



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

█
Docket No: 7407-21
Ref: Signature Date

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

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

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

Encl: (1) DD Form 149
(2) Case summary
(3) Naval record (excerpts)

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 her naval record be corrected to adjust the narrative reason on her separation documents from "Parenthood or custody of minor children" to "Convenience of the government on the basis of parenthood," and to upgrade the character of her service to from "General" to "Honorable." Enclosures (1) through (3) apply.

2. The Board, consisting of █, █, and █ reviewed Petitioner's allegations of error and injustice on 24 January 2022, 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 his naval service 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. Although enclosure (1) was not filed in a timely manner, it is in the interest of justice to review the application on its merits.

c. Petitioner enlisted in the Navy and began a period of active duty on 6 June 1994.

d. Petitioner's Evaluation Report & Counseling Record for the period from 1 February 1995 to 15 January 1996 reflects she was recommended for retention, and had a trait average of 2.33.

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e. Petitioner was counseled on 30 November 1996 and 15 December 1996 regarding her inability to provide adequate child care for her dependent, and her excessive absences from work due to her dependent care issue.

f. On 8 January 1997, Petitioner went on unauthorized absence (UA) for 1 hour and 15 minutes.

g. Petitioner was counseled on 23 January 1997, regarding pregnancy and dependent care. Petitioner acknowledged her inability to perform her full range of military duties due to her dependent care issues.

h. On 24 January 1997, Petitioner was notified of the initiation of administrative separation proceedings due to her inability to perform duties, being repetitively absent, and her inability to establish world-wide assignability due to parenthood, at which point, Petitioner waived her right to consult with counsel, and review by her case by an administrative discharge board (ADB).

i. Petitioner was on a period of UA from 27 January 1997 to 28 January 1997.

j. Petitioner's Evaluation Report & Counseling Record for the period from 16 July 1996 to 15 January 1997 reflects she was not recommended for retention, and she had a trait average of 1.67.

k. On 7 February 1997, Petitioner's commanding officer recommended her discharge from naval service. Petitioner's commanding officer notes Petitioner's reason for processing as "Convenience of the Government on Basis of Parenthood."

l. On 7 February 1997, Petitioner was discharge with a general character of service by reason of parenthood or custody of minor children, and issued an RE-4 reentry code.

m. Petitioner contends, her commanding officer intended her discharge to be "Convenience of the Government on Basis of Parenthood," which is very different than the separation reason she received per the MILPERSMAN of 1997. Petitioner contends she would have received an honorable discharge if she received the correct separation reason.

CONCLUSION

The Board reviewed Petitioner's OMPF and notes Petitioner's disciplinary infractions began following her initial counseling regarding her dependent care issues. The Board does not condone her misconduct; however, the Board determined Petitioner was not afforded sufficient time to acquire appropriate dependent care. The Board considered the minor disciplinary infractions and her honorable period of service prior to her initial misconduct. The Board found there is insufficient evidence in Petitioner's record that should prevent her service from being characterized as honorable, nor prevent her reenlistment code to reflect a waivable status IAW MILPERSMAN 3620200. In this regard, the Board found Petitioner request warrants partial relief. The Board determined she is entitled to adjustment to her reenlistment code from RE-4 to RE-3B, and her character of service to be upgraded from general to honorable.

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In regard to Petitioner's request for adjustment to her separation reason the Board noted Petitioner's commanding officer's reason for processing is not listed IAW MILPERSMAN 3620200. The Board found no evidence of an error or injustice that warrants adjustment to her narrative reason for separation listed on her DD Form 214.

In view of the above, the Board directs the following corrective action.

RECOMMENDATION:

In view of the above, the Board directs the following corrective action: character of service as "honorable," and reentry code as "RE-3B,"

That a copy of this report of proceedings be filed in Petitioner's naval record.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c) 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 Regulation, 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.

2/8/2022

[REDACTED]

Executive Director

[REDACTED]