**Section 420.200 Positions**

A position is a set of duties and responsibilities requiring the appointment of one or more persons for the completion of those duties and responsibilities. A written statement of the duties and responsibilities of each position shall be maintained by the Director of Personnel. The following types of positions may be established in the Office of the Secretary of State.

a) Exempt – Positions established in accordance with sections of the Merit Employment Code describing exempt positions as set forth in Section 420.310(i)(1). If a certified employee accepts an appointment to a position exempt from Jurisdiction B of the Secretary of State Merit Employment Code, the employee will retain his/her original certified status. If a certified employee's position is declared exempt from Jurisdiction B, certified status shall be retained in the position.

1) A certified employee who accepts appointment to an exempt position will retain his or her certified status only for the highest class title in which certified status was achieved, regardless of the class title of the exempt position.

2) With approval of the Director of Personnel, a certified employee may be removed from an exempt position by management directive in accordance with the provisions of Section 420.380 (Employee Transfers). The employee may also accept a voluntary reduction in accordance with Section 420.410 or a promotion in accordance with Section 420.370, or may be removed from the position in accordance with Section 420.390 (Demotion) or Section 420.430(f) (Discharge of Certified Employee), if applicable. The transaction to remove the employee from the position will be predicated on the class title in which the employee was certified prior to the exempt appointment.

b) Permanent full-time or part-time positions for which the duties and responsibilities are performed on a regular continuous basis. Any type of appointment described in Section 420.310(i)(1), (4) or (5) or 420.330(a) may be made to such a position.

c) Temporary – Positions for which the duties and responsibilities are performed for not more than 6 months out of any 12-month period as set forth in Section 420.310(i)(10) or positions authorized by the Illinois Pension Code [40 ILCS 5/14-111] for a period not to exceed 75 working days in a calendar year.

d) Permanent Intermittent – Positions for which the duties and responsibilities are performed on a regular or nonregular, continuous or noncontinuous basis for periods requiring less than full-time employment. No appointment other than probationary and/or certified may be made to such a position.

e) Trainee – For positions established in accordance with an approved training program as set forth in Section 420.320(a).

(Source: Amended at 35 Ill. Reg. 4278, effective March 1, 2011)