



## **FACT SHEET: DODI 1327.06 Military Parental Leave Program 2018**

<https://www.mom2momglobal.org/breastfeeding-in-combat-boots>

**Purpose:** Establishes 3 types of Parental Leave

**Maternity Convalescent Leave (MCL):** Six weeks of mandatory, non-chargeable block medical leave available only to the covered servicemember birthparent following a qualifying birth event.

**Primary Caregiver Leave (PCL):** Six weeks of non-chargeable block leave for a covered servicemember who self-designates as the primary caregiver for new child who enters the family through a qualifying birth event or adoption. PCL may be taken consecutively after MCL, or on its own by a non-birthparent.

**Secondary Caregiver Leave (SCL):** Up to to 21 days of non-chargeable block leave for a covered servicemember who self-designates as the secondary caregiver for a new child who enters the family through a qualifying birth event or adoption. SCL may be taken consecutively after MCL or on its own by a non-birthparent.

### **Policy Gaps**

**ONLY MCL is mandatory leave.** Both types of Caregiver Leave are subject to individual command discretion, meaning they may be denied. This effectively reduces MCL from the 12 weeks previously established to 6, and it means that non-birthparents may not receive any leave, depending on their commanders.

**Adoptive families lose.** MCL is not available at all to adoptive families, as neither parent is the birthparent. PCL and SCL may be denied by commanders. Adoptive families wishing to breastfeed require months of close contact between parent and child to induce lactation, so this undermines breastfeeding. Families welcoming foster children receive no parental leave.

**Inconsistency Among Services.** The Air Force, Army, and Coast Guard authorize 21 days of SCL, while the Navy and Marines are only authorized 14 days. The Air Force and Marine Corps policies also stipulate that non-birthparent servicemembers will “normally” be considered Secondary Caregiver, which assumes that a birthparent spouse has paid family leave. Most civilian spouses have no paid family leave.

**No parental leave is authorized in the case of a stillbirth or infant death.** Maternity Convalescent Leave is rescinded, although “other convalescent leave” may be authorized **Update: Marine Corps has issued a clarification that non-MCL convalescent leave *will* be authorized (emphasis ours).**

PCL and SCL are rescinded upon the death of a child, and commands *may* authorize emergency leave, ***but this is chargeable leave, rather than non-chargeable parental leave.*** This ignores the fact that the birthparent just gave birth to a child and must go through all of the physical steps to recovery, in addition to the added emotional burden of grieving a lost child. This is particularly cruel and psychologically damaging to the readiness of parents who suffer an infant loss, as it erases the fact of their parental relationship to the child who died.

**Requested Corrective Action:** We recommend modeling bill language after the Military Parental Leave Modernization Act, introduced during the 114<sup>th</sup> Congressional Session. The bill was designed to simplify and streamline military parental leave by creating 12 weeks of paid family leave for every servicemember whenever a new child enters the family. This language was based on an examination of military paid parental leave policies from around the world, balanced against the needs of the U.S. military for adequate staffing to carry out its mission. Alternatively, we ask that any paid family leave bill, such as the FAMILY Act, be crafted to offer universal coverage to 100% of workers in the U.S. including Department of Defense personnel.