

# **Defense Advisory Committee on Women in the Services (DACOWITS)**



**September 2023**

**Requests for Information # 4**

**Manpower Military Policy(MPO) Branch  
MP Division  
Manpower and Reserve Affairs  
Headquarters U.S. Marine Corps**



## RFI # 4 Pregnancy in the Military

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**RFI #4d.** 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:** There are no guidelines that specify when a commander may disapprove CONLV. Per MARADMIN 051/23, the only requirement for a commander to grant convalescent leave is if it is specifically recommended, in writing, by the health care provider of the birth parent.

**RFI #4e.** Are there differences in command consideration of CONLV recommendations made by network providers in the private sector versus those made by MTF providers?

**Response:** Commanders, upon the advice of the Health Care Provider in the private sector, will review and determine the CONLV requirement. Ordinarily, their decision will include the MTF Health Care Provider's review of the CONLV recommendation prior to approval of a CONLV.



## RFI # 4 Pregnancy in the Military

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**RFI #4f.** What Service guidance has been published clarifying the provision of CONLV for birth events? Provide copies thereof.

**Response:** MARADMIN 051/23 specifies that CONLV is in addition to parental leave and that parental leave may be authorized following a period of convalescence from childbirth. In order for a commander to approve CONLV, they must receive a recommendation, in writing, from the Marine's Health Care Provider. MARADMIN 129/23 further clarifies that the intent of CONLV is to allow the Marine who gave birth, and not yet fit for duty, time to recover. It also specifies that CONLV is separate and distinct from parental leave and is flexible by allowing the Marine the proper number of days needed to properly recover from the birth event, as recommended by their Health Care Provider, based on the Marine's individual medical circumstances.

**RFI #4g.** Have the Services provided guidance regarding command authority to disapprove a medical provider's recommendation for CONLV for birth events? What is that guidance and provide copies thereof.

**Response:** MARADMIN 129/23 specifies that commanders are still the approval authority for CONLV but should not deny CONLV for a Marine who gives birth based solely on their eligibility for parental leave.



## RFI # 4 Pregnancy in the Military

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**RFI #4h.** Must commanders document their reasons for denying convalescent care following a birth event?

**Response:** Commanders are not required to document their reasons for denying CONLV but may provide a comment on the CONLV request in Marine OnLine if they deny the leave request.

**RFI #4i.** 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:** Marines may appeal a disapproved request through the request mast process as outlined in MCO 1700.23G. Request masts are discretionary and may be elevated to the first General Officer in the Marine's chain of command. Per MCO 1700.23G, Commanders shall ensure that no adverse or prejudicial action is taken against a Marine as a result of exercising their right to request mast.

Subj: RESPONSE TO PREGNANCY IN THE MILITARY REQUEST FOR INFORMATION  
(RFI) #4

Ref: (a) DACOWITS RFI #4 for September 2023

1. The following is provided in response to the reference, specifically RFI #4 (Pregnancy in the Military).

a. RFI #4d: 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: There are no guidelines that specify when a commander may disapprove CONLV. Per MARADMIN 051/23, the only requirement for a commander to grant convalescent leave is if it is specifically recommended, in writing, by the health care provider of the birth parent.

b. RFI #4e: Are there differences in command consideration of CONLV recommendations made by network providers in the private sector versus those made by MTF providers?

Response: Commanders, upon the advice of the Health Care Provider in the private sector, will review and determine the CONLV requirement. Ordinarily, their decision will include the MTF Health Care Provider's review of the CONLV recommendation prior to approval of a CONLV.

c. RFI #4f: What Service guidance has been published clarifying the provision of CONLV for birth events? Provide copies thereof.

Response: MARADMIN 051/23 specifies that CONLV is in addition to parental leave and that parental leave may be authorized following a period of convalescence from childbirth. In order for a commander to approve CONLV, they must receive a recommendation, in writing, from the Marine's Health Care Provider. MARADMIN 129/23 further clarifies that the intent of CONLV is to allow the Marine who gave birth, and not yet fit for duty, time to recover. It also specifies that CONLV is separate and distinct from parental leave and is flexible by allowing the Marine the proper number of days needed to properly recover from the birth event, as recommended by their Health Care Provider, based on the Marine's individual medical circumstances.

(1) MARADMIN 051/23 -  
<https://www.marines.mil/News/Messages/Messages-Display/Article/3281525/expansion-of-the-marine-corps-military-parental-leave-program/>

(2) MARADMIN 129/23 -  
<https://www.marines.mil/News/Messages/Messages-Display/Article/3322160/clarification-to-maradmin-05123/>

d. RFI #4g: Have the Services provided guidance regarding command authority to disapprove a medical provider's recommendation for CONLV for birth events? What is that guidance and provide copies thereof.

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Response: MARADMIN 129/23 specifies that commanders are still the approval authority for CONLV but should not deny CONLV for a Marine who gives birth based solely on their eligibility for parental leave.

e. RFI #4h: Must commanders document their reasons for denying convalescent care following a birth event?

Response: Commanders are not required to document their reasons for denying CONLV but may provide a comment on the CONLV request in Marine OnLine if they deny the leave request.

f. RFI #4i: 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: Marines may appeal a disapproved request through the request mast process as outlined in MCO 1700.23G. Request masts are discretionary and may be elevated to the first General Officer in the Marine's chain of command. Per MCO 1700.23G, Commanders shall ensure that no adverse or prejudicial action is taken against a Marine as a result of exercising their right to request mast.