

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

IN THE MATTER OF THE CLASSIFICATION MAINTENANCE REVIEW OF:

KELLY DUNNINGTON,	)	<u>MERB Docket No. 25-08-971C</u>
	)	
Appellant,	)	DECISION AND ORDER
	)	
and	)	INDEPENDENT REVIEWER’S
	)	RECOMMENDATION ACCEPTED
	)	
DEPARTMENT OF AGRICULTURE,	)	
	)	
Employer.	)	

SENIOR ADMINISTRATIVE SPECIALIST

On or about August 20, 2025, Kelly Dunnington (“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 Ms. Dunnington 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, division director, and personnel representative.

Chapter 59 of Title 29 of the Delaware Code, Merit System of Personnel

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.

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, “Based on the preponderance of the information presented, and additional duties consistently performed above the assigned classification, the appealed requested relief to Senior Administrative Specialist is supported.”

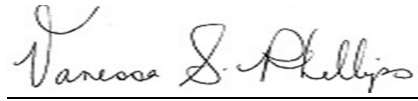
The IR’s Recommendation was forwarded to the parties on June 22, 2026. By email dated July 9, 2026, the Secretary of the Department of Human Resources accepted the IR’s Recommendation. By email dated July 21, 2026, the Appellant accepted the IR’s Recommendation.

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 is hereby accepted.

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.

SO ORDERED, THIS 17TH DAY OF AUGUST, 2026.

A handwritten signature in cursive script, reading "Vanessa S. Phillips". The signature is written in dark ink and is positioned above a horizontal line.

VANESSA S. PHILLIPS, CHAIR