

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

IN THE MATTER OF THE CLASSIFICATION MAINTENANCE REVIEW OF:

STEPHANIE GOODYEAR,

Appellant,

and

OFFICE OF THE STATE FIRE MARSHAL,

Employer.

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MERB Docket No. 25-08-959C

DECISION AND ORDER

EXECUTIVE ASSISTANT

After due notice of time and place, this matter came to a hearing before the Merit Employee Relations Board (the “Board”) at 9:00 a.m. on Thursday, September 17, 2026, at the Delaware Public Service Commission, Silver Lake Plaza, Cannon Bldg., Suite 100, 861 Silver Lake Boulevard, Dover, DE 19904.

BEFORE Vanessa S. Phillips Chairperson; Lester E. Johnson, Jr., and Curtis D. Linton, Members; a quorum of the Board under 29 *Del. C.* §5908(a).

APPEARANCES

Jennifer Singh, Esq.
Legal Counsel to the Board

Deborah L. Murray-Sheppard
Board Administrator

Andrew S. Haines
Independent Reviewer

Stephanie Goodyear
Employee/Appellant

Amber Hall, DHR Classification & Compensation
Tyler Waad, DAG, DHR

PROCEDURAL BACKGROUND

On or about August 12, 2025, the Appellant, Stephanie Goodyear (“Appellant”) filed a Classification Appeal with this Board asserting the Classification Maintenance Review determination issued by the Department of Human Resources (“DHR”), Division of Classification and Compensation which retitled her former Executive Secretary position to an Executive Assistant was in error. Both the former Executive Secretary classification and the retitled Executive Assistant classification were Pay Grade (“PG”) 10 positions. The Appellant asserted she was performing duties more closely aligned with the Human Resource Advisor III (PG 16) classification and requested the Maintenance Review determination be reviewed. Chapter 59 of Title 29 of the Delaware Code, Section 5915 establishes the process for considering the appeal of a maintenance classification determination by DHR.

In accordance with 29 Del. C. §5915¹, the Board assigned this appeal to its Independent Reviewer (“IR”) for evaluation.² After receiving the appeal, the IR - who is trained and experienced in job analysis - reviewed the appeal and accompanying documents, the documents DHR relied upon in reaching its determination, the relevant classification specifications, and also interviewed the Appellant. On or about April 29, 2026, the Independent Reviewer determined that, “the preponderance of the information presented supports the current classification is properly aligned as the Executive Assistant.” The appeal was denied.

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.

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.

The Board Administrator provided the IR's Recommendation to the Appellant and the DHR Secretary on May 5, 2026. The DHR Secretary accepted the IR Recommendation. The Appellant did not respond.

Section 5915 (g) of Chapter 29 of the Delaware Code, Merit System of Personnel Administration, requires that this Board "shall hold a hearing on the employee's appeal," when the Recommendation of the Independent Reviewer is ignored by one of the parties. A hearing was convened by the Board on July 15, 2026, at which the Independent Reviewer, the Appellant and a DHR representative participated. The Board moved to hold this appeal in abeyance pending receipt of additional information from DHR. Specifically, the Board requested DHR provide a copy of the Job Analysis Questionnaire ("JAQ") prepared and submitted in March, 2024. It also asked for clarification "... as to whether and/or how other classifications (specifically those outside of Human Resources classifications) were considered in reaching DHR's decision that the Executive Assistant classification is appropriate." DHR provided the JAQ and responded to the Board's inquiry by email dated August 24, 2026, stating that both HR and Fiscal support positions were considered based on the information provided in the JAQ and the classification appeal statement.

The Board lifted the abeyance and heard from DHR and Ms. Goodyear at its September 17, 2026 hearing. The DHR Deputy Director of Classification and Compensation, Amber Hall, summarized the process her office undertakes when it reviews the Recommendation of the Board's Independent Reviewer following the appeal of a classification maintenance review determination by an employee.

...[W]e always rereview the submitted PDQ, the position description questionnaire³, because we want to make sure we didn't miss anything.

³ The form completed for Ms. Goodyear's position on March 28, 2024 was titled "Job Analysis Questionnaire". DHR refers to the form as "Position Description Questionnaire." The terms are

Second, we carefully consider all the information that the employee includes in her classification appeal form.

That's very important because DHR wants to understand ... why the appeal has been filed. Next, we also consider heavily the independent review and the findings of that. And finally, DHR considers other classes as an alternative, if appropriate, based on the employee's work. So in this case, for Ms. Goodyear's position, the nature of work we still feel is primarily administrative support in nature based on the submitted PDQ.⁴

Ms. Hall testified that DHR reviewed fiscal job classifications because Ms. Goodyear spends 35% of her workday on payroll tasks, noting payroll support is a task routinely performed by Fiscal Associates. Because Ms. Goodyear was requesting to be reclassified to a PG 16, DHR compared her duties to those of Fiscal Advisor I, II and III classifications (which fall within the pay grade 10 to 16 range). DHR concluded Ms. Goodyear does not perform at the level of a Fiscal Advisor because she does not, "regularly perform fiscal analysis such as cost analysis, trend analysis, make a variety of recommendations on fiscal matters to the department, provide complex fiscal guidance." The JAQ also did not support a finding that she regularly manages budgets, grants, or contracts and/or assists in the development of budgets.⁵ The work being performed by Ms. Goodyear was more transactional in nature, and closer akin to a Fiscal Associate II classification, PG 9, which is paid less than her current Executive Assistant classification, PG 10.

