

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

IN THE MATTER OF THE CLASSIFICATION MAINTENANCE REVIEW OF:

APPELLANT,)	
)	<u>MERB Docket No. 25-08-965C</u>
)	
and)	
)	DECISION AND ORDER
DEPARTMENT OF NATURAL RESOURCES AND)	
ENVIRONMENTAL CONTROL, DIVISION OF)	INDEPENDENT REVIEWER'S
AIR QUALITY,)	RECOMMENDATION ACCEPTED
)	
Employer.)	

ADMINISTRATIVE SPECIALIST

On or about August 18, 2025, the Appellant filed a Classification Appeal with the Merit Employee Relations Board (“Board”), asserting the Classification Maintenance Review determination reclassifying her former classification of Administrative Specialist II to Administrative Specialist was in error.¹ The Appellant asserted her job duties met the criteria of a Senior Administrative Specialist and requested the Maintenance Review determination be reviewed. The appeal also included input from and the signatures of Appellant’s supervisor 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 Appellant.

The IR issued his Recommendation denying the appeal, finding, “The preponderance of the information presented does not support alignment with the Senior Administrative Specialist classification, and the appeal is denied.”

The IR’s Recommendation was forwarded to the parties on May 28, 2026. By email dated June 26, 2026, the Appellant accepted the Independent Reviewer’s Recommendation. By email dated June 29, 2026, the Secretary of the Department of Human Resources also accepted the IR’s Recommendation.

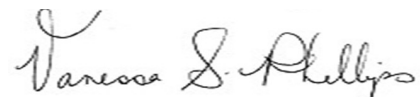
Section 5915(f) states, “ If the findings of the independent reviewer are accepted by the employee and the Secretary, the Board shall also accept the findings.”

WHEREFORE, the Recommendation of the Independent Reviewer to deny the appeal

² The Board acknowledges there was a delay between the submission of the appeal and issuance of the Independent Reviewer’s decision which was due to the large volume of pending Classification Maintenance Review Appeals.

is hereby accepted.

SO ORDERED, THIS 6TH DAY OF JULY, 2026.

A handwritten signature in cursive script that reads "Vanessa S. Phillips". The signature is written in black ink and is positioned above a horizontal line.

VANESSA S. PHILLIPS, CHAIR