

DEPARTMENTS OF THE ARMY AND AIR FORCE

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MEMORANDUM FOR

SUBJECT: Policy Memo 128 – Parenthood, Pregnancy, and Postpartum (P3)

1. References:

- a. Army Directive 2022-06 (Parenthood, Pregnancy, and Postpartum).
- b. Army Regulation 600-20, (Army Command Policy).
- c. Army Regulation 600-8-10 (Army Leave and Passes), 3 June 2020.
- d. WIARNG TASKORD 22-038, (WIARNG P3 Training).
- e. Army Regulation 40-502 Medical Readiness, 27 June 2019.
- f. ALARACT 078/2022 Reserve Component (RC) Maternity Leave (RCML) Program Implementation Guidance, 23 November 22.
- g. ALARACT 018/2023 Expansion of the Military Parental Leave Program (MPLP) Implementation Guidance, 06 March 23.
- h. Army National Guard Bureau, ARNG- HRH Policy Memorandum PPOM #22-046 Army National Guard Maternity Leave Program Implementing Guidance.
- i. Army National Guard Bureau, ARNG-HRH Policy Memorandum PPOM #23-013 Army National Guard (ARNG) Implementation Guidance for the Expansion of the Military Parental Leave Program.
- j. Army National Guard Bureau, ARNG-HRZ Policy Memorandum PPOM #23-011 Army National Guard (ARNG) Implementation Guidance for Deployment Deferment Based on Parenthood, or Fertility Treatment, Reassignment Stabilization Based on Fertility Treatment, and Compassionate Reassignment Based on Fertility Treatment.
- 2. Purpose. To outline the procedures and administrative requirements for the Wisconsin Army National Guard (WIARNG)'s Parenthood, Pregnancy and Post-Partum (P3) program. The intent of this policy's tenets is to enhance the morale, recruitment, career progression and retention of WIARNG Soldiers with the implementation of DOD, Army and Army National Guard Parenthood and maternity policies.

3. Program Terms:

- a. Parenthood, Pregnancy, and Postpartum is referred to as P3.
- b. P3 Advisor: An E-5 or above in each unit that assists pregnant Soldiers, Soldier parents and Commanders as they navigate the pregnancy and postpartum period that may impact military duty obligations.
 - c. Birth Parent: Parent that physically gives birth to a child.
- d. Non-birth Parent: Parent of a newly born child that did not physically give birth or a fostering and/or adoptive parent. If the Soldier requesting parental leave is not the birthparent or is not legally married to the birthparent, the Soldier must provide proof of parentage before leave may be granted per <u>criteria</u> in AR 600–8–10.
- e. P3 Plan: A written document prepared by a pregnant Soldier, birth parent or non-birth parent that outlines duty obligations impacted by the birth, adoption or fostering of a child. The plan is developed within a reasonable timeframe after becoming pregnant or when a new child is entering a Soldier's life. Soldiers must reference unit training calendars and include input from immediate supervisors and P3 Advisor(s). The P3 Plan describes how the affected Soldier will either attend (via flexible or virtual means) or be absent from training events. The P3 Plan must be approved by the Commander.

4. Soldier Requirements.

- a. Soldiers who are pregnant or believe they are pregnant, will notify their command immediately. Confirmation of pregnancy by a physician is required, in writing, to receive a pregnancy profile and applicable P3 considerations.
- b. The Soldier will receive their unit P3 Advisor's contact information from the Commander or Readiness NCO. The P3 Advisor will educate and guide the Soldier and command team. Together, they will establish a P3 plan.
- c. Soldiers will develop their P3 Plan with their P3 Advisor and provide it to their Commander in a timely manner, normally by the next drill period. P3 Plans may include alternate training plans for both Inactive Duty Training (IDT) and Annual Training (AT) during the pregnancy and post-partum periods.
- d. Soldiers will notify their Nurse Case Manager, Commander and applicable first line leaders on any medical concerns throughout the pregnancy, postpartum, adoption, or fostering process which may require further restrictions to the established medical profile and P3 Plan. The medical profile process is the primary way to document duty performance limitations.

