather, it  
3 represents a compromise of the adverse action appeal that Employee  
4 filed.

5 3.3 Management shall not owe Employee any backpay, compensation,  
6 benefits, attorney's fees, or costs relating to this Agreement, and  
7 specifically relating to allowing Employee to resign retroactively.

8 4. **Performance Accepted.** The parties agree and acknowledge that: (a) the  
9 Agreement will operate as a full and complete compromise of any  
10 disputed issues between them; and (b) negotiations preceding this  
11 settlement shall not constitute admissions by any of the parties.

12 5. **Independent Advice of Counsel.** Each party represents and declares that  
13 it has not relied upon any statement or representation by the other party or  
14 of any of its partners, agents, employees, or attorneys in executing this  
15 Agreement.

16 6. **Voluntary Agreement.** Each party represents and declares that it has  
17 carefully read this Agreement, that it knows the contents of this  
18 Agreement, and that it has chosen to sign this Agreement relying on its  
19 own free will.  
20

21 **IN WITNESS WHEREOF**, the parties have executed this Agreement as of the date  
22 written by their respective names.  
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FOR EMPLOYEE:

FOR MANAGEMENT:

Employee

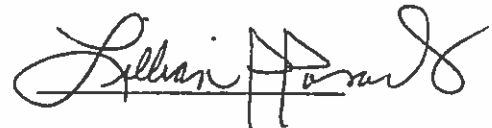
Agency Head

Date: 6/17/2021

Date: 6/14/2021

Reviewed as to form and content:

Reviewed as to form and content:



Employee representative

Lillian Perez-Posadas, MN, RN

Management Representative



V.S.  
6-8-21  
w

June 7, 2021



**TO:** Daniel Leon Guerrero,  
Executive Director, Civil Service Commission

**FROM:** Francis G. Manlapaz  
Emergency Room Technician

**SUBJECT:** Letter of withdrawal of Appeal  
CSC Case No. 21-AA04T

I would like to withdraw my Adverse Action Appeal case no. 21-AA04T, due to settlement agreement with GMHA Management. A copy of the Stipulation of Settlement is forthcoming from Attorney J. Matthew Strader with the Attorney General's Office.

Should you have any questions of concerns, please feel free to contact me at 787-5285 or via email at [fmalapaz1982@gmail.com](mailto:fmalapaz1982@gmail.com).

Sincerely,

  
Francis G. Manlapaz