



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

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Memorandum for Chief Human Capital Officers

From: Veronica E. Hinton
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Subject: Leave Flexibilities for Foster Care and Adoption

On November 13, 2025, President Donald J. Trump issued Executive Order (E.O.) 14359 titled “[Fostering the Future for American Children and Families](#),” making clear that his Administration “is dedicated to empowering mothers and fathers to raise their children in safe and loving homes.” Through the E.O. and other efforts, the President and First Lady Melania Trump have shown their strong support for providing pathways to success for young people who have experienced foster care.

To support the President’s and First Lady’s efforts, the U.S. Office of Personnel Management (OPM) encourages all agencies to apprise their employees of relevant provisions from OPM’s Handbook on Leave and Workplace Flexibilities for Childbirth, Adoption, and Foster Care ([Handbook](#)). Namely, this Handbook provides guidance on various leave and work scheduling flexibilities that employees can use either separately or in combination to help balance work, personal, and family obligations.

An employee considering a foster care placement or adoption may be eligible for leave under the Family and Medical Leave Act, paid parental leave, annual leave, sick leave, and more as outlined in the Handbook. Employees who are currently fostering, planning to foster, or considering adoption should check with their agency to determine their eligibility for the various options discussed in the Handbook and how best to use them. See also a few frequently asked questions regarding paid parental leave and adoption or foster care placements attached to this memorandum.

Additionally, employees can utilize [alternative work schedules](#) (AWS), including [flexible work schedules](#) and [maxiflex work schedules](#), if applicable. Within rules established by the agency, AWS can allow employees to have work schedules that help employees balance work and family responsibilities.

Additional Information

For additional information, agency headquarters-level human resources offices may contact OPM at leavepolicy@opm.gov. Component-level human resources offices must contact their agency headquarters for assistance. Employees must contact their agency human resources offices for further information on this memorandum.

cc: Deputy Chief Human Capital Officers and Human Resources Directors

Frequently Asked Questions on Paid Parental Leave (PPL) and Adoption or Foster Care Placements:

Q. What is PPL?

A. PPL is a type of paid leave that is authorized under the Family and Medical Leave Act (FMLA) provisions for Federal employees and is substituted for available unpaid FMLA leave for the birth of a son or daughter or placement of a son or daughter with the employee for adoption or foster care and the care of the son or daughter. Therefore, in order for an employee to use PPL, the employee must be eligible for and use FMLA leave.

Q. Who is eligible for PPL?

- A. To be eligible for PPL, an employee must—
- be eligible for FMLA leave (see below);
 - use PPL during FMLA leave based on the birth of the employee's child or the placement of a child with the employee for adoption or foster care;
 - maintain a parental role with respect to the newly born or placed child; and
 - be engaged in activities directly related to the care of the child during PPL hours.

Under the law that covers almost all Federal employees, an employee is eligible for FMLA leave if he or she (1) is covered by the Governmentwide annual and sick leave program, (2) has completed 12 months of qualifying civilian and/or military service, (3) has an appointment that is not limited to 1 year or less, and (4) has a part-time or full-time work schedule with regular hours.

To use FMLA leave based on the birth or placement of a child for adoption or foster care, the child must be the employee's "son or daughter" as defined in law. (See

Handbook. Employees should consult their human resources office for individual eligibility determinations.)

Q. How many weeks of PPL may an eligible employee receive for a new foster care placement?

- A. Eligible employees who have a new foster care or adoption placement may receive up to **12 weeks** of PPL during **the 12-month period** following the placement, as long as they continue to have a parental role with the child.

Important things to know:

- PPL is **paid** leave that replaces unpaid FMLA leave.
- PPL runs at the same time as FMLA leave (they run concurrently).
- An employee may use PPL up to the amount of FMLA leave remaining available in his or her 12-month FMLA period.

(See Handbook for information on the 12-month FMLA period.)

Q. What happens if an employee has one or more children born or placed during the 12-month period following the date of an earlier birth or placement of a child of the employee?

- A. If an employee has multiple children born or placed on the same day, the multiple-childbirth/placement event is considered to be a single event that triggers a single PPL entitlement. If an employee has one or more children born or placed during the 12-month period following the date of an earlier birth or placement of a child of the employee, each event will generate a 12-week PPL entitlement to be used during the 12-month period following the birth or placement. However, any use of PPL during an overlap period (that is, a period contained within more than one 12-month period following a birth or placement) will count toward the 12-week PPL limit for each birth or placement involved. Also, PPL use may be limited because an employee may use only 12 weeks of FMLA leave in any 12-month FMLA period.

Q. Is there a limit on the number of foster care placements eligible for PPL either in a year or lifetime?

- A. No. An eligible employee is entitled to up to 12 administrative weeks of PPL during the 12-month period following the foster care placement for each new placement of

a child with the employee as long as the employee has available FMLA leave and maintains a parental role.

Q. What does it mean that an employee must maintain a parental role? When is PPL use by a foster parent appropriate?

- A. The designation of an employee as a foster parent gives the employee a parental role, which is required for PPL eligibility. In addition, an employee may use PPL only during hours when the employee is engaged in activities directly related to the care of the child. Generally, this means the employee is directly caring for the child. However, PPL can be used during short periods away from the child's physical presence to support the care of the child or to engage in activities that are related to fulfilling foster care parent responsibilities in support of the child. Such periods may include court visits and activities that support the goals of family reunification or permanency. An employee's parental role and PPL entitlement ends when a foster child moves to another foster placement or is reunited with the child's birth parents.

Q. Does the 12 weeks of PPL have to be taken continuously?

- A. An employee may use PPL intermittently only upon mutual agreement between the employee and the agency—intermittent use is not an entitlement. Agencies are encouraged to approve requests for intermittent FMLA/PPL to the maximum extent practicable. Agencies should consider how a foster care placement creates a need to use FMLA/PPL leave on an intermittent basis for court visits, caseworker visits, and other activities to support the foster care placement (including activities that support the goals of family reunification and permanency).