

**BEFORE THE MERIT EMPLOYEE RELATIONS BOARD
OF THE STATE OF DELAWARE**

IN THE MATTER OF THE CLASSIFICATION MAINTENANCE REVIEW OF:

ADRIANNE SPIEGELMAN AND ASHWINI BACHAVALA,)	<u>MERB Docket No. 25-05-947C</u>
)	
Appellants,)	DECISION AND ORDER
)	
and)	INDEPENDENT REVIEWER’S
)	RECOMMENDATION
DEPARTMENT OF FINANCE,)	
)	
Employer.)	APPEAL DENIED

STATE ACCOUNTING ADMINSTRATOR II

On or about May 5, 2025, Adrienne Spiegelman and Ashwini Bachavala (“Appellants”) filed a Classification Appeal with the Merit Employee Relations Board (“Board), asserting the Classification Maintenance Review determination reclassifying their former classification of FSF Project Manager to State Accounting Administrator II was in error.¹ The Appellants assert their job duties were not reflected in the State Accounting Administrator II class specifications and requested the Maintenance Review determination be reviewed. The appeal also included input from and the signatures of Appellants’ supervisor, division director and personnel representative.

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 Appellants. In his recommendation, he noted that while both appellants participated in the telephone interview, Ms. Bachavala advised him that since filing the appeal, she has transferred to another position. Ms. Spiegelman did not object to Ms. Bachavala’s continued involvement. During the interview the Appellants confirmed that there is no existing classification which they believe accurately defines their duties and responsibilities.

The IR issued his Recommendation finding:

The Employees initially asserted that the position they envision does not currently exist. The documentation and analysis referenced [*in his recommendation*] indicate a pathway to identify a more objective and appropriately aligned role that meets operational needs. Adjusting or right-sizing a position to match organizational demand is more appropriate than seeking reclassification through an appeal to a position that only tangentially aligns with policy standards by finding a position to appeal to. Therefore, the appeal is denied.

The IR’s recommendation was forwarded to the parties on January 20, 2026. By emails dated February 24, 2026, the Appellants accepted the Independent Reviewer’s Recommendation.

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

The Secretary of the Department of Human Resources accepted the Recommendation by email dated February 20, 2026.

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.

SO ORDERED, THIS 12TH DAY OF MARCH, 2026.



JENNIFER COHAN, MERB Chairperson