



NATIONAL GUARD BUREAU DACOWITS QBM MARCH 2023 PREGNANCY IN THE MILITARY

In 2017, 2018, and 2020, the Committee made multiple recommendations related to parental leave policies. Committee recommendations urged the Defense Department and the Military Services to implement flexible (non-continuous) parental leave options, to ensure primary and secondary caregivers have maximum flexibility in making caregiving arrangements best suited to their family and service circumstances. Similarly, in 2020, the Committee recommended that action be taken to ensure women serving in the National Guard and Reserves receive full creditable military service, similar to their Active Component counterparts, for unavoidable absences resulting from a pregnancy and/or a birth event. The Committee is now interested in receiving an update on the Services' current caregiver leave policies and the implementation of the MOMS Leave Act by the National Guard and Reserves.

Question 12.a. Provide a list and copies of (or links to) DoD and Service policies/regulations that detail parental leave requirements for primary and secondary caregivers, to include any pending changes to policies/revisions. If different policies are in effect for the National Guard and/or Reserve Components, please provide that information as well

Response: The National Guard follows service guidance for paternal leave and does not have different or separate policies. Links to Service Policies:

AR https://armypubs.army.mil/ProductMaps/PubForm/Details.aspx?PUB_ID=1020394

DAFI https://static.e-publishing.af.mil/production/1/af_a1/publication/dafi36-3003/dafi36-3003.pdf

Question 12.b. What flexibility is provided the primary and secondary caregivers to decide who will assume the primary or secondary caregiver role? Are there any proposed or pending changes to these policies pending? If so, what is the status?

Response: Both Service policies support the service member determining the primary/secondary caregiver role. No proposed/pending changes.

Question 12. c. Has your Service updated parental leave policies to authorize flexible (non-continuous) leave options for both primary and secondary caregivers, or must parental leave be taken all at once?

Response: While both service polies support paternal leave to be taken within a 12–18 month period, the policy also clarifies the sequence of using leave(s).

Question 12. d. Do servicewomen in the National Guard and Reserve Components receive full creditable military service (e.g., pay and retirement points) for absences related to pregnancy or birth events, and for follow-on caregiver leave absences (e.g., postpartum)? Are servicewomen afforded the same amount of maternity and caregiver leave time as their Active-Duty counterparts? Are there any pending changes/revisions to these policies? If so, what is the status?

Response: National Guard soldiers and airmen would receive creditable service based on duty status. Both Service policies address full time coverage eligibility. NG Servicemember entitlements outside of full-time service would be dependent on public law and FMLA. When service policy is updated to include retirement benefits applicability NG will follow service guidance.