



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

[REDACTED]
Docket No. 3882-22
Ref: Signature Date

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

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

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

Encl: (1) DD Form 149 w/attachments
(2) 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 establish retroactive advancement to Boatswain's Mate Second Class (BM2)/E-5.

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 6 September 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, 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. Petitioner participated in Cycles 244 through 252 for BM2 in "USN" Branch Class and passed not advanced each cycle with the exception of Cycle 251 in which Petitioner failed.

b. On 25 April 2022, BCNR Docket No. 1792-22 approved changing Petitioner's 4-year reenlistment dated 15 October 2018 from Branch Class "USN" to "USNR" with Reserve Active Duty Obligation (RADO) Months/Days: 048/000.

c. On 31 May 2022, Navy Education and Training Professional Development Center corrected data and results for Cycles 244, and 247 utilizing "USNRT" examination scores. Petitioner's final multiple score (FMS) for Cycle 244 was 103.07; the minimum multiple required (MMR) was 109.30. However, Petitioner's FMS for Cycle 247 was 114.39, exceeding the MMR of 100.22.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following corrective action. Petitioner is a Full Time Support (FTS) (Branch/Class 32) Sailor that erroneously executed NAVPERS 1070/601, Immediate Reenlistment Contract for a 4-year term on 15 October 2018 in an active component (AC) (Branch/Class 11) status. This error resulted in Petitioner's Navy Wide Advancement Exam (NWAE) for Cycles 244 through 252 to be scored against the AC MMR. Subsequently, Petitioner's Branch/Class was updated to reflect his FTS status. The Board felt, under these circumstances, the aforementioned exams should be scored against the FTS MMR and as a result, relief is warranted.

RECOMMENDATION

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

Petitioner's Examination Profile Information and Exam Status sheet from the September 2019 (Cycle 244) NWAE is amended to reflect Branch/Class: "USNRT" vice "USN" and MMR: "109.30" vice "121.40."

Petitioner's Examination Profile Information and Exam Status sheet from the March 2020 (Cycle 247) NWAE is amended to reflect Branch/Class: "USNRT" vice "USN"; MMR: "100.22" vice "123.56"; and Final Status: "Selected" vice "PNA-PTS 0.0/1.5." Note: Petitioner's FMS for Cycle 247 was 114.39.

Petitioner advanced to BM2/E-5 effective 16 July 2020 with a time in rate date of 1 July 2020.

Note: The change to the effective date of advancement to E-5 may also have affected Petitioner's E-6 advancement opportunity. If Petitioner was eligible for, but did not take the E-6 NWAE because the above change had not occurred, the following procedures will apply to remediate that missed opportunity. Petitioner should submit an exception to policy (ETP) to the Chief of Naval Operations (OPNAV N132) in accordance with reference (b). If all requirements are met for a missed exam and OPNAV N132 disapproves an ETP, Petitioner may reapply to this Board for consideration of advancement to E-6 retroactive to the date Petitioner would have advanced on the "missed" examination cycle(s). Petitioner must submit a DD Form 149, with at least a copy of worksheet for the missed cycle(s), command endorsement/recommendation, disapproved ETP and a copy of this letter. The Board will then determine whether the request for retroactive advancement 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

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[REDACTED]

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.

9/16/2022

[REDACTED]