



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

[REDACTED]
Docket No. 4456-22
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) COMNAVCRUITCOMINST 1130.8K

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 her naval record be corrected to establish authorization to access in paygrade E-3 under the Advanced Paygrade program.

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 28 July 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, she 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), persons who satisfactorily completed 48 semester hours or 72 quarter hours of college credits may be enlisted in paygrade E-3.

b. On 9 November 2018, Petitioner enlisted in the Naval Reserve for a term of 8-years in paygrade E-1.

c. On 11 May 2019, Petitioner earned an Associate of Science Degree from College of [REDACTED] with 67 semester hours completed.

d. On 20 August 2019, Petitioner entered active duty as a Fireman/E-3 under the Nuclear Field Program.

e. On 20 December 2019, Petitioner is dropped from the Nuclear Field program and administratively reduced to E-1.

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f. On 21 January 2020, Petitioner discharged at paygrade E-1.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following corrective action. The Board concluded Petitioner enlisted under the Nuclear Field Program; however, she was dropped from the program and reduced to paygrade E-1. Conversely, Petitioner completed her Associates Degree prior to accessing into the Navy, thereby meeting the requirement to join in the paygrade of E-3 in accordance with reference (b). Therefore, the Board felt, under these circumstances, relief is warranted.

RECOMMENDATION

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

Petitioner maintained the paygrade of E-3 effective 20 August 2019 (Active Duty Service Date) upon being dropped from the Nuclear Field Program, as a result of meeting the Advanced Paygrade criteria based on earning an Associate's Degree per reference (b).

Petitioner issued DD Form 215, Correction to DD Form 214, Certificate of Release or Discharge from Active Duty dated 21 January 2020 modifying Block 4a (Grade, Rate or Rank) "FN" vice "FR"; Block 4b (Pay Grade) "E-3" vice "E-1"; and Block 12i (Effective Date of Pay Grade) "2019 08 20" vice "2019 12 20."

Note: Defense Finance and Accounting Service will complete an audit of Petitioner's pay records to determine retroactive pay and allowances entitlement from 20 December 2019 through 21 January 2020.

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.

8/5/2022

[REDACTED]
Deputy Director
[REDACTED]