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4 **BEFORE THE**
5 **GUAM CIVIL SERVICE COMMISSION**
6 **BOARD OF COMMISSIONERS**

7 **IN THE MATTER OF:**

8 **MAHMOUD F.F. EL SAYEH,**

9 **Employee,**

10 **vs.**

11 **GUAM BEHAVIORAL HEALTH**
12 **AND WELLNESS CENTER,**

13 **Management.**

ADVERSE ACTION APPEAL
CASE NO.: 23-AA04S

DECISION AND ORDER

14 **INTRODUCTION**

15 This matter came before the Civil Service Commission for a
16 motion hearing on December 12, 2023 at 9:00 a.m. at the Civil Service
17 Commission (CSC). Present were the Employee and his lay representative,
18 Robert Koss; and Deputy Attorney General Graham Botha, and the
19 Director of the Guam Behavioral Health & Wellness Center, Therese

20 **DECISION AND ORDER**

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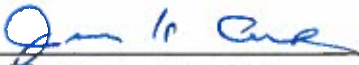
Mahmoud F.F. El Sayeh vs. Guam Behavioral Health & Wellness Center
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1 Arriola. The four members of the Commission were also present:
2 Chairperson Juan K. Calvo, Vice Chairperson Anthony P. Benavente,
3 Commissioner Robert C. Taitano and Commissioner Francisco T.
4 Guerrero.

5 The Commission heard oral testimony, examined documentary
6 evidence, and then deliberated. After reviewing the parties' exhibits, the
7 record, and after listening to the arguments of Representatives at the
8 Motion hearing on December 12, 2023, the Commissioners voted 4 to 0 to
9 deny Employee's Motion to Void Adverse Action for Violation of
10 Personnel Rule (the 60-Day Rule), after finding that Employee had not met
11 their burden of proof to prove its allegations by the preponderance of the
12 evidence.

13 Management's counsel was directed to prepare the Decision and
14 Order.

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

16 
JUAN K. CALVO
Chairperson

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ANTHONY P. BENAVENTE
Vice Chairperson

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ROBERT C. TAITANO
Commissioner

19 
FRANCISCO T. GUERRERO
Commissioner

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