



## UNITED STATES OFFICE OF PERSONNEL MANAGEMENT

Washington, DC 20415

The Director

Wednesday, April 15, 2015

CPM 2015-03

### **MEMORANDUM FOR: Heads Of Executive Departments And Agencies**

**FROM:** Katherine Archuleta Director

**Subject:** Modernizing Federal Leave Policies for Childbirth, Adoption and Foster Care to Recruit and Retain Talent and Improve Productivity

On January 15, 2015, President Obama issued a memorandum entitled: "Modernizing Federal Leave Policies for Childbirth, Adoption and Foster Care to Recruit and Retain Talent and Improve Productivity." In his January 20, 2015 State of the Union address, the President mentioned this memorandum and his belief that all employers, including the Federal Government, should support parents to ensure that they can contribute fully in the workplace, while also meeting the needs of their families. The President's memorandum aligns the Federal Government with the parental leave policies of leading private sector companies and other industrialized countries.

As part of his effort to ensure that all employees have paid time off available for childbirth, adoption and foster care, the President has directed all Federal agencies, to the extent permitted by law, to ensure that discretionary benefits are used to the maximum extent practicable, including advancement of sick or annual leave, donated annual leave under the voluntary leave transfer and leave bank programs, and leave without pay. Further, to the extent permitted by law, the President has directed all Federal agencies to (1) offer 240 hours of advanced sick leave, at the request of an employee and in appropriate circumstances, in connection with the birth or adoption of a child or for other sick leave eligible uses, and (2) offer the maximum amount of advanced annual leave, at the request of an employee, for foster care placement in their home or bonding with a healthy newborn or newly adopted child. Agencies have been directed to provide this advanced leave for purposes specified in law and regulation irrespective of existing leave balances. All Federal agencies must update their advanced sick and annual leave policies to be in compliance with the President's memorandum by no later than Monday, June 15, 2015.

The President's memorandum also requires that by April 15, 2015, the U.S. Office of Personnel Management (OPM) provide guidance to all Federal agencies to help them implement the revised advanced leave policies, including how to apply these policies to part-time employees.

To meet the President's requirement, OPM held a series of interagency working group meetings with representatives from more than 40 agencies. These working group meetings revealed that many agencies believe that their employees are simply unaware of the wide array of leave and workplace flexibilities available for childbirth, adoption, and foster care purposes. Agency working group representatives requested that OPM's forthcoming guidance focus on all current

existing leave flexibilities that employees could use for childbirth, adoption, and foster care purposes (including advanced sick and annual leave policies).

As a result, OPM determined that a new Handbook focusing on leave and workplace flexibilities available to employees for childbirth, adoption, and foster care purposes would be the most appropriate guidance to provide to the agencies. OPM's Handbook contains guidance to the agencies on advanced sick and annual leave policies as required by the President's memorandum while emphasizing the various leave entitlements and flexibilities available to assist employees.

The Handbook is divided into three distinct sections to fully assist agencies depending on the specific circumstance of the employee. The sections are: (1) Pregnancy and Childbirth, (2) Adoption and Foster Care, and (3) Interaction of the Various Leave Programs and Workplace Flexibilities. OPM believes that this new Handbook will allow agencies to be in a better position to assist employees or their family members who are experiencing childbirth, adoption, and foster care. In doing so, the Federal Government will continue to support parents to ensure they can both contribute fully in the workplace and also meet the needs of their families.

### **Additional Information**

Employees should contact their agency human resources office for further information on this memo. Questions from individual employees will be returned or forwarded to the appropriate agency human resources office. Agency headquarters-level human resources offices may contact the Pay and Leave office at [pay-leave-policy@opm.gov](mailto:pay-leave-policy@opm.gov) or (202) 606-2858.

Attachment 1: [President's Memorandum](#)

cc: Chief Human Capital Officers and Human Resources Directors