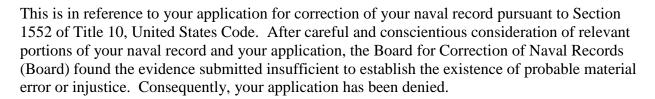


DEPARTMENT OF THE NAVY

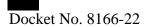
BOARD FOR CORRECTION OF NAVAL RECORDS 701 S. COURTHOUSE ROAD, SUITE 1001 ARLINGTON, VA 22204-2490

> Docket No. 8166-22 Ref: Signature Date



A three-member panel of the Board, sitting in executive session, considered your application on 12 January 2023. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations, and policies. In addition, the Board considered the advisory opinion contained in Navy Personnel Command memorandum1430 PERS 8031/451 of 21 December 2022 and your response to the opinion.

You requested to be advanced to E-4 following graduation of Nuclear Field "A" School as required per Military Personnel Manual (MILPERSMAN) 1510-030. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. The Board concluded that MILPERSMAN 1510-30 specifies guaranteed advancement to E-4 requires, completion of "A" school; 6-months' time-in-rate as an E-3, completion of advancement in rate requirements; and Commanding Officer's recommendation. The policy also indicates advancement to E-4 will be on the 16TH of the month after 6-months of service as an E-3. Additionally, Bureau of Naval Personnel Instruction 1430.16G, required members to complete the Petty Officer Selectee Leadership Course (POSLC) before being frocked or advanced to E-4; this requirement was cancelled by Navy Administrative (NAVADMIN) message 185/19 released on 7 August 2019 and replaced with requirements for the Foundational Leader Development Course. Furthermore, NAVADMIN 313/18 mandated Sailors eligible for advancement to E-4 upon completion of an "A" school, must successfully complete Professional Military Knowledge Eligibility Exam (PMK-EE) prior to advancement commencing 1 September 2019.



A review of your record indicates you enlisted on 16 April 2018. You entered active duty on 20 September 2018 as an E-3. On 17 June 2019, you were issued BUPERS Order: 1689 (Official Change Duty Orders) for transfer to On 28 June 2019, you completed Nuclear Field "A" School and upon transfer from , you received a Detachment of Individual evaluation for the period of 17 November 2018 to 12 July 2019 with recommendation for promotion and retention. Thereafter, you discharged on 30 June 2020 for appointment to the . Effective 1 August 2022, you discharged from the and resumed your enlisted status to complete your prior active duty service obligation. On 27 December 2022, you completed PMK-EE and on 3 January 2023, Commanding Officer, provided the Board with a recommendation for your advancement; however, the Board could not find, nor did you provide evidence of completing POSLC in 2019, thereby rendering you ineligible for advancement to E-4 prior to 16 January 2023. In this connection, the Board substantially concurred with the comments contained in the advisory opinion.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