Similarly, Ms. Goodyear stated in her JAQ that she spends a significant amount of her work hours doing human resources related tasks. She testified that in her role as the agency HR representative⁶ she provides,

interchangeable.

⁴ September 17, 2026 Hearing Transcript ("TR"), pp. 4-5.

⁵ TR pp. 5-6.

⁶ In the July 15, 2026 hearing, Ms. Goodyear testified, "I default as the primary advisor on State personnel policies and applicable laws, which govern employee leave, benefits, payroll, workers'

...guidance, consultation, and recommendations on human resource matters with employees, supervisors, managers, and others regarding all aspects of professional level human resource work...

... I have skill and knowledge in using the PHRST system with on-boarding new hires... When on-boarding, there are policies and forms to be given to the new employee to be reviewed, interpreted, and signed. I enter employee time and labor into PHRST. I enter benefit start dates, deposit, direct deposit, employee taxes, *etc.*

... When off-boarding, I process pension paperwork, including pension creditable compensation forms, CMS-L564s, and Medicare Part B applications, calculate and pay out the employee accordingly in PHRST... I process deferred comp paperwork through the Treasurer's Office if the employee has signed up for deferred comp. And then when the employee is retiring and wants to defer their sick vacation comp time payout, I calculate and apply it in PHRST and time and labor.⁷

Ms. Goodyear testified she also processes short-term disability paperwork on behalf of agency employees.

Ms. Hall clarified that there is no HR position assigned to the Office of the State Fire Marshal. A review of Ms. Goodyear's listed tasks, however, reveals they are primarily transactional in nature, providing responses to requests from Agency employees related to standard HR services. Again, those tasks do not require application of human resource theories, principles and models to support the operations, mission and objectives of the agency.

The Executive Assistant position "provides high-level administrative support on behalf of a top-level executive at the agency level." The job description also states:

Executive Assistants perform administrative and other support work at the agency level. This class is differentiated from the Senior Administrative Specialist class because in addition to supporting agency operations such as budgeting, accounting, purchasing, contracting, payroll, or human resources, or other agency-specific programs,

comp., FMLA, disability programs, on-boarding and off-boarding, etc." She also testified that when OSFM employees call DHR with questions, DHR refers them back to her because she functions as the office's HR representative. 7/15/26 TR, p. 17 - 18

⁷ TR, pp. 9-11.

services or technical functions, employees perform a higher level of administrative support work, problem-solving, decision-making, and accountability, with greater consequences of action taken on the entire agency, and on behalf of the executive.⁸

Following review of the record, including the supplemental information provided by DHR, the Board is satisfied that multiple fiscal and human resource positions were considered for comparative purposes by DHR, and that the Executive Assistant classification is appropriate for the work Ms. Goodyear is performing. It is clear she is a valuable member of the OSFM staff and that she has a full and complete understanding of the executive level administrative work she performs.

Upon review of the Recommendation and supporting documentation as required by 29 *Del. C.* §5915 (i), the Board supports the conclusion reached by its Independent Reviewer to deny Ms. Goodyear's appeal.

CONCLUSIONS OF LAW

Under 29 *Del. C.* §5915(i), in rendering a final and binding decision on the Independent Reviewer's Recommendation, the Board is required to consider:

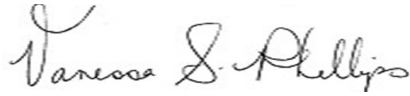
- (1) The findings of the independent reviewer;
- (2) The Secretary's initial determination;
- (3) The Secretary's response to the independent reviewer's findings;
- (4) The employee's response to the independent reviewer's findings;
- (5) The oral argument;
- (6) The consistency with other existing classified positions of a similar nature; and
- (7) The minimization of the number of classifications.

After reviewing the record and considering the arguments of the parties, the Board supports the IR's Recommendation.

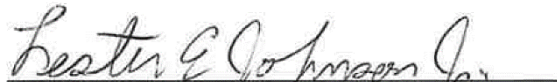
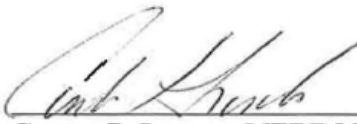
⁸ Executive Assistant (#MAAZ06) Job Description,
<https://www.jobapscloud.com/de/specs/classspecdisplay.asp?ClassNumber=MAAZ06&LinkSpec=MAAZ06>

ORDER

It is this **22nd** day of **October 2026**, by a vote of 3-0, the Decision and Order of the Board to deny the appeal of the classification maintenance review and to accept the Independent Reviewer's Recommendation.



VANESSA S. PHILLIPS, MERB Chair


LESTER E. JOHNSON, JR., MERB Member

CURTIS D. LINTON, MERB Member