- 5. Command Team Requirements & Expectations.
- a. All command teams will understand WIARNG's P3 Program and applicable Army and Army National Guard Directives and Policies; see paragraph 1. References. G1 offers one-day P3 Seminars to educate leaders on current policies and practices. Leaders at all levels will foster a supportive environment for P3 Soldiers.
- b. Commanders will review the required WIARNG P3 Train the Force training and contact the assigned P3 Advisor within 90 days of assumption of command. (Training link: https://wisconsinmilitary.org/fac/cdrtbx.)
- c. Commanders will ensure every pregnant Soldier is cared for in accordance with their individual pregnancy profile guidance. Each Soldier requires special consideration and may be exempt from training events on a case-by-case basis. Commanders will support respective maternity leave policies and alternate AT plans during pregnancy and following the birth event for up to 12 months in accordance with applicable policy and duty status (MDAY vs FTUS).
- d. Commanders will place birth parents in an excused status during IDT periods to execute Reserve Component Maternity Leave (RCML). Soldiers will receive compensation and retirement points only for 12 regularly scheduled UTAs that fall within the authorized RCML period (12 months following a qualifying birth event). Commanders may not disapprove RCML requests occurring within the first three months following the qualifying birth. Disapproval of RCML request may occur after the first three months only if attendance for operational or training requirements is mandatory. Although Commanders have the option to disapprove RCML requests, it is highly discouraged. Commanders will not place limitations on RCML requests that would cause a Soldier to forfeit any periods of leave.
- e. The unit commander or their Unit Pay Administrator (UPA) is required to submit correct pay statuses IAW PPOM #22-046 and track excused absences and split/rescheduled training assemblies. UPAs process RCML in My Unit Pay (MUP) on a DA Form 1379 using a drill code 11. UPAs mark the Soldier present and place "maternity leave" in the remark section. UPAs create an MPS message in MUP identifying the Soldier performing maternity leave. UPAs must track all maternity leave transactions. Retroactive payments are authorized from 9 June 2022 and must be submitted to USPFO-WI using a WING Form 8.
- f. The unit S1 and commander will report Soldiers that qualify for deployment deferment IAW PPOM #23-011 as exempt from deployment using the requisite non-availability reason codes in IPPS-A and personnel deploy ability limitation code for USR reporting. This includes when a birthparent transfers their deployment deferment to a non-birthparent.

- g. Commanders will ensure that every Soldier is treated the same based on merit, fitness, and capability, without regard to their pregnancy or parenting status. Commanders will not require Soldiers to forgo leave or end Operational and Training (O&T) deferment within the 365 days after birth event or placement.
- h. Commanders will ensure lactating Soldiers have adequate time and a space solely for lactation. Commanders will support, should the Soldier require, flexibility to drop off or deliver breast milk. This applies to lactation at home station and during field training. Utilize P3 Advisors for specific details regarding lactation space requirements.
- i. Commanders will conduct WIARNG P3 Train the Force training (link above) and document completion in DTMS under Task WIARNG-P3-Train the Force.
- j. Commanders will appoint a minimum of one P3 Advisor (E5 and above) at each unit who possesses maturity and communication skills that effectively support Soldiers, families, and command teams (WIARNG TASKORD 22-038)
- k. Uniforms. Commanders will not require pregnant Soldiers to wear the Army Service Uniform (ASU) or Army Green Service Uniform (AGSU) while pregnant and for 365 days after the birth event. Commanders will make every effort to ensure Soldiers receive maternity, non-maternity permethrin-free Army Combat Uniform (ACU) and Improved Hot Weather Combat Uniform (IHWCU) through the unit Supply NCO within one drill of notification of pregnancy.
- 6. P3 Advisor Requirements.
- a. P3 Advisors assist Commanders with policy awareness and compliance, P3 mentorship, communication, and education.
- b. P3 Advisors will liaison between Soldiers and leaders to ensure policy compliance and be present during counseling sessions.
- c. P3 Advisors assist pregnant, postpartum or parent Soldiers with P3 Plan development and command approval.
- d. P3 Advisors must earn HIPAA certification and attend the WIARNG P3 Advisor Course before serving in an official capacity.
 - e. P3 Advisors may help facilitate WIARNG P3 Train the force events.
- f. P3 Advisors at the unit level will utilize the State P3 Advisor distro email: ng.wi.wiarng.mbx.state-P3-advisor-information-requests@army.mil to request guidance or training. Do not include Soldier specific PII or PHI on requests for information.

