

BEFORE THE
GUAM CIVIL SERVICE COMMISSION



32-14-1442
Office of the Speaker
Ludith T. Won Pat, Ed. D.

Date 3.26.14
Time 2:07pm
Received by [Signature]

IN THE MATTER OF:

ROSE C. CASTRO,

Employee,

vs.

GUAM HOUSING & URBAN
RENEWAL AUTHORITY,

Management.

ADVERSE ACTION APPEAL
CASE NO. 11-AA24T

DECISION AND JUDGMENT

Office of the Legislative Secretary
Senator Tina Rose Mufia Barnes
Date 3-26-14
Time 1:55
Received by [Signature]

This case came before the Civil Service Commission at its regularly scheduled meetings on April 2, 2013, January 7, 2014, January 9, 2014 and January 15, 2014 at its office located at Suite 6A, Sinajana, Guam. Present were Employee Rose C. Castro (hereafter "Employee Castro") appearing with her counsel, the law offices of Cunliffe & Cook, A Professional Corporation, by Jeffrey A. Moots, Esq., and Management Guam Housing Urban Renewal Authority (hereafter "Management GHURA") appearing through its counsel, Cynthia V. Ecube Esq.

I. ISSUES

1. Was there a violation of 4 Guam Code Annotated Sections 4406 in Management's issuance of the adverse action in question to Employee Castro?
2. By a vote of 7-0, the Commission found Management had not met its evidentiary burden necessary to support the issuance of the adverse action to Employee Castro.

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II. HOLDING

1. By a vote of 7-0, the Commission found Management did not violated 4 G.C.A. § 4406, when issuing the adverse action in question to Employee Castro.
2. By a vote of 7-0, the Commission found Management had not met its evidentiary burden necessary to support the issuance of the adverse action to Employee Castro.

III. JURISDICTION

The jurisdiction of the Civil Service Commission is based on upon the Organic Act of Guam and 4 G.C.A. § 4401 et. seq.

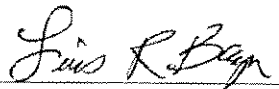
IV. CONCLUSION

Management GHURA is hereby ordered to immediately reinstate Employee Castro to her prior position of employment.

Management GHURA is further ordered to fully compensate Employee Castro for all the time following her termination on July 6, 2011 until the date she is reinstated to her prior position of employment. The compensation shall include all employers' contributions to the Government of Guam Retirement Fund, the awarding of all step increases Employee Castro would have been entitled to between July 6, 2011 and the time she is reinstated, as well as the accumulation of vacation and sick days for all the pay periods between July 6, 2011 and the date Employee Castro is reinstated.

Management GHURA is further ordered to pay attorney's fees incurred by Employee Castro during the appeal of the adverse action in the amount of \$7,367.00

SO ADJUDGED THIS 25th DAY OF March 2014.




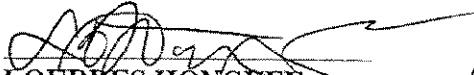
LUIS R. BAZA
Chairman

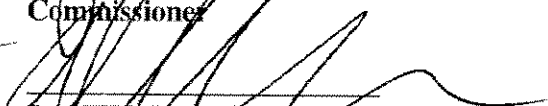



MANUEL R. PINAUIIN
Vice-Chairman


 PRISCILLA T. TUNCAP
 Commissioner


 JOHN SMITH
 Commissioner


 LOURDES HONGYEE
 Commissioner


 DANIEL B. LEON GUERRERO
 Commissioner


 EDITH C. PANGELINAN
 Commissioner

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