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



21-416

**IN THE MATTER OF:**  
**LEODEGARIO BUAN,**  
**Employee,**  
**vs.**  
**DEPARTMENT OF CORRECTIONS,**  
**Management.**

**POST AUDIT APPEAL  
CASE NO.: 21-PA02**

**DECISION AND  
JUDGMENT**

This matter came before the Civil Service Commission (CSC) for a Post Audit Investigation Report May 20, 2021. The report was presented by Personnel Analyst III, Maria Masnayan. Employee was present. 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.

1 Employee requested the CSC to conduct a Post Audit Investigation on the  
2 selection and promotion of the Correction Officer Supervisor I (COSI), and  
3 Correction Officer Supervisor II (COSII) positions.

4 Employee was interviewed for the position of Corrections Officer  
5 Supervisor I. Employee alleges that the panel was biased in favor of applicants  
6 with military experience. No veteran preference points were given to any  
7 applicants. The CSC staff could find no evidence that the panel was biased in  
8 favor of veterans.

9 Employee missed his interview for the COSII position due to a headache.  
10 A second interview was not scheduled. Officer Christopher Donato was  
11 interviewed for both positions. Officer Donato is married to the niece of the  
12 Chairman of the panel and did not disclose this relationship. Employee did not  
13 object to the panel at the time of the interview. The CSC staff found that the  
14 relationship should have been disclosed, but concluded that this was not a case  
15 of nepotism.

16 Employee requested a Tagalog interpreter for the hearing but the request  
17 was found to be without merit.

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20 **DECISION AND JUDGMENT**


21 *Leodegario Buan vs. Department of Corrections*  
Post Audit Appeal CSC Case No.: 21-PA02

1 Employee believes he should have been promoted because of his tenure  
2 with the Department of Corrections. The CSC staff found the merit selection  
3 process was not violated here.

4 The CSC Staff concluded that there is no violation of rule nor law in the  
5 selection/promotion of the COSI and COSII positions.

6 By a vote of 6 to 0, the Commission adopted the findings of the CSC Staff.

7 **SO ORDERED this 15th of June, 2021.**


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10 **JUAN K. CALVO**  
Chairman

  
11 **JOHN SMITH**  
Vice Chairman

12 (absent)  
13 **PRISCILLA T. TUNCAP**  
Commissioner

  
14 **EMILIA F. RICE**  
Commissioner

  
15 **ANTHONY P. BENAVENTE**  
Commissioner

  
16 **ROBERT C. TAITANO**  
Commissioner