



SECRETARY OF THE ARMY
WASHINGTON

02 JUN 2023

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Clarifying Guidance on Maternity Convalescent Leave Following Childbirth and Military Parental Leave

1. References.

- a. Title 10, United States Code, section 701 (Entitlement and accumulation).
- b. Public Law 117-81 (National Defense Authorization Act for Fiscal Year 2022), 27 December 2021, section 621.
- c. Department of Defense Instruction 1327.06 (Leave and Liberty Policy and Procedures), 16 June 2009, incorporating Change 4, effective 15 January 2021.
- d. Directive-type Memorandum 23-001 (Expansion of the Military Parental Leave Program), 4 January 2023.
- e. Army Regulation 600-8-10 (Leave and Passes), 3 June 2020.
- f. All Army Activities (ALARACT) 018-2023 (Expansion of the Military Parental Leave Program (MPLP) Implementation Guidance), 6 March 2023.

2. Purpose. To ensure consistent application of maternity convalescent leave following childbirth and military parental leave for Soldiers pursuant to references 1d, 1e, and 1f.

3. The Army is committed to ensuring that birth parents have ample time to recover from giving birth and that birth and non-birth parents are able to care for their child or children. As such, maternity convalescent leave following childbirth and military parental leave are two separate non-chargeable periods of absence. References 1d and 1f do not change the intended purpose of maternity convalescent leave, which is limited to a birth parent after a qualifying birth event.

4. Maternity convalescent leave is intended to provide the birth parent time for appropriate recovery from giving birth. Parental leave should not be considered by the medical provider when determining the appropriate time for recommending maternity convalescent leave for the birth parent. Six weeks remains the appropriate amount of time for recovery from childbirth. Additional maternity convalescent leave may be authorized when specifically recommended, in writing, by the medical provider to address a diagnosed medical condition and when approved by the commander. The

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period of maternity convalescent leave following childbirth must be taken in one increment, and such leave will begin on the first full day after the birth of the child or the date of release of the Soldier from the hospital or similar facility where the birth took place, whichever is later.

5. Parental leave is intended for Soldiers to care for their child or children. Soldiers who give birth, non-birth parents, and Soldiers who have a minor child or children placed into their home for adoption or long-term foster care are authorized 12 weeks of parental leave, which may be taken in one or more increments. Parental leave is in addition to and following a period of maternity convalescent leave for the birth parent. Parental leave is not a substitute for maternity convalescent leave for a birth parent. Only the first general officer in a Soldier's chain of command may disapprove a request for parental leave.

6. Soldiers may choose to take parental leave in one or more increments. Soldiers will work with their chains of command as early as possible to develop a parental leave plan that balances both the needs of the Soldier and the needs of the unit. Soldiers choosing to take parental leave in more than one increment must request such proposed leave in blocks of at least 7 days each, for a maximum of 12 increments, and must submit such requests within timelines established or enforced by the unit commander. Commanders are encouraged to approve requests for incremental periods of parental leave. If unit commanders do not approve taking incremental leave, they must allow Soldiers to take the full 12 weeks of parental leave in one continuous period.

7. Non-birth parent Soldiers are afforded up to 12 months to take parental leave. The 12-month period will be extended, day-for-day, if the Army sends the Soldier for duty at accession pipeline training courses or away from home station for longer than 90 days (for example, to school or on deployment).

8. The Assistant Secretary of the Army (Manpower and Reserve Affairs) has oversight responsibility for the referenced policy. The Deputy Chief of Staff, G-1 will issue additional implementation guidance as appropriate.



Christine E. Wormuth

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