



BEFORE THE  
GUAM CIVIL SERVICE COMMISSION  
BOARD OF COMMISSIONERS



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IN THE MATTER OF:

GRIEVANCE APPEAL  
CASE NO.: 16-AA21S

JONATHAN CONCEPCION,  
Formerly known as Jonathan J. Quenga,

Employee,

vs.

PORT AUTHORITY OF GUAM,

Management.

JUDGMENT

33-16-2169  
Office of the Speaker  
Judith T. Won Pat, Ed.D

Date: 11/4/16

Time: 10:41 a.m

Received By: [Signature]

Pursuant to the Offer of Judgment by Management, we hereby enter Judgment in favor of the Employee. Employee is entitled to all back pay and benefits for the days of the suspension served during his regularly scheduled work days, up until Employee's date of resignation.

SO ADJUDGED THIS 3rd DAY OF November 2016.

Office of Senator Tom Bunn  
RECEIVED

[Signature]  
EDITH PANGELINAN  
Chairperson

[Signature]  
DANIEL D. LEON GUERRERO  
Vice-Chairperson

11/4/16 10:10a  
DATE

[Signature]  
PRISCILLA T. TUNCAP  
Commissioner

[Signature]  
JOHN SMITH  
Commissioner

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LOURDES HONGYEE  
Commissioner

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CATHERINE GAYLE  
Commissioner

ORIGINAL



The Law Offices of  
**PHILLIPS & BORDALLO**

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"I Erensia, Lina'la', Espiritu-ta"



5 *Attorneys for Management,*  
6 *Port Authority of Guam*

7 **CIVIL SERVICE COMMISSION**  
8 **GOVERNMENT OF GUAM**

8 In the Matter of: ) ADVERSE ACTION APPEAL  
9 ) CASE NO. 16-AA21S

10 JONATHAN CONCEPCION, )  
11 formerly known as Jonathan J. Quenga, )  
12 Employee, )

11 **MANAGEMENT'S**  
12 **OFFER OF JUDGMENT**

12 vs. )

13 PORT AUTHORITY OF GUAM, )  
14 Management. )  
15

16 **COMES NOW** Management, Port Authority of Guam ("PAG" or "PORT"), through its  
17 attorneys of record, Law Offices of Phillips & Bordallo, P.C., by Michael F. Phillips, and hereby  
18 offers an entry of Judgment.  
19

20 **INTRODUCTION**

21 On May 27, 2016, Management served Employee with an adverse action for discourteous  
22 treatment of another employee and for threatening, coercing, and harassment. As a result,  
23 Management ordered that Employee serve a fifteen (15) day suspension. The suspension began  
24 on May 28, 2016; however, Employee resigned from his position as a Port Police Officer II  
25 before completing his fifteen (15) day suspension. Employee's resignation became effective on  
26 June 2, 2016. As of the date of this filing, Employee is no longer an employee of the Port  
27 Authority of Guam.  
28

1 **Management's Offer of Judgment**  
 2 **Jonathan Concepcion vs. Port Authority of Guam**  
 3 **Civil Service Commission Case No.: 16-AA21S**

4 **CONCLUSION**

5 Considering the Employee's unforeseen resignation and the time Management,  
 6 Employee, and the Commission may take to try this matter, Management offers, consents, and  
 7 requests that the Commission enter judgment in favor of the Employee to revoke Management's  
 8 May 27, 2016, adverse action to close this matter. Employee may also receive all back pay and  
 9 benefits for the days of suspension served during his regularly scheduled work days, excluding  
 10 non-work days (*i.e.*, applicable weekends and holidays), up until Employee's date of resignation.

11 Respectfully submitted this 19<sup>th</sup> day of October, 2016.

12 **PHILLIPS & BORDALLO, P.C.**  
 13 *Attorneys for Port Authority of Guam*

14 By: 

15 MICHAEL F. PHILLIPS

16 PHILLIPS & BORDALLO

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