**Section 303.166** **Civil Air Patrol Leave**

a) An employee is eligible to request up to 30 days of unpaid Civil Air Patrol Leave (CAPL) to perform a civil air patrol mission.

b) CAPL shall be granted to an employee who has been employed for at least 12 months and has worked at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave.

c) Any request for CAPL shall be in writing by the employee and submitted not less than 14 calendar days in advance of the intended date the CAPL will commence if the leave will consist of 5 or more consecutive workdays. Employees requesting CAPL for less than 5 consecutive workdays shall give as much advance notice as is practicable. When able, the employee shall consult with the employer to schedule the leave so as not to unduly disrupt the operations of the employer.

d) The employee shall provide certification from the Civil Air Patrol authority to verify eligibility for the CAPL requested.

e) An employee eligible to take CAPL shall not be required to have exhausted all accrued vacation leave, personal leave, compensatory leave, equivalent earned time, maternity/paternity leave, sick leave, disability leave, and any other time away from work with pay.

f) Upon expiration of the leave, the employee is entitled to be restored to the position held by the employee when the leave commenced or to an equivalent position. These restoration rights do not apply if the employer establishes that the restoration is denied due to conditions unrelated to the employee's exercise of rights under the Civil Air Patrol Leave Act [820 ILCS 148].

g) During any CAPL, an employee shall be allowed to continue his or her benefits at his or her own expense, unless previously negotiated with the employer.

h) An intermittent employee shall be nonscheduled for the duration of the required leave.

i) This leave will not extend to any type of appointment that is 6 months or less in duration.

j) Time utilized under the Civil Air Patrol Leave Act is not deducted from an employee's continuous service, vacation accrual or seniority date.

(Source: Added at 36 Ill. Reg. 8661, effective May 30, 2012)