**Section 212.278** **Vacation Leave**

a) Accrual:

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

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

B) From the completion of five years of continuous service until the completion of nine years of continuous service: 15 days annually.

C) From the completion of nine 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.

G) Temporary employees do not accrue vacation leave.

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

b) Use: Vacation leave may be used in quarter hour up to full day increments. Employees may use vacation leave only upon the approval of a Director, or, if the employee is a Director, upon the approval of the Executive Director. No employee may approve his or her own request for vacation leave.

c) Continuous Service: Computation of vacation leave of Office 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: Employees shall 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 an employee does not request and take accrued vacation within the 24-month period, vacation earned during that calendar year shall be lost.

e) Payout:

1) Upon leaving employment with the Office, an employee, at his or her option:

A) may be paid in a lump sum for accrued and unused vacation days up to a maximum of 75 days; or

B) may remain on the payroll for the period of time equal to accrued and unused vacation days up to a maximum of 75 days. However, if, during this period, the employee is placed on another State payroll, he or she shall be removed from the Office's payroll. In that event, the employee may receive a lump sum payment for, or transfer to his or her account with the new employer, the remaining balance of his or her maximum accrued vacation days less any vacation days used under this subsection (e)(1)(B).

2) The payment provided by subsection (e)(1)(A) shall not be allowed if the purpose of the separation from employment and any subsequent reemployment is for the purpose of obtaining payment.

3) The payment provided by subsection (e)(1) 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 current daily (hourly) rate. The accrued leave amount shall be certified in writing to the employee and may be held by the employee or forwarded to the Retirement System.

4) Upon the death of a State employee, the person or persons specified in Section 14a of the State Finance Act [30 ILCS 104/14a] shall be entitled to receive from the appropriation for personal services available for payment of the employee's compensation, the sum for any accrued vacation period to which the employee was entitled at the time of death. The sum shall be computed by multiplying the employee's last daily rate of pay by the number of days of accrued vacation due.

(Source: Amended at 39 Ill. Reg. 6712, effective April 22, 2015)