



BEFORE THE
GUAM CIVIL SERVICE COMMISSION
BOARD OF COMMISSIONERS



IN THE MATTER OF:

GLENN NELSON,

Employee,

vs.

PORT AUTHORITY OF GUAM,

Management.

GRIEVANCE APPEAL
CASE NO.: 25-GRE06

DECISION AND JUDGMENT

Pursuant to the agreement reached by the Parties during the November 19, 2025 Status Call, this matter came before the Civil Service Commission ("Commission") for a Grievance Hearing on January 6, 2025. Commissioners present were: Chairman Juan K. Calvo, Vice Chairman Anthony P. Benavente, Commissioner Rose Marie A. Morales, and Commissioner Cathy O. Catling.

Management was present through General Manager Rory Respicio, and Management was represented by attorney James L. Canto II. Employee Glenn

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1 Nelson was not present and his attorney of record, Michael F. Phillips, was not
2 present.

3 I. JURISDICTION

4 The jurisdiction of the Civil Service Commission is based upon 4 GCA §§ 4401,
5 4403 et seq. and the Personnel Rules and Regulations for Maritime Positions Unique
6 to Port Operations and Certified, Technical, and Professional Positions.

8 II. PROCEDURAL HISTORY

9 1. On April 2, 2025, Employee filed a grievance against the Port Authority of
10 Guam, alleging that statements made by the General Manager during a public
11 legislative oversight hearing were defamatory, retaliatory, and improper.

12 2. In his grievance filings and attachments, Employee further alleged collusion
13 and retaliation by the Port Board of Directors and the Personnel Services
14 Administrator, and an abuse of authority by the General Manager to create a climate
15 of fear and intimidation.

16 3. The grievance proceeded through all the required steps of the grievance
17 process, and was denied by Management at each step, finding no violation of law,
18 rule, regulation, or policy.

1 4. Employee timely appealed the grievance to the Civil Service Commission on
2 May 14, 2025.

3 5. A grievance hearing was scheduled for November 6, 2025; however,
4 Employee and his counsel of record failed to appear, with counsel having emailed
5 that he was ill and unable to attend.

6 6. A Status Call was held on November 19, 2025 where the Parties agreed to
7 a hearing date of January 6, 2026 with a second hearing date if needed scheduled for
8 January 29, 2026. Another Status Call was established for December 17, 2025.

9 7. On December 17, 2025, Employee and his counsel of record failed to
10 appear, with counsel again emailing that he was ill and unable to attend.

11 6. On January 6, 2026, an email was sent to the Civil Service Commission
12 staff stating that Attorney Phillips was unable to attend due to illness.

13 7. Pursuant to Civil Service Commission Rules of Procedure for Grievance
14 Appeals, Rule G21, which gives the Commission the discretion to decline to afford
15 the parties an opportunity to present arguments and presentations, the Commission
16 voted 4 to 0 to proceed with the Grievance Hearing without the presence of
17 Employee and without oral presentations by the parties.

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III. FINDINGS OF FACT

After reviewing the documentary exhibits submitted to the Commission by both parties, the Commission made the following factual findings:

1. The statements by the General Manager, which formed the basis for Employee's grievance, were made by the General Manager during an official legislative oversight hearing.

2. The testimony addressed operational performance and matters within the General Manager's official duties and responsibilities.

3. The General Manager did not reference Employee by name during his legislative testimony.

4. Employee admitted in his grievance filings that he himself did not attend the legislative hearing and did not view the recording of the hearing prior to filing his grievance, but instead relied on the report of a family member purported account of Management's statement before filing his grievance.

5. In his grievance, Employee does not identify any provision of law, rule, regulation, or policy allegedly violated by Management in the making of the statements at issue.

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1 that he reviewed Employee's grievance multiple times, but was unable to determine
2 what was the basis for the appeal and what remedy Employee was seeking,
3 Additionally, the Chairperson stated the grievance does not allege any discipline,
4 reassignment, retaliation, or any adverse employment action affecting Employee.
5 The Chairperson stated that the grievance appeared to involve an interpersonal
6 disagreement rather than a grievable employment matter. He stated that the
7 grievance process functioned as intended in Employee's case, and that Employee
8 was afforded timely responses at every step.

9 2. Statements by Vice-Chairperson Anthony P. Benavente:

10 The Vice Chair stated that this was the first grievance he reviewed in which
11 an employee filed a grievance against a supervisor based on an alleged offense rather
12 than an identifiable violation of rule or policy. The Vice Chair stated that he looked
13 through the documents and couldn't find any violation. The setting was the General
14 Manager of the Port was communicating before a legislative committee regarding
15 the operations of the Port. In that setting, it was the General Manager's
16 responsibility to communicate operational issues with the legislature. The Vice
17 Chair stated he could not connect the Employee's issue. The Vice Chair emphasized
18 that the General Manager was acting within his authority when testifying before a
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1 legislative committee, and that Management must be able to discuss performance
2 and operational accountability in official government proceedings.

3 The Vice Chair further stated that Employee's allegations of collusion by Human
4 Resources and unfairness in the grievance process were unsupported and
5 contradicted by the fact that Employee's grievance advanced through every required
6 step, eventually coming before the Commission as the Rules require. The Vice Chair
7 also noted that Employee admitted in his grievance filings that he did not attend or
8 view the legislative hearing, at which Management's statement was made, prior to
9 filing his grievance, and that Employee relied upon hearsay instead.

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11 3. Statements by Commissioner Cathy O. Catling:

12 Commissioner Catling stated that the General Manager's legislative
13 testimony focused on operational performance and did not single out Employee or
14 anyone in particular. She stated that the General Manager has the right and
15 responsibility to speak truthfully about agency operations. Finally, Commissioner
16 Catling stated she found no validity to the grievance.

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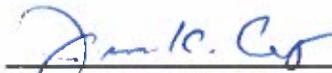
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1 2. All allegations raised by Employee of collusion, retaliation, and a
2 climate of fear and intimidation by Management are rejected as unfounded and
3 lacking in evidence;

4 3. This Decision and Judgment constitutes the final decision of the Civil
5 Service Commission on this matter.

6 **SO ORDERED** this 12th of February, 2026.

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8 **JUAN K. CALVO**
9 Chairman


10 **ANTHONY P. BENAVENTE**
11 Vice Chairman


12 **FRANCISCO T. GUERRERO**
13 Commissioner


14 **CATHY O. CATLING**
15 Commissioner


16 **ROSE MARIE A. MORALES**
17 Commissioner