

## Paternity leave authorized by DoD

SUBJ: ARMY GUIDANCE FOR PATERNITY LEAVE AUTH BY DUNCAN HUNTER NATL DEF AUTHORIZATION ACT FOR FISCAL YEAR 2009 (PUB L. 110-417)

1. REFERENCES: A. DUNCAN HUNTER NDAA FOR FY 2009, (PUB L. 110-417), 14 OCTOBER 2008 B. DEPARTMENT OF DEFENSE INSTRUCTION 1327.6, LEAVE AND LIBERTY PROCEDURES, APRIL 22, 2005 C. AR 600-8-10, LEAVES AND PASSES, 15 FEBRUARY 2006 D. TITLE 10, UNITED STATES CODE (USC)

2. EXPIRATION: CANNOT BE DETERMINED.

3. PURPOSE: THIS MESSAGE ANNOUNCES ARMY GUIDANCE FOR PATERNITY LEAVE AUTHORIZED BY THE RECENT CHANGE TO LAW (TITLE 10) CONTAINED IN REFERENCE A ABOVE. ON 14 OCTOBER 2008 THE PRESIDENT SIGNED THE NDAA FOR FY 2009 TO AUTHORIZE 10 DAYS OF PATERNITY LEAVE TO BE USED IN CONNECTION WITH THE BIRTH OF A CHILD. PATERNITY LEAVE MAY BE GRANTED IN ADDITION TO OTHER LEAVE AUTHORIZED.

4. APPLICABILITY: PATERNITY LEAVE IS ONLY AUTHORIZED FOR A MARRIED SOLDIER ON ACTIVE DUTY, TO INCLUDE TITLE 10 AND TITLE 32 ACTIVE GUARD AND RESERVE (AGR) DUTY, WHOSE WIFE GIVES BIRTH TO A CHILD ON OR AFTER 14 OCTOBER 2008. PATERNITY LEAVE IS A NON-CHARGEABLE ADMINISTRATIVE ABSENCE. PATERNITY LEAVE LEGISLATION CANNOT BE APPLIED TO SINGLE SOLDIERS FATHERING A CHILD OUT OF WEDLOCK.

5. PATERNITY LEAVE WILL NOT EXCEED 10 DAYS, AND MUST BE TAKEN CONSECUTIVELY AND WITHIN 45 DAYS AFTER THE BIRTH OF THE CHILD. THIS AUTHORIZED ABSENCE (NON-CHARGEABLE PATERNITY LEAVE) IS APPLICABLE TO SINGLE PREGNANCIES, TO INCLUDE THOSE THAT RESULT IN MULTIPLE BIRTHS (TWINS, TRIPLETS, ETC.). **DEPLOYED SOLDIERS HAVE 60 DAYS AFTER RETURNING FROM DEPLOYMENT TO UTILIZE THE 10 DAYS OF PATERNITY LEAVE. IF NOT USED WITHIN THE ESTABLISHED TIME FRAME LEAVE IS LOST.**

6. COMMANDERS, SUPERVISORS AND LEAVE APPROVAL AUTHORITIES MUST ENSURE THE FOLLOWING STATEMENT IS INCLUDED IN BLOCK 17 (REMARKS) ON THE DA FORM 31 (REQUEST AND AUTHORITY FOR LEAVE) FOR ACTIVE DUTY MARRIED SOLDIERS REQUESTING LEAVE IN CONNECTION WITH THE BIRTH OF A CHILD. "I AM REQUESTING PATERNITY LEAVE IN CONNECTION WITH THE BIRTH OF MY CHILD. I UNDERSTAND THAT BY LAW PATERNITY LEAVE IS ONLY AUTHORIZED FOR MARRIED SOLDIERS ON ACTIVE DUTY, WHOSE WIFE HAS GIVEN BIRTH TO A CHILD ON OR AFTER 14 OCTOBER 2008. \_\_\_\_\_ SOLDIER'S INITIALS"

7. SOLDIERS CHARGED ANNUAL LEAVE IN CONNECTION WITH THE BIRTH OF THEIR CHILD AFTER 14 OCTOBER 2008, BUT BEFORE THIS ARMY GUIDANCE WAS RELEASED MAY REQUEST THAT THE 10 DAYS OF ANNUAL LEAVE BE RESTORED/RE-CREDITED TO THEIR LEAVE ACCOUNT. WHEN REQUESTING REINSTATEMENT OF 10 DAYS PATERNITY LEAVE, A SOLDIER MUST PROVIDE DOCUMENTATION (E.G. DA FORM 31 OR LEAVE AND EARNING STATEMENT (LES) SHOWING THAT

THEY HAVE BEEN CHARGED 10 DAYS LEAVE DUE TO THE BIRTH OF THEIR CHILD. THE SOLDIER MUST INFORM THE SUPPORTING BATTALION S-1 OR PERSONNEL ADMINISTRATION CENTER (PAC) TO CORRECT THE ORIGINAL DA FORM 31, PER CHAPTER 12 OF AR 600-8-10, SECTION XIII, TO REFLECT THAT THIS WAS AN APPROVED NON-CHARGEABLE ADMINISTRATIVE LEAVE. THE DA 31 SHOULD THEN BE SUBMITTED VIA A TRANSMITTAL LETTER TO THE SUPPORTING DEFENSE MILITARY PAY OFFICE (DMPO) TO MAKE THE ADJUSTMENT TO THE SOLDIER'S PAY RECORD.

8. ARMY POLICY GUIDANCE ON PATERNITY LEAVE WILL BE INCLUDED IN THE NEXT UPDATE/REVISION OF ARMY REGULATION 600-8-10, LEAVES AND PASSES."

9. THE ARMY STAFF POINTS OF CONTACT ARE MR. BOSKO, DSN 222-5945 OR COMMERCIAL (703) 692-5945, EMAIL IS VICTOR.BOSKO@HQDA.ARMY.MIL, LTC VOITHOFER, DSN 222-6889 OR COMMERCIAL (703) 692-6889, EMAIL IS MATTHEW.VOITHOFER@HQDA.ARMY.MIL. 10. THE ARMY HUMAN RESOURCES COMMAND FUNCTIONAL PROPONENT IS MS. MCCLELLAND, DSN 221-9005 OR COMMERCIAL (703) 325-9005, EMAIL IS BRENDA.MCCLELLAND@CONUS.ARMY.MIL. 11. EXPIRATION DATE CANNOT BE DETERMINED