

Expanded Military Parental Leave Program (MPLP) – Frequently Asked Questions

Q: Are any changes to Maternity Convalescent Leave (MCL) expected in light of the new policy? I.e. should birth parents still expect to receive 42 days of MCL and then receive 12 weeks of caregiver leave?

A: The standard 6 weeks of MCL no longer exist under the parental leave program. MCL entitlement was cancelled with the release of DTM 23-001 effective 27 December 2022. Any convalescent leave authorized for the recovery of the birth parent must be specifically recommended, in writing, by the health care provider to address a diagnosed medical condition and approved by the unit commander.

Q: Is convalescent leave for child birth or previously approved Maternity Convalescent Leave (old policy) included in the 12 weeks of Parental Leave?

A: The 12 weeks of Parental Leave authorized for a birth parent is in addition to any convalescent leave authorized by a medical provider and approved by a member's commanding officer (CO) per DTM 23-001, attachment 3, para 2(b)(1) and NAVADMIN 008/23, para 2. Births that occurred prior to the release of the new policy: Members that were authorized the 6 weeks of Maternity Convalescent Leave (MCL) under the old policy will be entitled to a total of 18 weeks of non-chargeable leave (6 weeks MCL + 12 weeks of parental leave). Members authorized any period of convalescent leave under the new policy will be entitled to 12 weeks of parental leave + the number of days of approved convalescent leave.

Q: Are Reserve Component Sailors on active duty orders eligible for Parental Leave?

A: Only Reserve Component Service members performing duty under a call or order to active service for more than 12 consecutive months are eligible for parental leave as described in DTM 23-001. Reserve Component members on back to back active duty orders with no break in Service of 24 hours or more may would meet the more than 12 consecutive month requirement.

Q: What is a qualified Adoption?

A: A qualifying adoption is defined as an adoption that qualifies for reimbursement of adoption expenses in line with OPNAVINST 1754.4A, NAVY ADOPTION REIMBURSEMENT POLICY.

Q: What is a Qualified Long-Term Foster Care?

A: The placement of a minor child in foster care with the expectation and contractual agreement between the foster parents and the child-placing agency that the child remain in the home of the foster parents for a minimum of 24 months.

Q: Do Service members who experience a stillbirth or miscarriage qualify for Parental Leave?

A: A Service member who experiences a stillbirth or miscarriage is not eligible for parental leave. However, the DoD health care provider may recommend convalescent leave in accordance with medical practice standards.

Q: Can a Service member continue on Parental Leave if their newborn, adopted or eligible foster child dies?

A: Parental leave eligibility, or the parental leave, if started, terminates upon the death of the child, adopted child, or child placed for adoption or long-term foster care. However, in such cases, members may be transitioned to convalescent leave if recommended by a DoD health care provider in accordance with medical practice standards or transitioned to other types of leave, as appropriate

Q: Does the expanded Parental Leave Policy apply to Sailors that had a baby prior to 27 December 2022?

A: Members with unused caregiver or maternity convalescent leave on 27 Dec 2022 transition into the new parental leave policy. If a Sailor did not take any caregiver leave or is actively taking their caregiver leave with any number of leave days remaining on 27 Dec 2022, they are entitled to the expanded parental leave.

If, prior to 27 Dec 2022, a member returned to duty before taking all caregiver leave days, the remaining days were forfeited, and that member is not considered to have unused caregiver leave remaining as of 27 Dec 2022. The new parental leave policy would not apply for these members.

Q: If the legal status of a member's foster care child changes to placement for adoption or is finalized as an adopted child, will they be eligible for the expanded parental leave?

A: A member is not authorized 12 weeks of parental leave when a foster child's status changes to placement for adoption or is finalized as an adoption if the minor child is already residing within the member's household.

Q: When will NSIPS update to reflect the new parental leave authorized?

A: NSIPS is working on the update to reflect the new parental leave policy. Until that update is release, the NAVADMIN provides guidance on how to submit parental leave using the current version of e-Leave.

Q: If a Sailor was on their secondary caregiver leave on December 27th, will they still qualify for the 12 weeks?

A: If a member was on primary or secondary caregiver leave on December 27th 2022 and still had day(s) remaining, they are eligible for transition to the new parental leave.

Q: Can a Sailor defer parental leave if they are separating during deployment?

A: You cannot defer parental leave past your separation date. When you separate, any unused parental leave will be forfeited.

