

1 TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
2 SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND
3 POSITION CLASSIFICATIONS
4 CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES
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AUTHORITY: Implementing and authorized by the Personnel Code [20 ILCS 415] and the Organ Donor Leave Act [5 ILCS 327].

SOURCE: Filed May 29, 1975; amended at 3 Ill. Reg. 22, p. 78, effective June 1, 1979; amended at 3 Ill. Reg. 26, p. 199, effective July 1, 1979; emergency amendment at 3 Ill. Reg. 48, p. 188, effective January 1, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 11, p. 70, effective March 1, 1980; amended at 4 Ill. Reg. 15, p. 216, effective March 31, 1980; amended at 4 Ill. Reg. 22, p. 227, effective June 1, 1980; amended at 5 Ill. Reg. 8029, effective August 1, 1981; codified at 7 Ill. Reg. 13209; emergency amendment at 8 Ill. Reg. 329, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7788, effective May 23, 1984; amended at 14 Ill. Reg. 3433, effective February 27, 1990; emergency amendment at 15 Ill. Reg. 5076, effective March 20, 1991, for a maximum of 150 days; emergency expired August 17, 1991; amended at 15 Ill. Reg. 5214, effective April 2, 1991; amended at 15 Ill. Reg. 14067, effective September 12, 1991; amended at 16 Ill. Reg. 8368, effective May 21, 1992; amended at 17 Ill. Reg. 5587, effective March 29, 1993; amended at 19 Ill. Reg. 8130, effective June 7, 1995; amended at 19 Ill. Reg. 11775, effective August 7, 1995; emergency amendment at 21 Ill. Reg. 11291, effective July 22, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 15454, effective November 24, 1997; amended at 23 Ill. Reg. 13815, effective November 4, 1999; emergency amendment at 24 Ill. Reg. 16694, effective October 27, 2000, for a maximum of 150 days; amended at 25 Ill. Reg. 4847, effective March 19, 2001; emergency amendment at 25 Ill. Reg. 12429, effective September 14, 2001, for a maximum of 150 days; amended at 26 Ill. Reg. 1138, effective January 18, 2002; amended at 27 Ill. Reg. 9008, effective May 23, 2003; emergency amendment at 28 Ill. Reg. 9677, effective July 1, 2004, for a maximum of 150 days; emergency expired November 27, 2004; emergency amendment at 28 Ill. Reg. 13795, effective October 1, 2004, for a maximum of 150 days; emergency expired February 27, 2005; amended at 28 Ill. Reg. 16308, effective December 3, 2004; amended at 30 Ill. Reg. 329, effective December 30, 2005; amended at 30 Ill. Reg. 13857, effective August 2, 2006; emergency amendment at 32 Ill. Reg. 19944, effective December 9, 2008, for a maximum of 150 days; amended at 33 Ill. Reg. 6503, effective April 23, 2009; emergency amendment at 33 Ill. Reg. 12032, effective August 7, 2009, for a maximum of 150 days; amended at 33 Ill. Reg. 16801, effective November 24, 2009; emergency amendment at 34 Ill. Reg. 12985, effective August 20, 2010, for a maximum of 150 days; amended at 35 Ill. Reg. 1587, effective January 14, 2011; amended at 36 Ill. Reg. 8661, effective May 30, 2012; amended at 36 Ill. Reg. 16200, effective November 1, 2012; amended at 42 Ill. Reg. 7677, effective April 11, 2018; preemptory amendment at 43 Ill. Reg. 8590, effective July 26, 2019; amended at 44 Ill. Reg. 18311, effective October 30, 2020; amended at 48 Ill. Reg. _____, effective _____.

SUBPART B: LEAVE OF ABSENCE

Section 303.131 Leave in the Event of a Stillborn Child

129 All employees who provided proof of their pregnancy or that of their partner at least 30 days
130 prior to the expected due date will be eligible for 5 weeks (25 work days) of paid leave in the
131 event of a ~~full-term~~ stillborn child. The State shall require proof of a stillbirth, such as a fetal
132 death certificate or certificate of stillbirth. This leave shall be limited to one leave per employee
133 for each stillbirth. In addition, employees may be required to provide proof of a parent-child
134 relationship. Employees using leave under this Section must use the leave benefit immediately.

135

(Source: Amended at 48 Ill. Reg. _____, effective _____)

137

138 **Section 303.155 Leave to Take Exempt Position**

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140 An agency may approve leaves of absence for certified employees who accept appointment in a
141 position which is exempt from Jurisdiction B of the Personnel Code. Such leaves of absence
142 may be for a period of one year or less and may be extended for additional periods of one year or
143 less. At the expiration thereof, an employee shall be restored to the same or similar position in
144 the same county from which the leave was granted upon making application of the employing
145 agency with continuous service including the period of such leave, ~~except that employees who
146 are on leave of absence status from positions subject to Term Appointment of January 1, 1980
147 shall be subject to the provisions of Term Appointment and whose rights shall be terminated
148 under the provisions of this Part if not reappointed pursuant to 80 Ill. Adm. Code 302.840.~~

149

(Source: Amended at 48 Ill. Reg. _____, effective _____)

151

152 **Section 303.190 Authorized Holidays**

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154 All employees shall have time off, with full salary payment, on the day designated as a holiday
155 for the following:

156

157 New Year's Day

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159 Martin Luther King Day

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161 Lincoln's Birthday

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163 Washington's Birthday

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165 Memorial Day

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167 Juneteenth

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169 Independence Day

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171 Labor Day

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173 Columbus Day

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175 Veterans' Day

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177 Thanksgiving Day

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179 Christmas Day

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181 General Election Day
182 (on which Members of the House of Representatives are elected)

183
184 and any additional days proclaimed as holidays or non-working days by the Governor of the
185 State of Illinois or by the President of the United States.