7. WIARNG P3 Program Requirements.

- a. Pregnancy Counseling.
- (1) Commanders will conduct required counseling including initial, continuing service, and transfer or discharge counseling, within 45 days of the Soldier's notification of pregnancy with the pregnant Soldier and Soldier's chain of command (PL, PSG, etc).
- (2) The counseling will provide a two-way dialogue which will promote positive communication, foster a supportive environment, and cover critical information regarding pregnancy and Soldier options. P3 Advisors are required to attend the counseling session.
 - b. Operational and Training Deferment.
 - (1) Birth Parent during Pregnancy.
- (a) Commanders and P3 Advisors will ensure pregnant Soldiers are cared for in accordance with their pregnancy profile guidance and P3 Plan. The primary goal is safety of the Birth parent and unborn child. Soldiers are required to communicate any reservations about participation in training to the commander/chain of command.
- (b) The pregnancy profile describes what the pregnant Soldier may and may not do. Soldiers experiencing a pregnancy without complications may attend IDT and annual training, work up to eight hours a day, conduct PT at their own pace, rest when needed, stand in formation for up to 15 minutes, and wear maternity uniforms.
- (c) Pregnant Soldiers are permitted to attend field training unless a medical profile further restricts field training for an individual. Pregnant Soldiers who can attend field training will be provided access to showers, a safe water source, sleep in a bed in a temperature-controlled environment and be under limited stress. The threshold for limited stress will be defined by the Commander and Soldier since situations will vary. Pregnant Soldiers are however not permitted to travel in military vehicles or sleep on the ground.
- (d) Soldiers will communicate with their Commander addressing expectations and concerns during the third trimester. Commanders will consider pregnant Soldiers' circumstances on a case-by-case basis and if needed seek further input from a medical provider: assigned Nurse Case Manager, Battalion Physician's Assistant, Field Surgeon, Deputy State Surgeon, or State Surgeon to determine if they are required to physically attend IDT or AT regardless of training event location. The primary goal is safety of the Birth parent and unborn child.

- (e) Pregnant Soldiers must communicate with P3 Advisors and Commanders to arrange alternate AT plans before or following the birth event as documented in the P3 plan.
 - (2) Birth Parent during Post-Partum.
- (a) Update your P3 Plan to reflect training attendance considerations post-partum. Review, establish and include Reserve Component Maternity Leave (RCML) for M-day Soldiers (PPOM #22-046) or the Expanded Military Leave Program for Soldiers on continuous active-duty orders for more than 12 months (PPOM #23-013) and Implementation Guidance for Deployment Deferment (PPOM #23-011).
- (b) M-day Birth Parents may request excused absences or alternate training attendance for IDT and AT that requires the Soldier to be away overnight up to 365 days from the birth event. This includes deployment, annual training, major training exercises, temporary duty, field training and State Active Duty. Birth certificates must be provided to their unit representatives eight weeks following a qualifying birth event.
- (c) AGR or FTNGD Birth Parents on active duty for more than 12 months consecutively are deferred or excused for 365 days after the birth of their child from all continuous duty events that are more than one normal duty day/shift. These include but are not limited to deployment, mobilization, field training, Combat Training Center Program rotations, collective training events away from home station and temporary duty (TDY). Soldiers may elect to attend training events that are greater than one normal duty day/shift. Birth certificates must be provided to their unit representatives no later than eight weeks following a qualifying birth event per PPOM 23-013.
- (d) Operational and Training (O&T) deferment may be extended beyond 365 days for lactating Soldiers. AD 2022-06 states that lactating alone is the determining factor for extended O&T deferment for up to 24 months. The Soldier is responsible for keeping their chain of command informed that they are still lactating, but commanders may verify lactation through the Soldier's profiling provider.
- (e) Commanders are encouraged to consider alternate or virtual IDT and AT options to limit extensive travel for Birth Parents 365 days from the birth event to enable Birth Parent and child bonding. Travel over 50 miles from home of record may require overnight accommodations and will receive increased consideration.
- (f) The birth parent is responsible for developing and presenting alternate training plans in coordination with the annual IDT and AT training dates and their immediate supervisors. Commanders will offer alternate AT plans before or following the birth event within the same fiscal year (FY) as the unit's scheduled AT.

