

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

IN THE MATTER OF THE CLASSIFICATION MAINTENANCE REVIEW OF:

LYNEACE L. BUTCHER,	)	
Appellant,	)	<u>MERB Docket No. 25-09-998C</u>
	)	
and	)	
	)	DECISION AND ORDER
DEPARTMENT OF STATE, OFFICE OF ALCOHOLIC	)	
BEVERAGE CONTROL COMMISSIONER,	)	
	)	
Employer.	)	

Senior Administrative Specialist

On or about September 23, 2025, Lyneace L. Butcher (“Appellant”) filed a Classification Appeal with the Merit Employee Relations Board (“Board”), asserting the Classification Maintenance Review determination declining to reclassify the Administrative Specialist position she held was in error.¹ Ms. Butcher asserted her job duties met the criteria to be reclassified as an Office Manager and requested the Maintenance Review determination be reviewed. The appeal also included input from and the signatures of Appellant’s supervisor and division director.

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 evidence and the totality of the duties performed by the Employee, the modified appeal to the Senior Administrative Specialist classification is supported. This determination is based, in significant part, on the unique organizational structure and staffing model of the OABCC, which requires the Employee to routinely perform responsibilities that extend beyond the traditional scope of the current classification.

This decision should not be interpreted as establishing that all similarly classified positions warrant the same outcome. Rather, it is grounded in the specific facts presented in this appeal, including the size of the office, the breadth of the Employee’s ongoing responsibilities, and the operational necessity of those duties. Should the staffing structure of OABCC materially change through the addition of administrative personnel or the reassignment of responsibilities, the factual basis supporting this determination may likewise change. Accordingly, the classification should be reevaluated during a future maintenance review if the operational structure or assigned duties are materially modified.

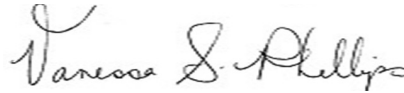
² The Board acknowledges the significant delay between the submission of the appeal and its assignment to the Independent Reviewer which resulted from its difficulty in identifying and contracting with a qualified IR.

The IR's Recommendation was forwarded to the parties on August 3, 2026. By email dated August 3, 2026, the Appellant accepted the IR's Recommendation. By email dated September 2, 2026, the Secretary of the Department of Human Resources also accepted the Independent Reviewer's recommendation to reclassify the position to Senior Administrative Specialist.

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 modified Recommendation of the Independent Reviewer is hereby accepted.

SO ORDERED, THIS 9TH DAY OF SEPTEMBER, 2026.

A handwritten signature in cursive script, reading "Vanessa S. Phillips", written in dark ink.

VANESSA S. PHILLIPS, CHAIR