**Section 600.678 Vacation Leave**

a) Accrual

1) Full-time employees shall earn vacation leave, accrued daily on a pro-rated basis, in accordance with the following schedule:

A) From the date of hire until the completion of 5 years of continuous service: 10 days annually.

B) From the completion of 5 years of continuous service until the completion of 9 years of continuous service: 15 days annually.

C) From the completion of 9 years of continuous service until the completion of 14 years of continuous service: 17 days annually.

D) From the completion of 14 years of continuous service until the completion of 19 years of continuous service: 20 days annually.

E) From the completion of 19 years of continuous service until the completion of 25 years of continuous service: 22 days annually.

F) From the completion of 25 years of continuous service: 25 days annually.

2) No employee shall accrue vacation leave while remaining on the payroll to collect accrued vacation prior to the effective date of his or her termination.

3) Employees who work less than 19 hours per week do not earn vacation leave. Permanent part-time employees shall earn vacation in accordance with the schedule set forth in subsection (a)(1) on a prorated basis determined by a fraction the numerator of which shall be the hours worked by the employee and the denominator of which shall be normal working hours in the year required by the position.

b) Use

Vacation leave may be used in ½ hour increments. Employees may use vacation leave only upon the approval of a Director or his or her designee or, if the employee is a Director, upon the approval of the Auditor General or his or her designee. No employee may approve his or her own request for vacation leave.

c) Continuous Service

Computation of vacation leave 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.

d) Accumulation

An employee who is employed by the Office on or prior to the effective date of this Part (May 1, 1994) shall be allowed to carry over accumulated vacation leave from year to year provided that the accumulation does not exceed 75 days carry over in any calendar year. Calculation of time will be made on December 31 of each year and, if the employee's total vacation leave exceeds 75 days at that time, only 75 days will be carried into the next year. An employee who is employed by the Office after May 1, 1994 (the effective date of this Part) will not be allowed to accumulate vacation time for more than 24 months after the end of the calendar year in which it is earned. If that employee does not request and take accrued vacation within the 24 month period, vacation earned during that calendar year shall be lost.

e) Payout

Upon termination of employment by means of resignation, retirement, indeterminate layoff, or discharge, provided the employee is not employed in another position in State service within 4 calendar days after his or her termination, the employee is entitled to be paid for any vacation earned but not taken or forfeited, up to a maximum of 75 days. No other payment in lieu of vacation shall be made except as provided by subsection (f). This payment shall not be deemed to extend the effective date of termination by the number of days represented by the payment. Payment shall be computed by multiplying the number of days (hours) of accumulated vacation by the employee's daily (hourly) rate. Payment shall not be allowed if the purpose of the separation from employment and any subsequent reemployment is for the purpose of obtaining that payment. The accrued leave amount shall be certified in writing to the employee and may be held by the employee or forwarded to the State Employee's Retirement System.

f) Upon the death of a State employee, the person or persons specified in Section 14a of the State Finance Act [30 ILCS 105] shall be entitled to receive from the appropriation for personal services available for payment of the employee's compensation a sum for any accrued vacation period to which the employee was entitled at the time of death, up to a maximum of 75 days. The sum shall be computed by multiplying the employee's daily or hourly rate by the number of days or hours of accrued vacation due.

(Source: Amended at 44 Ill. Reg. 5873, effective April 1, 2020)