- (g) M-day Soldiers are granted 12 paid IDT periods within 12 months following a qualifying birth event. This benefit, RCML, does not authorize Soldiers to exceed their annual 48 authorized IDT periods, and they must be used during regularly scheduled IDT periods. A qualifying birth event is any live birth of a child(ren) to a WIARNG Soldier who gives birth (surrogacy or adoption do not qualify). Soldiers may take the RCML IDT periods consecutively or non-consecutively within a 12-month period following the qualifying birth event. If periods are taken nonconsecutively, it must consist of a minimum of two IDT periods (2 UTAs). Soldiers can accumulate a maximum of 12 retirement points for paid RCML periods, receiving one retirement point for each paid UTA. A total of 50 retirement points equals a 'Good Year'; points can be verified through battalion S-1 sections.
- (h) Deployment deferment (PPOM #23-011) does not apply to State Active Duty (SAD) missions. However, the birth parent may request to be exempt from State Active Duty (SAD) missions for 365 days post birth event in the P3 Plan. Exemption indicates the Soldier will be on a no-call list for SAD missions.
- (i) Lactation at home station, in the field or alternate training location. IAW individual P3 Plans, lactating Soldiers who elect or are authorized to attend field training

will be provided access to showers, a safe water source, sleep in a bed in a temperature-controlled environment and be under limited stress.

- (j) Fertility Treatment. Commanders will support Soldiers undergoing fertility treatment by removing any perceived barriers to attend required fertility treatment appointments. Commanders will discuss any limitations and ask questions regarding expectations during and after treatment.
 - (3) Non-birth parent.
- (a) Are excused from drill (or Split Training Assembly/STA) within the first 90 days post-birth event. They may receive deployment deferment (PPOM #23-011) if transferred from the birthparent.
- (b) May submit a written request to the Commander requesting duty deferment to ensure that at least one parent is home with their child up to 365 days after the birth event. The approval authority is the non-birth parent's Company Commander.
- (c) May request exemption from State Active Duty (SAD) missions for 365 days post birth event. Exemption indicates the Soldier will be on a no-call list for SAD missions.
- (4) Non-birth parent seeking adoption and long-term placement, such as foster care.

- (a) All non-birth parents that adopt or foster and have a court order or documentation from an authorized placement agency are authorized O&T deferment, regardless of gender. They are excused from drill (or STA) within the first 90 days following long-term placement.
- (b) Adoptive or Foster Non-Birth parents, immediately following long-term placement, may request training deferment from events that could require the Soldier to be away overnight 365 days from date of placement. This includes deployment, annual training, temporary duty, field training, State Active Duty and collective and unit training.
- (c) The adopting or fostering non-birth parent is responsible for developing and presenting alternate training plans in coordination with the annual IDT and AT training dates and their immediate supervisors. Commanders will offer alternate AT plans before or following the birth event within the same fiscal year (FY) as the unit's scheduled AT.
- (d) Adoptive or Foster Non-Birth Parents may request exemption from State Active Duty (SAD) missions for 365 days following long-term placement. Exemption indicates the Soldier will be on a no-call list for SAD missions.

8. Resources.

- a. The Parenthood, Pregnancy, and Postpartum Toolbox contains tools to ensure understanding across the WIARNG that includes videos, step-by-step PowerPoint instructions, counseling forms, policy updates and points of contact. These resources can be found at https://wisconsinmilitary.org/fac/cdrtbx.
- b. Lactation pods. 41 specifically identified WIARNG facilities will be outfitted with commercial lactation pods. Lactation pods are not property of the P3 program and therefore not centrally managed by this policy. The WIARNG Construction & Facility Management Office (CFMO), Facility Management Branch will manage the equipment on Superintendents' property book but require WIARNG member assistance with placing them in a preferred location and require general cleaning in accordance with the technical manual or manufacturers specifications before and after use. Armory Facility Managers with assistance from P3 Advisors ensure adequate cleaning supplies are readily available.
- 9. Point of contact for this policy memorandum is the Deputy Chief of Staff Personnel/G1, COL Josephine Daniels, <u>Josephine.a.daniels.mil@army.mil</u> or by telephone at 608-242-3444.

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