

SUBJ: DACOWITS RFI #8 - June QBM
FROM: PSC-OPM/EPM, CG-133
TO: DACOWITS
THRU: Office of Diversity & Inclusion (CG-1D1)

PREGNANCY IN THE MILITARY

Performance evaluations are the key documents in promotion packets. Language, report coding, and/or information about a lengthy absence from primary duties in promotion record files could result in intentional or unintentional bias toward servicewomen who are pregnant, have been exempted from weight standard testing, have taken their full convalescent leave (CONLV) and parental leave entitlement, and/or were afforded year-long operational deferments from deployments, Temporary Duty (TDY) by reason of giving birth. The Committee is interested in learning how the Services will address these challenges to ensure servicewomen compete on a level playing field with other candidates being considered for promotion, that they are not disadvantaged in their careers by their choice to have a family, and to ensure their promotion record files do not contain language, codes, or other irrelevant family, pregnancy and weight information.

The Committee requests a written response from the Army, Navy, Marine Corps, Air Force, Space Force, and Coast Guard addressing the following questions:

DACOWITS:

a. How will the Services prevent and ensure there will be no negative impacts on servicewomen's career progression and promotions arising from just the fact of:

- (i) noncompliance with/exemption from weight standards due to a birth event,
- (ii) lengthy leave absences resulting from CONLV and parental leave, and
- (iii) lengthy operational deferment periods?

b. Provide the specific guidance and copies/links to each applicable directive.

c. How will promotion record files be managed to ensure inappropriate information related to birth events, weight, and associated duty absences is not included or visible to promotion board members? Alternatively, if such information can be discerned, how will that concern be mitigated so as not to adversely affect servicewomen?

d. Describe any other pending changes to current regulations that have been developed, or are being considered to account for:

- i. servicewomen's noncompliance with weight standards;
- ii. lengthy CONLV and parental leave; and
- iii. operational deferment absences during the one-year postpartum period.

CG Response:

8a: In addition to the policies listed below, promotion selection boards do not have access to view medical, leave, deployment deferral, or weight compliance data. A member of the Coast Guard office of Officer Personnel Management-Boards and Panels Branch (OPM-1) monitors all selections boards and will intervene if any prohibited comments (listed in COMDTINST 1000.3) are mentioned or discussed by the selection board.

8b: Applicable Policy: Commandant Instruction 1000.3A (Officer Accessions, Evaluations, and Promotions, COMDTINST 1000.3A) contains policy on Officer Evaluation Report content to include prohibited comments. Commandant Instruction 1000.9 (Pregnancy in the Coast Guard) includes the same policy. Pertinent paragraphs below.

-1000.3: (Paragraph 5.C.6) Periodically, officers may experience circumstances due to a temporary condition which result in a limited opportunity to perform. These circumstances may involve specific performance restrictions (e.g., those imposed by a medical authority), which require restructuring or reassignment of duties. While preferential treatment must not be given, the rating chain must ensure these individuals do not receive substandard evaluations strictly as a consequence of these circumstances.

-1000.3: (Paragraph 5.I.7) Prohibited Comments. Mention pregnancy. Restriction applies to reported-on officer and family members.

-1000.3: (Paragraph 5.B.3(4)) Roles and Responsibilities – Commander (CG PSC-OPM-3) Provide final quality control review of OERs containing substantive errors, including “restricted” remarks as outlined in Article 5.I. of this Chapter. Certain corrective measures may be taken to expedite validation of OERs, reviewer comments, OER replies, and addenda.

-1000.9: (Paragraph 7.d.(5)) Commanding officers and officers in charge shall ensure that pregnant service member do not receive adverse evaluation reports strictly as a consequence of pregnancy. Weight standards exceeded during pregnancy and/or nursing are not cause for adverse OERs or evaluations.

8c: Promotion record files are limited to the member's Officer Evaluation Reports, Awards, Administrative Remarks, and Employee Summary Sheets (ESS). ESS is limited to 'Board View' for selection boards which removes any prohibited items such as dependency status, weight compliance, race, gender, etc. OERs are governed by the above policy which prohibits mention of pregnancy or related matters. The remaining documents in a promotion record file would not, due to nature of the document (e.g. awards), contain a servicewoman's birth events, weight, or

associated absence. All documents viewable by a selection board are instantly viewable by the member in iPERMS. All Officers are encouraged to review their record and report any document that violates policies listed above for correction.

8d: i. Servicewomen's noncompliance with weight standards;

No pending changes at this time.

li. Lengthy CONLV and parental leave; and

No pending changes at this time.

lii. operational deferment absences during the one-year postpartum period.

No pending changes and no future changes in consideration.