



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

[REDACTED]
Docket No. 8006-21
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED], USN,
XXX-XX-[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552
(b) BUPERSINST 1430.16G of 19 Sep 18
(c) NAVADMIN 318/18 of 27 Dec 18

Encl: (1) DD Form 149 w/attachments
(2) ECPD memo 1430 PERS 8031/032 of 25 Jan 22
(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 was advanced to E-5 from the Navy-wide advancement examinations (NWAE) March 2019 (Cycle 243).

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 17 February 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 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. On 31 August 2015, Petitioner was awarded the Navy and Marine Corps Achievement Medal for the period of March 2015 to August 2015.

c. On 16 June 2017, Petitioner advanced to Petty Officer Third Class/YN3 (E-4).

d. On 22 December 2017, Petitioner signed a Regular Evaluation Report and Counseling Record for the period of 16 June 2017 to 13 February 2018. This was a Detachment of Individual report and he received an Early Promote recommendation.

Subj: REVIEW OF NAVAL RECORD OF [REDACTED], USN,
XXX-XX-[REDACTED]

e. On 13 February 2018, Petitioner was awarded the Navy and Marine Corps Achievement Medal for the period of May 2014 to February 2018.

f. On 2 July 2018, Petitioner signed a Regular Evaluation Report and Counseling Record for the period of 13 February 2018 to 15 June 2018. This was a Periodic report and he received a Must Promote recommendation.

g. In accordance with reference (b), enter the total number of points for awards as a two digit number. Enter points only for awards approved or earned prior to the day of the regularly scheduled NWAE. Maximum award points authorized is 10 points for E-4/E-5 candidates. Navy and Marine Corps Achievement Medal is worth 2 points.

h. On 5 December 2018, Petitioner was awarded the Navy and Marine Corps Achievement Medal for the period of June 2018 to November 2018.

i. In accordance with reference (c), for candidates taking E-4 and E-5 exams, compute PMA using all evaluations in the current pay grade of the candidate with an ending date that falls within the following time periods: E-5 exam – 1 December 2017 to 28 February 2019.

j. In March 2019, Petitioner took Cycle 243 NWAE; however, he Passed not advanced (PNA). Petitioner's Exam Standard Score was 51.02, Performance Mark Average/Evaluation average was 56.00/3.90, Service in Paygrade/YMMM was 0.50/0206, Awards was 4, Education Points 0.00, Passed Not Advanced was 1.50, and Final/Minimum Multiple Required 113.02/113.70.

k. On 28 May 2020, Petitioner was subject to a lateral change to the MA rate.

l. 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.

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 the Service and Petitioner have a responsibility to ensure the service records are complete and accurate. Nevertheless, Petitioner earned three Navy and Marine Corps Achievement Medals prior to the date of the exam. Petitioner should have been credited with 6 Awards Points; however, he was only credited with 4. With the addition of the missing 2 points, Petitioner's FMS will have exceeded the Minimum Multiple Required to be advanced from the March 2019 (Cycle 243) NWAE.

RECOMMENDATION

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED], USN,
XXX-XX-[REDACTED]

Petitioner took Cycle 243 NWAE and was advanced. Petitioner's Exam Standard Score was 51.02, Performance Mark Average/Evaluation average was 56.00/3.90, Service in Paygrade/YMMM was 0.50/0206, Awards was 6 vice 4, Education Points 0.00, Passed Not Advanced was 1.50, and Final/Minimum Multiple Required 115.02/113.70 vice 113.02/113.70. Note: The Navy will update awards in Navy Standard Integrated Personnel System (NSIPS)/Electronic Service Record to reflect 3 Navy and Marine Corps Achievement Medals.

Petitioner was advanced to YN2/E-5 effective 16 December 2019 with a time in rate (TIR) of 1 July 2019.

Note: the change in the effective date of advancement to E-5 may also impact on Petitioner's E-6 advancement opportunity. If Petitioner was eligible for, but did not take an E-6 examination because the above change had not yet been made, the following procedures will apply to remediate that missed opportunity. Petitioner should take the next available E-6 advancement examination. Once Petitioner receives the next profile sheet, Petitioner may reapply to this Board for consideration of advancement to E-6 retroactive to the date Petitioner would have been advanced on the "missed" examination cycle(s). Petitioner should then submit a copy of the worksheet for missed cycle(s). In addition, Petitioner should submit a DD Form 149, command endorsement/recommendation, and must include a copy of this letter with the request. The Board will then determine whether the request will be approved.

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.

3/21/2022

[REDACTED]
Deputy Director

Signed by: [REDACTED]