

80 ILLINOIS ADMINISTRATIVE CODE CH. VI. SEC. 250.120
SUBTITLE A

Section 250.120 Seniority

- a) Accumulation of Seniority.
 - 1) After the completion of the probationary period, the status employee's seniority shall date from the beginning of the probationary period. Seniority is accumulated on the basis of hours in a pay status exclusive of overtime. Seniority may be accumulated in certain types of non-pay status under specified conditions as provided for in Section 250.120(f),(g),(h) and (J).
 - 2) Seniority once earned in a class is retained during any period of continuous employment:
 - A) Except as provided for in lesser units in accordance with Section 250.120(k)(2).
 - B) Except an employee does not retain seniority in any class from which he has been demoted because of unsatisfactory performance or for disciplinary reasons.
- b) Retention of Seniority. Seniority accrued in a class is retained for that class for purposes of retreat rights even though an employee accepts a position in another class outside of the promotional line
- c) Seniority Lists. Each employer shall maintain a public and current seniority list which includes the names of all status employees in each class in order of their seniority.
- d) Ties in Seniority Lists.
 - 1) If two or more employees have the same seniority, their names shall be placed on the seniority list in the order of their scores in the examination for the position; i.e., the person with the highest score shall be first, next highest second, and continuing in descending order of their scores. Seniority between employees who receive the same score on the examination shall be determined in accordance with years of service at the place of employment, then in accordance with date of application for employment.
 - 2) If two or more employees have the same seniority in the same lesser unit Section 250.120(d)(1) shall apply.
- e) Accumulation of Seniority, or Service, in Promotional Line. Seniority, or service, in a higher class in a promotional line may be added to seniority, or service, earned in a lower class in the same line to compute total seniority, or service, in the lower class. Seniority earned in a class shall be counted toward seniority in a lower class in the same promotional line even though the employee may not have served in the lower class. Seniority, or service, earned in a lower class in a promotional line may not be added to seniority, or service, earned in a higher class in the same line to compute total seniority, or service, in the higher class.
- f) Accumulation of Seniority during Disability. Subject to limitation imposed by Section 250.120(h) (Accumulation of Seniority during Layoff Status), employees accrue seniority while on leave of absence for disability, as defined in Section 250.110(b)(2), and for pregnancy, as defined in Section 250.110(b)(4).
- g) Accumulation of Seniority during Authorized Absence without Pay. An employee shall accrue seniority during approved leaves of absence without pay not exceeding a total of 30 work days within any calendar year.
- h) Accumulation of Seniority during Layoff Status. An employee continues to accrue seniority during layoff occasioned by a break in the academic calendar or during any other layoff period not in excess of 30 consecutive work days.

- i) Accumulation of Seniority during Suspension. Employees do not accrue seniority while on suspension.
- j) Accumulation of Seniority during Military Service.
 - 1) A status employee accrues seniority during leave for military service until date of separation from active military service and for 90 calendar days thereafter, if such separation is under conditions other than dishonorable.
 - 2) An employee whose name has been certified and who has not completed his probationary period at the time his leave for military service was granted, accrues seniority during his leave for military service until date of separation from active service and for 90 calendar days thereafter, if such separation is under conditions other than dishonorable, providing he is reemployed in a position of the same class as that in which he was employed at the time of his leave for military service, and providing that he satisfactorily completes his probationary period in the class upon reemployment.
- k) Effect of Lesser Units on Seniority.
 - 1) Lesser units, for purposes of determining seniority, may be approved by the Merit Board, provided two-thirds of the status employees within the class involved in the approval of the lesser unit shall agree to the creation of such lesser unit. A lesser unit can be disestablished only by agreement (i.e., election) of two-thirds of all status employees in the class at the place of employment (subject to subsequent approval by the Merit Board).
 - 2) A status employee who accepts a position in a different lesser unit relinquishes seniority acquired in the previous lesser unit(s), but cannot be required to serve another probationary period, providing there is no change in class.
 - 3) An employee in a lesser unit who accepts a temporary assignment in another lesser unit during a period of layoff does not accrue seniority in the latter unit.
- l) Effect of Vacation Time on Seniority at Time of Separation.

At the time of separation, seniority shall be accrued only through the period of actual service to the employer. Payment for earned vacation time shall not be included in the seniority computation.
- m) Restoration of Seniority after Retirement. If a retired employee is reemployed within 60 days of retirement, seniority earned up to the effective date of retirement shall be restored.