**Section 420.420 Resignation and Reinstatement**

a) Resignation: An employee who voluntarily leaves the Office of the Secretary of State shall, except in emergency circumstances approved by the department director, give advance notice of intent not less than 15 calendar days before the departure's effective date. Once a resignation has been submitted by the employee, and accepted by the employing department director or by the Department of Personnel, the resignation shall not be revoked unless the revocation is requested by the employee and the revocation is approved by the employing department director and the Director of Personnel. Resignation in good standing shall mean that the employee gave the required notice or that the emergency circumstances justified failure to do so, and that the employee's conduct and work performance were satisfactory at the effective date of the resignation.

b) Reinstatement:

1) The Director of Personnel may reinstate an employee who was formerly certified under the Secretary of State Merit Employment Code and who resigned or terminated in good standing or whose name was placed on a reemployment list. The reinstatement may be to a position in the class to which the employee was assigned prior to resignation, termination, downward allocation, transfer or layoff or to an equivalent or lower position in a related series. The Director of Personnel may reinstate an employee who was formerly certified under a merit system, including the Personnel Code, the State Universities Civil Service Act, the State Treasurer Employment Code or the Comptroller Merit Employment Code. A reinstated employee shall serve an additional 6 months probationary period in the position. Requests for reinstatement shall be accompanied by the employee's performance records when available.

2) A certified employee whose name appears on a reemployment list may be reinstated to a position other than a position to which the employee is eligible for reemployment. Reinstatement to a position in a lower pay grade than that for which the employee is eligible for reemployment shall have no effect on the employee's reemployment rights. Reinstatement to an equal or higher position than that for which the employee is eligible for reemployment shall result in removal of the employee's name from the reemployment list upon satisfactory completion of the new probationary period.

(Source: Amended at 36 Ill. Reg. 12125, effective July 16, 2012)