



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

█  
Docket No. 6482-21  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO █, USN, XXX-XX-█

Ref: (a) Title 10 U.S.C. § 1552  
(b) BUPERSINST 1430.16G

Encl: (1) DD Form 149 w/attachments  
(2) NPC memo 1430 PERS 8031/296 of 26 Oct 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 compare the September 2020 (Cycle 248) Navy Wide Advancement Examination (NWAE) to the missed March 2020 (Cycle 247) NWAE and retroactive advancement if applicable.

2. The Board, consisting of █, █ and █, 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, found that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. In accordance with reference (b), Commanding Officers may request standard score comparison exception to policy (ETP) no later than 6 months after the missed exams limiting date.

b. Petitioner advanced to Machinist Mate - Nuclear Third Class/E-4 on 16 July 2017.

c. Petitioner participated in the March 2020 (Cycle 247) NWAE; however, the exam was not submitted to the Navy Education Training Professional Development Command (NETPDC).

d. Petitioner participated in the September 2020 (Cycle 248) NWAE and was selected for advancement to Machinist Mate – Nuclear Second Class (MMN2)/E-5 effective 16 January 2021 and Time in Rate (TIR) date of 1 January 2021.

e. On 29 June 2021, █ submitted an ETP to Director, Military Personnel Plans and Policy Division (N3); OPNAV (N132) indicates required documents for the request were not submitted within the prescribed time in accordance with reference (b).

f. 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. Petitioner met the basic eligibility criteria to participate in the NWAEE but the examination was not submitted to NETPDC for processing. Although Petitioner's Command submitted an ETP, the request was not submitted in accordance with the timeline prescribed in reference (b), thereby rendering Petitioner ineligible for retroactive advancement. Although the proper administrative requirements were not completed, the Board felt that under these circumstances, relief is warranted.

#### RECOMMENDATION

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

Exception to policy authorized Petitioner's advancement to MMN2/E-5 effective "16 December 2020" vice "16 January 2021" with a TIR date of "1 July 2020" vice "1 January 2021." Note: After comparison, Petitioner's Final Multiple Score (FMS) for March 2020 (Cycle 247) NWAEE would have been 110.72; the minimum multiple required was of 91.08.

Defense Finance and Accounting Service will complete an audit of Petitioner's records to determine if Petitioner is due retroactive 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.

12/17/2021

[REDACTED]

Deputy Director

Signed by: [REDACTED]