



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX TRG
WASHINGTON DC 20370-5100 Docket No: 12468-08
24 March 2009

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) Case Summary
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, a member of the Navy Reserve, filed an application with this Board requesting that her record be corrected wherever necessary to show that she is serving as a petty officer first class (IT1; paygrade E-6) rather than as a petty officer second class (BU2; paygrade E-5).

2. The Board, consisting of Mr. [REDACTED] Mr. [REDACTED] and Ms. [REDACTED] reviewed Petitioner's allegations of error and injustice on 24 February 2009 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Petitioner's application was filed in a timely manner.

c. In February 2008 the Board corrected Petitioner's record, based on an advisory opinion from the Navy Personnel Command (NPC), to show that she was not discharged but remained under a Navy Reserve Contract so that she could continue to receive payments under the Variable Separation Incentive (VSI) program.

d. Attached to enclosure (1) is an advisory opinion from NPC which sets forth the facts of her current case as follows:

...[Petitioner] was erroneously enlisted in the Navy Reserve on 29 April 2006 in the CB/VET program as a

permanent SN and temporary BU2. [Her] Pay Entry Base Date (PEBD) is 14 November 1979 which causes her to exceed the High Year Tenure limit for E5. [She] was transferred back to the Inactive [sic] Ready Reserve and should have been reverted back to her rate of IT1. The Inactive Manpower and Personnel Manage Information System (IMAPMIS) currently reflects an incorrect PEBD of 1 August 1990.

[NPC recommends that Petitioner's] petition be approved and her rating be corrected to IT1 with 16 April 1990 as her Date of Rate. It is also recommended that IMAPMIS be corrected to reflect a PEBD of 14 November 1979...

CONCLUSION:

Upon review and consideration of all the evidence of record and especially the recommendation contained in the advisory opinion the Board concludes that Petitioner's request warrants favorable action. Therefore, her record should be corrected to show that she reenlisted in the Navy Reserve on 28 April 2006 in the rate of IT1 and wherever else necessary to show that she is an IT1 for all purposes.

The Board has been informed that IMAPMIS has been administratively corrected to show that her PEBD is 14 November 1979 and no further action on this issue is required.

The Board further concludes that this Report of Proceedings should be filed in Petitioner's naval record so that all future reviewers will understand the reasons for the correction to her Navy record.

RECOMMENDATION:

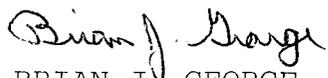
a. That Petitioner's naval record be corrected to show that on 28 April 2006 she reenlisted in the Navy Reserve in the rate of IT1 with a date of rate of 1 August 1990 vice the reenlistment in the rate of BU2 now of record.

b. That this Report of Proceedings be filed in Petitioner's naval record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and

complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder


BRIAN J. GEORGE
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.


W. DEAN PFEIFFER
Executive Director