**Section 302.91 Alternative Employment**

a) The Department shall establish and maintain an Alternative Employment Program for certified employees who, due to a work related or non-work related disability which permanently precludes the performance of regularly assigned duties, are on disability leave, on other appropriate leave or who are receiving disability benefits. Eligible employees may participate in the Alternative Employment Program under the following conditions:

1) the employee shall voluntarily submit a written request for participation in the Alternative Employment Program and work with a career counselor to identify appropriate positions for employment;

2) the employee shall be eligible for appointment to such alternative employment by virtue of full participation in the Alternative Employment Program; and

3) the employee shall be deemed able to perform the duties of the alternative position after examination, if requested, by a person licensed under the Medical Practice Act [225 ILCS 60] or under similar laws of Illinois, the laws of other states or countries, or by an individual authorized by a recognized religious denomination to treat by prayer or spiritual means.

b) Refusal of an employee to request to participate in the Alternative Employment Program shall not jeopardize the employee's eligibility for any benefit relating to the disability to which he or she would otherwise be entitled.

c) After appointment to a position pursuant to the Alternative Employment Program, the employee shall be entitled to all the rights, benefits and privileges of jurisdictions A, B and C and any applicable collective bargaining agreement.

d) An employee will not be considered as a full participant in the Alternative Employment Program if the employee refuses an offer of employment and is able to perform the duties of that position. However, if the employee cannot perform the duties of the position due to the disabling condition or reasons related to the disability, the employee may remain in the Program.

(Source: Amended at 48 Ill. Reg. 11318, effective July 16, 2024)