

IN THE MATTER OF THE CLASSIFICATION MAINTENANCE REVIEW OF:

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) **MERB Docket No. 24-05-918C**

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) **DECISION AND ORDER**

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) **INDEPENDENT REVIEWER'S**

) **RECOMMENDATION ACCEPTED**

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) **APPEAL GRANTED**

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¹ 29 *Del. C.* §5915(c): Any maintenance review classification determination may be appealed to the Merit Employee Relations Board by any affected employee or agency within 30 calendar days of notification. The Merit Employee Relations Board shall hear all maintenance review classification appeals before it in chronological order, beginning with the oldest such appeal unless all parties are in agreement with other such arrangements.

Chapter 59 of Title 29 of the Delaware Code, Merit System of Personnel Administration, Section 5915, Classification; uniformity; appeal of classification, establishes the process for considering the appeal of a maintenance classification determination issued by the Department of Human Resources (“DHR), Division of Classification and Compensation.

This appeal was assigned to the Independent Reviewer (“IR”) hired by the Board for evaluation.² Upon receiving the appeal, the Independent Reviewer (who is trained and experienced in job analysis) reviewed the appeal (including documentation provided therewith), documents provided by the Division of Classification and Compensation on which it relied to reach its determination, the relevant classification specifications, and also interviewed the Appellant.

The IR issued his Recommendation finding that based on the totality of evidence, the appeal for reclassification to the Training and Education Specialist IV is supported.

The IR’s recommendation was forwarded to the parties on January 12, 2026. The Appellant accepted the IR’s Recommendation by email that same day. By email dated February 10, 2026, the Secretary of the Department of Human Resources also accepted the Recommendation.

Section 5915(f) states, “ If the findings of the independent reviewer are accepted by the employee and the Secretary, the Board shall also accept the findings.”

WHEREFORE, the Recommendation of the Independent Reviewer is hereby accepted.

² The Board acknowledges the significant delay between the submission of the appeal and its assignment to the Independent Reviewer which resulted from its difficulty in identifying and contracting with a qualified IR.

SO ORDERED, THIS 25TH DAY OF FEBRUARY, 2026.

A handwritten signature in blue ink, appearing to read "Johan", is written over a horizontal line.

JENNIFER COHAN, MERB Chairperson