



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

[REDACTED]
Docket No. 4710-21
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED],
USN, [REDACTED]

Ref: (a) Title 10 U.S.C. § 1552
(b) BUPERSINST 1430.16A of 23 Dec 77

Encl: (1) DD Form 149 w/attachments
(2) NETPDC (N321) email of 1 Nov 21
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected to show Petitioner's Certificate of Release or Discharge from Active Duty (DD Form 214) grade, rate and rank reflect SW3/E-4.

2. The Board, consisting of [REDACTED] and [REDACTED] reviewed Petitioner's allegations of error and injustice on 9 November 2021 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, relevant portions of Petitioner's naval record, 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. In accordance with reference (b), Advancements in rate or change in rating, except as indicated in paragraph 105.3 below, are accomplished through a Navy-wide system of competition in all petty officer grades. Advancements in rate or change in rating is based on demonstrated proficiency in assigned duties, on the performance evaluation and recommendation of the commanding officer, and on written examinations. All eligible personnel compete for advancement or change in rating to fill vacancies in the total Navy allowance.

Eligible personnel are then advanced to PO3 through PO1 to fill Navy-wide vacancies in the total Navy allowance on the basis of final multiple standing. Selection of personnel for advancement to CPO, SCPO, and MCPO is accomplished by a selection board convened

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]
USN, [REDACTED]

annually in the Bureau of Naval Personnel. Candidates who have successfully competed in Navy-wide examinations and qualify to have their records placed before the board for consideration, will be designated "SELECTION BOARD ELIGIBLE." The total number to be selected will be based on total Navy vacancies.

c. On 16 October 1980, Petitioner enlisted in the U.S. Naval Reserve for 6 years with an EOS of 15 October 1986.

d. On 17 April 1981, Petitioner entered active duty for 4 years with an EAOS of 16 April 1985 and SEAOS of 16 April 1986.

e. On 16 May 1982, Petitioner was advance to SWCN/E-3.

f. In September 1985, Petitioner participated in Cycle 108 Navy Wide Advancement Exam (NWAE) with a FMS (Final Multiple Score) is "129.33" and Minimum Multiple Required was 60.00.

g. From 1 September 1985 to 16 April 1986, Petitioner's Enlisted Performance Record listed him as an SW3/E-4 and received trait marks.

h. On 16 April 1986, Petitioner was released from active duty and transferred to Naval Reserve.

i. In correspondence attached as enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that the request has merit and warrants favorable action.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that in September 1985, Petitioner took the Cycle 108 NWAE and exceeded the minimum multiple required for advancement. From 1 September 1985 to 16 April 1986, Petitioner's Enlisted Performance Record listed him as an SW3/E-4. The Board concluded that in accordance with enclosure (2), Petitioner should have been advanced to E-4 on 16 April 1986 and that his DD Form 214 should be changed to reflect that he was an E-4 when he was separated from active duty.

RECOMMENDATION

That Petitioner's naval record be corrected, where appropriate, to show that:

Petitioner's DD Form 214 effective 16 April 1986 listed block 4a (Grade, rate or rank) "SW3" vice "SWCN," block 4b (Pay grade) "E4" vice "E3," and block 12h (Effective date of Pay Grade) is "16 April 1986" vice "16 May 1982."

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]
USN, [REDACTED]

Note: Defense Finance & Accounting Service (DFAS) will complete an audit of Petitioner's records to determine if Petitioner is due any back pay and allowances

A copy of this Report of Proceedings will 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.

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 the reference, has been approved by the Board on behalf of the Secretary of the Navy.

12/5/2021

[REDACTED]

Deputy Director

[REDACTED]