**Section 500.230 Continuous Service**

a) Definition:

1) Continuous service is the uninterrupted period of service from the date of original appointment to State service except as provided for in Section 500.230(g).

2) Employees who have accrued continuous service in another merit system in State service or who have accrued continuous service in State service not covered by a merit system, and who have been transferred to a department subject to the Personnel Code, shall be given such credit for said service as shall be determined by the Director or required by law.

b) Interruptions in Continuous Service: Continuous service shall be interrupted by:

1) Resignation; provided, however, that such continuous service will not be interrupted by resignation when an employee is employed in another position in State service within 4 calendar days of such resignation;

2) Discharge; provided, however, such continuous service shall not be interrupted if the employee is retained in the position after a hearing before the Merit Commission;

3) Termination; because an employee has not been reemployed within 2 years after layoff.

c) Deductions From Continuous Service: Except as provided in Section 500.230(f), the following shall be deducted from, but not interrupt continuous service:

1) Time away from work for any leaves of absence without pay totaling more than 30 days in any 12 month period except time away from work for a leave of absence to accept a temporary, provisional, emergency, or exempt assignment in another class shall not be deducted from continuous service;

2) Time away from work because of disciplinary suspensions totaling more than 30 days in any 12 month period;

3) Time away from work because of layoff.

d) Veterans Continuous Service:

1) Leaves of absence shall be granted to all employees except temporary or emergency employees, who leave their positions and enter military service for 4 years or less (exclusive of any additional service imposed pursuant to law). An employee shall be restored to the same or similar position on making an application to the Department of Personnel within 90 days after separation from active duty or from hospitalization continuing after discharge for not more than 1 year. The employee must provide evidence of satisfactory completion of training and military service when making application and be qualified to perform the duties of the position.

2) Subject to the provisions of Section 500.210(s), a veteran who returns to State service after having been granted a leave of absence from provisional status shall be permitted and required to pass the same or similar examination for his/her position within 90 days.

3) Trainees who have not previously done so and whose training was interrupted by military leave, shall be required to qualify in an examination in the trainee class before being granted allocation or non-competitive promotion to a higher class.

e) Peace Corps or Job Corps Enrollees Continuous Service: Any employee who volunteers for service in the overseas or domestic Peace Corps or Job Corps shall be given a leave of absence from his/her State employment for the duration of his/her initial period of service and restored to the same or similar position provided that the employee returns to his/her employment within 90 days of the termination of his/her service or release from hospitalization from a service Peace Corps or Job Corps connected disability.

f) Accrual and Retention of Continuous Service During Certain Leaves: During a maternity absence or an educational, military, Peace Corps, Job Corps, or service-connected disability leave, an employee shall retain and accrue continuous service provided appropriate application or return, as the case may be, is made pursuant to the requirements of Section 500.230(d) and (e). No other employment benefit shall be granted during such leaves.

g) Limitations on Continuous Service: Temporary and emergency employees employed after August 23, 1978, shall not accumulate continuous service except as provided in the Comptroller Merit Employment Code.