

CHANGES TO PARENTAL LEAVE POLICY

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MSGID/GENADMIN/CMC WASHINGTON DC MRA MP//

SUBJ/ CHANGES TO PARENTAL LEAVE POLICY//

REF/A/MSGID: NATIONAL DEFENSE AUTHORIZATION ACT/23DEC2016//

REF/B/MSGID: DOC/OSD WASHINGTON DC/23MAR2018//

REF/C/MSGID: DOC/SECNAV WASHINGTON DC/24MAY2018//

REF/D/MSGID: DOC/CMC WASHINGTON DC MPO/19MAY2009//

REF/E/MSGID: DOC/CMC WASHINGTON DC MPO/08DEC2004//

NARR/ REF A IS NATIONAL DEFENSE AUTHORIZATION ACT FY-17. REF B IS OFFICE OF SECRETARY OF DEFENSE POLICY MEMORANDUM, PARENTAL LEAVE FOR MILITARY PERSONNEL IN CONNECTION WITH THE BIRTH OR ADOPTION OF A CHILD. REF C IS ASSISTANT SECRETARY OF THE NAVY MEMORANDUM DEPARTMENT OF THE NAVY GUIDANCE FOR IMPLEMENTATION OF THE MILITARY PARENTAL LEAVE PROGRAM. REF D IS MCO 1050.3J, REGULATIONS FOR LEAVE, LIBERTY, AND ADMINISTRATIVE ABSENCE. REF E IS MCO 5000.12E, MARINE CORPS POLICY CONCERNING PREGNANCY AND PARENTHOOD.//

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RMKS/1. PURPOSE. To announce changes to Marine Corps parental leave policy, as directed in references (a) through (c). These changes will be incorporated in references (d) and (e) during their next revision.

2. Effective immediately, Commanding Officers shall grant parental leave entitlements for maternity convalescent leave, primary caregiver leave, and secondary caregiver leave in accordance with this MARADMIN.

3. Definitions

3.a. Qualifying Birth Event. Any live birth of a child to a Marine. Multiple births resulting from a single pregnancy (e.g., twins or triplets) will be treated as a single birth event so long as they occur within the same 72-hour period.

3.b. Birthparent. The impregnated parent with whom the birth event occurred.

3.c. Qualifying Adoption. An adoption that is arranged by a "Qualified adoption agency" as defined in section 1052 of title 10, United States Code.

3.d. Primary Caregiver (PC). The parent with primary responsibility of care for the child in the case of a qualifying birth event or adoption; in most cases the non-military parent. Cases when a military member may be designated as the PC may include, but are not limited to: situations where the member is the birthparent; dual military couples where the other member is designated as the secondary caregiver; unavailability or incapacity of the original PC; or other circumstances where the Marine must act as PC.

3.e. Secondary Caregiver (SC). The parent not primarily responsible for care of the child in the case of a qualifying birth event or adoption; in most cases the military parent.

4. Maternity Convalescent Leave (MCL). Only applies to a Marine who is the birthparent. 42 days of non-chargeable leave are authorized and are intended for the medical needs of the birthparent.

4.a. May not be denied by the commander.

4.b. Commences on the first full day following the date of discharge or release from the hospital (or similar facility) where the birth event took place.

4.c. Must be taken in one increment of continuous absence, to include weekends and holidays.

4.d. Additional MCL may be authorized if specifically recommended, in writing, by the Marine's Health Care Provider (HCP). If MCL beyond 42 days is granted, a corresponding reduction in primary caregiver leave or secondary caregiver leave occurs, as appropriate.

4.e. In cases of a miscarriage or stillborn baby, convalescent leave other than MCL may be granted. The Marine's commander and HCP will coordinate to determine the best course of action.

5. Primary Caregiver Leave (PCL). Up to 42 days of non-chargeable leave is authorized for Marines who meet the definition of paragraph 3.d.

5.a. Must be taken in one increment of continuous absence, to include weekends and holidays.

5.b. Must commence within one year of the birth event.

5.c. Marines may choose to take less than 42 days.

5.d. Does not have to be taken in conjunction with MCL (if applicable).

5.e. Not authorized for a birth event where the child is given up for

adoption, and/or parental rights are terminated or surrendered.

6. Secondary Caregiver Leave (SCL). Up to 14 days of non-chargeable leave is authorized for Marines who meet the definition of paragraph 3.e.

6.a. Must be taken in one increment of continuous absence, to include weekends and holidays.

6.b. Must commence within one year of the birth event.

6.c. Marines may choose to take less than 14 days.

6.d. Does not have to be taken in conjunction with MCL (if applicable).

6.e. Not authorized for a birth event where the child is given up for adoption, and/or parental rights are terminated or surrendered.

7. Designation of caregiver status

7.a. This designation is to establish the associated leave authorization for service members and therefore does not apply to non-military spouses.

7.b. Designation as a PC or SC shall be made as early as practical, normally at least 60 days in advance of the due date (in the case of a birth event) or anticipated date of a qualifying adoption.

