



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



IN THE MATTER OF:

NICOLE CHARGUALAF,

Employee,

vs.

**GUAM BEHAVIORAL HEALTH
AND WELLNESS CENTER,**

Management.

**MINI-HATCH ACT
CASE NO.: 22-MH01**

DECISION AND JUDGMENT

This matter came on to be heard July 19, 2022 for the Staff Investigation Report on a Mini Hatch Act Complaint. Present for Management was Theresa C. Arriola, Director, Guam Behavioral Health and Wellness Center. Employee was not present. Commissioners present were Chairman Juan K. Calvo, Vice

DECISION & JUDGMENT

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1 Chairman Anthony P. Benavente, Commissioner John Smith, and Commissioner
2 Robert C. Taitano.

3 Maria Masnayan, Personnel Management Analyst III, read the report into
4 the record. Ms. Chargualaf received an envelope from Chris Duenas, HR
5 Administrative Assistant, at her desk February 15, 2022. The envelope contained
6 a campaign fund raising ticket for Twenty-Five Dollars (\$25.00). Co-workers,
7 Jamie Pangelinan and Jesse Libby also received an envelope with tickets.

8 Staff concluded that all four (4) Employees violated 4 GCA, Chapter 5,
9 Section 5103 (the political activity law) for using government facilities for the
10 benefit of a political party. Staff concluded that all four employees had limited
11 or no understanding of the Political Activity Law. The Commission voted 4 to 0
12 that all four violated the statute.

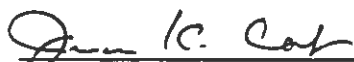
13 The Commission deliberated on what penalty to levy on the Employees.
14 Commissioner Taitano voted to suspend Chris Duenas for five (5) days without
15 pay. The remaining Commissioners voted to take no further action with no
16 penalties for the other three (3) Employees; Jaime Pangelinan, Nicole Chargualaf,
17 and Jesse Libby because the Employees did not know that they were violating
18 the law. The vote being 3 to 1 (Commissioner Taitano dissenting) no four (4)

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1 affirmative votes could be reached, and, therefore no further action could be taken
2 on this matter.

3 **SO ORDERED** this 23rd day of August, 2022.

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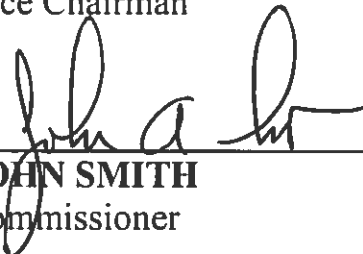
5 **JUAN K. CALVO**
6 Chairman

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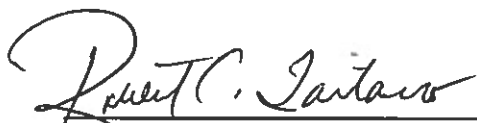
5 **ANTHONY P. BENAVENTE**
6 Vice Chairman

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8 **PRISCILLA T. TUNCAP**
9 Commissioner

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8 **JOHN SMITH**
9 Commissioner

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10 **ROBERT C. TAITANO**
11 Commissioner

9 (absent)

10 **FRANCISCO T. GUERERO**
11 Commissioner

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