186
187 (Source: Amended at 48 Ill. Reg. _____, effective _____)

188
189 **Section 303.250 Vacation Eligibility**

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191 a) Employees, except emergency and temporary employees, shall earn vacation
192 time. No employee on leave of absence may earn vacation except when the leave
193 was for the purpose of accepting a temporary working assignment in another
194 class.

195
196 b) Eligible employee shall earn vacation time in accordance with the following
197 schedule:

198
199 1) From the date of hire until the completion of 5 years of continuous
200 service: 10 workdays per year of employment.

201
202 2) From the completion of 5 years of continuous service until the completion
203 of 9 years of continuous service: 15 workdays per year of employment.

204
205 3) From the completion of 9 years of continuous service until the completion
206 of 14 years of continuous service: 17 workdays per year of employment.

207
208 4) From the completion of 14 years of continuous service until the
209 completion of 19 years of continuous service: 20 workdays per year of
210 employment.

211
212 5) From the completion of 19 years of continuous service until the
213 completion of 25 years of continuous service: 22 workdays per year of
214 employment.

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6) From the completion of 25 years of continuous service: 25 workdays per year of employment.

c) Vacation time shall be earned in workdays and computed in hours. After an employee's earned vacation time has been so computed, if there remains a fractional balance of ½ hour or less, the employee shall be deemed to have earned vacation time of ½ hour in lieu of the fractional balance. If there remains a fractional balance of more than ½ hour, the employee shall be deemed to have earned a full hour of vacation time in lieu of a fractional balance.

d) Computation of vacation time of State employees who have interrupted continuous State service shall be determined as though all previous State service that qualified for earning of vacation benefits is continuous with present service. This subsection (d) applies to vacation time earned on or after October 1, 1972.

e) The Director may establish a plan for the determination of incoming vacation time upon entry to state service for employees not subject to a collective bargaining agreement.

(Source: Amended at 48 Ill. Reg. _____, effective _____)

SUBPART C: WORK HOURS AND SCHEDULES

Section 303.320 Overtime

a) For those positions approved by the Director and designated on lists maintained by the Director, authorized work in excess of an approved work schedule shall be overtime. Such work may be compensated for in cash or compensatory time as determined by the agency provided such designation is in accordance with the Fair Labor Standards Act, as amended. Overtime work shall be distributed as equitably as possible among qualified employees competent to perform the services required, when overtime is required, and employees shall be given as much advance notice as possible. ~~Except where required by law, time spent in travel shall not be considered overtime.~~

b) Compensatory time, if any is earned hereunder, shall be scheduled at the convenience of the agency after consideration of the employee's preference, but within the fiscal year during which such time was earned. If such compensatory time is not liquidated within the fiscal year during which earned, it shall be liquidated in cash at the end of the fiscal year.

(Source: Amended at 48 Ill. Reg. _____, effective _____)

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Section 303.330 Overtime Payable Upon Death

Upon death of a State employee, the person or persons specified in Section 14a of ~~the "An Act in relation to State Finance Act [30 ILCS 105/14a]" (Ill. Rev. Stat. 1981, ch. 127, par. 15a)~~ as now or hereafter amended, shall be entitled to receive from the appropriation for personal services theretofore available for payment of the employee's compensation such sum for accrued overtime as would have been paid or allowed to such employee had the employee survived.

(Source: Amended at 48 Ill. Reg. _____, effective _____)

SUBPART D: UNDATED OR INCOMPLETE FORMS

Section 303.360 Undated Forms

No supervisor or other person in a position of authority shall demand or request that an employee sign an undated resignation or any blank form or equivalent. No employee shall be required to sign such a form. Any such demand shall entitle the employee to immediate appeal to the Director.

(Source: Amended at 48 Ill. Reg. _____, effective _____)

Section 303.370 Incomplete Forms

Any information placed on a form, or equivalent, or any modification or alteration of existing information made on a form subsequent to having been signed by an employee shall be null and void insofar as it may affect the employee, the employee's position or condition of employment. Any employee required to sign any form prepared pursuant to these Rules shall be given a copy of it at the time the employee's signature is affixed.

(Source: Amended at 48 Ill. Reg. _____, effective _____)

Section 303.380 Reason for Separation

Employees resigning from state employment must set forth their reason(s) for resignation in writing. The document effecting such resignation from state employment shall contain or have attached the reason for the separation. If an employee fails to provide written notice of resignation from state employment, documentation of such failure shall be attached to the document effecting such resignation from state employment.

(Source: Amended at 48 Ill. Reg. _____, effective _____)