



DEPARTMENT OF THE ARMY
ASSISTANT SECRETARY OF THE ARMY
MANPOWER AND RESERVE AFFAIRS
111 ARMY PENTAGON
WASHINGTON, DC 20310-0111

SAMR

06 Sep 2023

MEMORANDUM FOR Chairman, Defense Advisory Committee on Women in the Services (DACOWITS), ATTN: DACOWITS Members, Washington, DC 20310-0111

SUBJECT: Army Written Responses to DACOWITS's Request for Information (RFI) 4

1. In accordance with DACOWITS and its three subcommittees: (1) Recruitment and Retention (R&R); (2) Employment and Integration (E&I); and (3) Well-Being and Treatment (WB&T), the following Army written responses are provided to the RFIs:

a. **Pregnancy in the Military.** The WB&T subcommittee requests written responses from the Army on the following:

(1) Has any guidance been issued to the Army regarding CONLV or birth events IAW Secretary of Defense policy?

Response- The Secretary of the Army published Secretary of the Army Memorandum (Clarifying Guidance on Maternity Convalescent Leave Following Childbirth and Military Parental Leave) on 2 June 2023 to update Army policy and execute Secretary of Defense priorities. See Enclosure 1.

(2) Have guidelines been provided addressing when commanders may disapprove CONLV, since such leave requires a commander's approval? If so, provide copies of such guidance.

Response- The Army has not issued guidelines for when commanders may disapprove maternity CONLV. See Enclosure 2: Pregnancy in the Military Briefing.

(3) Are there differences in command consideration of CONLV recommendations made by network providers in the private sector versus those made by MTF providers?

Response- Army policy does not distinguish between private sector or military treatment facility (MTF) provider recommendations for maternity CONLV. See Enclosure 2: Pregnancy in the Military Briefing.

(4) What Army guidance has been published clarifying the provision of CONLV for birth events? Provide copies thereof.

Response- On June 2, 2023, the Army issued clarifying guidance to ensure consistent application of maternity CONLV and military parental leave policies for Soldiers. The

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Army is committed to ensuring that birth parents have ample time to recover from giving birth. As such, maternity CONLV is authorized for the recovery of the birth parent from giving birth if such leave is specifically recommended, in writing, by the health care provider to address a diagnosed medical condition and is approved by the unit commander. Six weeks remains the appropriate amount of time for recovery from childbirth. See Enclosure 2: Secretary of the Army Memorandum 2 June 2023.

(5) What Army guidance has been published regarding command authority to disapprove a medical provider's recommendation for CONLV for birth events? Provide copies.

Response- The Army has not published policy regarding command authority to disapprove a medical provider's recommendation on maternity CONLV. However, the Secretary of the Army's clarifying memo emphasizes to commanders, medical providers, and Soldiers that maternity CONLV is intended to provide the birth parent time for appropriate recovery from giving birth. See Enclosure 2: Pregnancy in the Military Briefing.

(6) Must commanders document their reasons for denying convalescent care following a birth event?

Response- The Army's system of record, Integrated Personnel Pay System – Army (IPPS-A), requires comments when a Soldier's leave request, to include maternity CONLV, is denied. See Enclosure 2: Pregnancy in the Military

(7) If a commander disapproves CONLV for a birth event, is there an appeal mechanism for the affected servicewoman? Is there an automatic escalation to higher command authority? How are servicewomen protected from retaliation if they elect to challenge/appeal a disapproval?

Response- The Army has not published policy on the denial authority for maternity CONLV. In the event a commander denies a Soldier's maternity CONLV request, the Soldier should escalate the request to their next higher command authority for decision. If the affected Soldier perceives any risk or experiences any form of retaliation, it is highly recommended that they promptly report it to the appropriate office (i.e. EEO, IG, etc.). See Enclosure 2: Pregnancy in the Military.

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2. The POC for this action is COL Caprissa S. Brown-Slade, Army Chief Diversity Officer, Senior Advisor for Diversity and Inclusion (SADI), ASA (M&RA), via email: caprissa.s.brownslade.mil@army.mil or via phone 202.341.1348.

///Original Signed///

AGNES GEREBEN SCHAEFFER

2 Encls

1. Secretary of the Army Memorandum 2 June 2023.
2. Pregnancy in the Military Briefing