

BEFORE THE  
GUAM CIVIL SERVICE COMMISSION



Office of the Speaker  
Judith T. Won Pat, Ed. D.

Date 3.18.14  
Time 3:19 PM  
Received by [Signature]

IN THE MATTER OF:

MARK CHARFAUROS,

Employee,

vs.

GUAM POLICE DEPARTMENT,

Management.

ADVERSE ACTION APPEAL  
CASE NOS. 13-AA07S and  
13-AA09D

JUDGMENT OF DISMISSAL

The Civil Service Commission hereby dismisses the above captioned cases with prejudice pursuant to the Stipulated Judgment signed by both parties and submitted to the Commission on February 27, 2014, which is attached hereto.

SO ADJUDGED THIS 13th DAY OF March 2014.

NOT present  
LUIS R. BAZA  
Chairman

[Signature]  
MANUEL R. PINAUN  
Vice-Chairman

[Signature]  
PRISCILLA T. TUNCAP  
Commissioner

[Signature]  
JOHN SMITH  
Commissioner

[Signature]  
LOURDES HONGYEE  
Commissioner

[Signature]  
DANIEL D. LEON GUERRERO  
Commissioner

[Signature]  
EDITH C. PANGELINAN  
Commissioner

Office of the Legislative Secretary  
Senator Tina Euse Mufia Barnes  
Date 3-18-14  
Time 3:05  
Received by [Signature]

2014 MAR 18 PM 3:31  
[Signature]



Office of the Attorney General  
 Leonardo M. Rapadas  
 Attorney General of Guam  
 Civil Division  
 590 S. Marine Corps Drive  
 Suite 706, ITC Building  
 Tamuning, Guam 96913 • USA  
 (671) 475-3324 • (671) 472-2493 (Fax)  
 www.guamag.org

Attorneys for the Government of Guam



14-189

14-190

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

**IN THE MATTER OF:**

**MARK C. CHARFAUROS,**

Employee,

vs.

**GUAM POLICE DEPARTMENT,**

Management.

) ADVERSE ACTION APPEAL CASE  
 ) NO. 13-AA07S  
 )  
 ) ADVERSE ACTION APPEAL CASE  
 ) NO. 13-AA09D  
 )  
 )  
 )  
 )

**STIPULATED JUDGMENT**

This matter came before the Civil Service Commission for a merits hearing on February 18, 2014. Present were Chief F. E. Bordallo and management's counsel, Assistant Attorney General David J. Highsmith; and the Employee and his counsel, Curtis C. Van de Veld. The parties announced a settlement to the Commission that the Commission voted unanimously to accept. In accordance with said settlement, the Commission now orders as follows:

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**ORIGINAL**

1. The Adverse Actions taken against the Employee that are the subjects of Case No. 13-AA09D and Case No. 13-AA07S are hereby vacated and declared null and void. Management shall remove from the Employee's personnel folder all notices, allegations and other documents that relate to the Adverse Actions taken against the Employee except as described herein.

2. Employee shall be reinstated to the rank of Captain effective January 28, 2013.

3. The Guam Police Department shall pay Employee back pay retroactive to January 28, 2013 as a Captain and shall be made whole for any loss of compensation by reason of Adverse Action 13-AA09D, except as provided herein.

4. The Employee shall forfeit and surrender five days back pay as a result of Adverse Action 13-AA07S.

5. The Guam Police Department shall issue a Letter of Reprimand/Caution to the Employee, effective January 20, 2013, arising from the charges in 13-AA07S. Said letter shall be removed from the Employee's personnel file one year after the effective date of the Adverse Action in said case.

6. No later than March 17, 2014, the Guam Police Department shall pay the Employee's attorney, Curtis Van de Veld, the sum of Two Thousand Five Hundred Dollars (\$2,500.00) for his attorney's fees in 13-AA09D, pursuant to 4 GCA § 4406.1. No attorney's fees shall be paid for Adverse Action 13-AA07S.

7. The Employee hereby withdraws his Whistleblower Complaint, 13-WB-01, as being moot, and the Commission shall dismiss the same.

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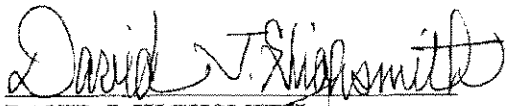
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Respectfully submitted:

**OFFICE OF THE ATTORNEY GENERAL**  
Leonardo M. Rapadas, Attorney General

**GUAM POLICE DEPARTMENT**


By:   
**DAVID J. HIGHSMITH**  
Assistant Attorney General


By:   
**FRED E. BORDALLO**  
Chief of Police

Dated: 2/25/14

Dated: 2/26/14

**SO STIPULATED BY:**  
**THE VAN DE VELD LAW OFFICE, P.C.**

By:   
**CURTIS C. VAN DE VELD, ESQ.**  
Counsel for Employee


By:   
**MARK C. CHARFAUROS**  
Employee


Dated: 02-26-14


Dated: 2/26/14


**SO ORDERED THIS** 13<sup>th</sup> **DAY OF** MARCH **2014** as determined by a  
vote of 7-0 on February 18, 2014.


**LUIS R. BAZA**  
Chairman

  
**MANUEL PINAUIN**  
Vice-Chairman

  
**PRISCILLA T. TUNCAP**  
Commissioner

  
**JOHN SMITH**  
Commissioner

  
**LOURDES HONGYEE**  
Commissioner

  
**DANIEL D. LEON GUERRERO**  
Commissioner

  
**EDITH C. PANGELINAN**  
Commissioner