**Section 302.91 Alternative Employment**

a) The Department shall establish and maintain an alternative employment list 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. The alternative employment list shall be established and maintained by county or other geographical area approved by the Director. The names of employees shall be placed on the alternative employment list in order of continuous service as defined in Section 302.190 under the following conditions:

1) the employee shall voluntarily submit a written request for placement on the alternative employment list and specify the county or area in which he or she will accept employment provided such position is established in that location;

2) the employee shall be eligible for appointment to such alternative employment by virtue of Section 302.10 or 302.610;

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 (Ill. Rev. Stat. 1985, ch. 111, pars. 4401 et seq.) 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 placement on the alternative employment list 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 an alternative employment position, 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) The Director shall remove the name of any employee from the alternative employment list who refuses an offer of employment in a position if he or she is able to perform the duties of that position but shall not remove the name if the employee cannot perform the duties of the position due to the disabling condition or reasons related to the disability.

(Source: Added at 12 Ill. Reg. 5634, effective March 15, 1988)