7.c. Designation of PC or SC will be documented via Marine Online's (MOL) Electronic Personnel Administrative Request (EPAR) with the subject: Caregiver Designation.

7.d. Approval authority is the lowest Commander with promotion authority. This will typically be the battalion or squadron commander, and may not be delegated.

7.e. In no case may a Marine be designated as both PC and SC for the same qualifying birth event or adoption.

7.f. Dual Military Parents. Only one PC and SC may be designated for any qualifying birth event or adoption.

7.f.1. The approving Commander must coordinate with the spouse's command (even if a service other than the Marine Corps) to establish who is designated as PC and SC.

7.f.2. Caregiver leave may not be transferred between parents to create any kind of shared benefit.

8. Parental Leave Entitlements are retroactive to December 23, 2016.

8.a. Marines may be retroactively designated as PC or SC for a qualifying birth event or adoption that occurred during the period of December 23, 2016 thru the date of this MARADMIN.

8.b. Retroactive entitlements must commence within 18 months of the birth event and/or qualifying adoption.

8.c. A Marine retroactively designated as the SC is authorized up to a

total of 14 days SCL. This entitlement is reduced by any amount of parental PTAD or adoption leave taken in conjunction with the qualifying birth event or adoption. Example: A Marine who previously took 10 days of Parental PTAD with a birth event that occurred during the retroactive period would be eligible for up to 4 days of SCL.

8.d. A Marine retroactively designated as the PC is authorized up to a total of 42 days PCL. This entitlement is reduced by any amount of parental PTAD or adoption leave taken in conjunction with the qualifying birth event or adoption. Example: A Marine who adopted a child during the retroactive period and executed 21 days of adoption leave would be eligible for up to 21 days of PCL.

8.e. Marines granted retroactive designation are authorized to convert chargeable leave to non-chargeable PCL and SCL, but not to exceed 42 days PCL or 14 days SCL. Restoration of leave will be done at the Marine's local disbursing and finance office, in accordance with normal leave correction procedures.

8.f. Marines who gave birth during the retroactive period and received 12 weeks of non-chargeable Maternity Leave (or 18 weeks in the case of Additional Maternity Leave), or are currently in a Maternity leave status, are not entitled to retroactive MCL, PCL, or SCL.

8.g. Marines no longer on active duty cannot request corrections to their leave balances and cannot sell back unused leave resulting from retroactive entitlements.

9. Amplifying Guidance.

9.a. Marines are eligible for designation as a PC or SC for a qualifying birth event of a child(ren) born outside of marriage. Proof of parentage must include one of the following: being listed as a parent, with consent, on the child's birth certificate, certificate of live birth, or other government issued document; acknowledgement in writing of an obligation to support the child, either by voluntary agreement or court order; or registration, or pending registration, in the Defense Enrollment Eligibility Reporting System (must occur within 30 days of the birth event or adoption). A birthparent is not required to establish proof of parentage.

9.b. Unused PCL or SCL is lost at separation or upon one year from the date of the birth event or adoption, unless deferred in accordance with paragraph 9.c.

9.c. If approved by the unit commander, PCL or SCL may be taken before or

during an operational deployment. A Marine within 3 months of an operational deployment or deployed at the time of a qualifying birth or adoption may defer PCL or SCL until after the deployment is completed. If deferred, time spent operationally deployed shall not count against the one-year period following a qualifying birth event or adoption for taking PCL or SCL.

9.d. Special Leave Accrual for unused annual leave not taken will be processed in accordance with reference (e) if the justification is PCL or SCL.

9.e. MCL, PCL, or SCL may not be used in conjunction with terminal leave.

9.f. If chargeable leave is authorized and taken in conjunction with these leave entitlements, then leave is charged in the following order, as applicable: MCL, PCL or SCL, combat leave, then ordinary leave.

9.g. This policy applies to Reserve Component Marines who are on orders for an excess of 365 days. Reserve Marines who give birth on active duty recall or mobilization orders for a period in excess of 365 days will not be extended on active duty for the purpose of PCL or SCL.

9.h. Reserve Component Marines who are not on orders for an excess of 365 days will continue to abide by policy found in paragraph 19 of reference (e).

10. Temporary Administrative Procedures. Marines must use the MCL, PCL, and SCL codes in MOL; however, due to technical limitations these leave codes are not available until 26 July 2018. Until that date, the following procedures shall be utilized.

10.a. MCL. Marines request "PTAD, Convalescent" in MOL and annotate "Maternity Convalescent Leave" in the remarks box.

10.b. PCL. Marines request "PTAD, Parental" in MOL and annotate "Primary Caregiver Leave" in the remarks box.

10.c. SCL. Marines request "PTAD, Parental" in MOL and annotate "Secondary Caregiver Leave" in the remarks box.

11. This MARADMIN is applicable to the Marine Corps Total Force.

12. Released authorized by SES M. R. Strobl Director, Manpower Plans and Policy Division, Acting.//