Q: If a Sailor has unused Caregiver leave by December 27, 2022, does all 12 weeks of parental leave need to be used within the first year of the child's birth/adoption or placement for long-term foster care or does the Sailor need to start parental leave within the first year of the event?

A: Parental Leave that remains unused within 1 year of the qualifying event will be forfeited. Members on deployments during the birth/adoption or placement for long-term foster care event must normally defer parental leave until their deployment is completed. DTM 23-001 Paragraph 6 lists other qualifying circumstances for an extension of the 1-year parental leave period.

Q: If a member's child was born while the member was on PCS orders and at a TDY for 90 consecutive days, and the member did not take leave secondary caregiver leave prior to December 27, 2022, and member continues to be at a second TDY for a consecutive 90 days, can a command disapprove the member's request to take parental leave?

A: First, because the member has unused caregiver leave on 27 December 2022, the member is eligible for 12 weeks of parental leave. Second, because TDYs or ITDYs with a duration of 90 consecutive days or more make the member eligible for extending the 1-year period after the birth of the child, that extension cannot be denied by the CO. However, authority to deny or approve leave rests with the CO. Members on TDY won't typically be given an opportunity to take parental leave.

Q: Can a Reserve Component member on active duty orders be extended to complete Parental Leave?

A: The period of active service of a Reserve Component member may not be extended solely to permit the member to take Parental Leave. Unused parental leave that is not taken by the time the member is separated from active service will be forfeited unless such forfeiture does not apply due to the member qualifying for Reserve Component maternity leave per DTM-22-004.

Q: If a non-birth parent has 2 children born from separate mothers, does the Sailor receive 12 weeks of parental leave for each child?

A: Each birth event qualifies a member for 12 weeks of leave. However, if a member has unused parental leave days remaining from the first event when the second event occurs, their leave "balance" resets to 12 weeks regardless of the number of parental leave days taken prior to the second event. They don't get to finish the 12 weeks from the first event and then get an additional 12 weeks. If the 2 birth events occur within 72 hours of each other, they are treated like one event.

Q: Can a Sailor use parental leave while on their PCS?

A: Parental leave has to be done in e-Leave via NSIPS and approved by the CO while PCS leave is chargeable leave and is not processed as an e-Leave transaction. When you transfer, any leave in the system not already taken is automatically cancelled by NSIPS. In addition, parental leave is a tracked entitlement (i.e. there is a running tracker in the system that keeps tab of the number of days you take). In addition, NSIPS e-Leave is the only system that can assign the LCN, PCS leave does not require CO approval as it is already directed in your PCS orders from NPC.

Q: The DTM states that the unit CO can disapprove incremental parental leave, can the Co disapprove parental leave if member request to take all 12 weeks at once?

A: Approval or disapproval of parental leave in one or more increments will be at the CO's discretion. NAVADMIN 008/23 para 6 addresses incremental leave disapproval however, para 3(a) of the DTM further states that increments will be taken consistent with operational requirements.

Q: Per para 6 of NAVADMIN 008-23, a members may appeal parental leave disapproval through their Immediate Superior in Command of their respective unit. Is there a standard package or template required?

A: There is not a standard package or template to appeal disapproval of parental leave via your Immediate Superior in Command of their respective unit. Required documentation and submission procedures will be at the discretion of the adjudicating command.

Q: If a member had a qualifying birth or adoption less than a year ago and they have used all of their caregiver leave, are they eligible for the expanded parental leave?

A: The new policy does not apply to members who have used all of their caregiver leave prior to 27 December 2022. Under the old policy, primary and secondary caregiver leave was required to be taken in one increment. If a member returned to duty prior to taking all of their entitled caregiver leave days, that constituted completion of the entitlement and any remaining days were forfeited and member is not considered to have unused caregiver leave remaining.

Q: Is the Primary and Secondary Caregiver Designation Page 13 still required per MILPERSMAN 1050-415, para 6?

A: MILPERSMAN 1050-415 was superseded by DTM 23-001 and NAVADMIN 008/23. Please use both documents for all parental leave entitlement effective 27 December 2022.

Q: Can a CO authorize an extension beyond the 1 year period if there were no 90+ consecutive day operations?

A: Deferment or extension of parental leave does not require an approval or disapproval by the unit CO. If a member meets the criteria listed in paras 4 and 6 of the DTM, they will be deferred and required no action from the unit CO. Any deferral outside of what is listed in the DTM will require an ETP to the Secretary of the Navy however, the requirement is still for actions of 90 or more consecutive days within the 1-year period and is on a case-by-case basis per para.