



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

██████████
Docket No. 6493-23
Ref: Signature Date

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

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

Ref: (a) Title 10 U.S.C. § 1552
(b) BUPERSINST 1430.16G
(c) NAVADMIN 259/21¹

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 performance mark average (PMA) for the Spring 2022 (Cycle 110) Navy Wide Advancement Exam (NWAE) and retroactive advancement.

2. The Board, consisting of ██████████, ██████████, and ██████████ reviewed Petitioner's allegations of error and injustice on 5 October 2023 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. On 8 July 2021, Petitioner entered active duty in pay grade E-3. Petitioner completed Professional Military Knowledge Eligibility Exam (PMK-EE) for E-4 on 23 October 2021. On 15 November 2021, Petitioner completed Logistics Specialist Class "A" School and Promotion history reflects lateral change to Logistics Specialist Seaman (LSSN)/E-4 effective 8 July 2021 with TIR date of 1 July 2021. On 17 November 2021, Petitioner reported to ██████████ ██████████ for temporary duty and released from active duty and transferred to the Navy Reserve on 13 December 2021. Petitioner assigned to ██████████ ██████████ in an inactive duty training status on 14 December 2021.

¹ Reference (c) specified, the minimum time in rate (TIR) for E-4 was 1 January 2022. Additionally, the policy indicated that candidates taking the E-4 NWAE will have their PMA computed using all evaluations in the current pay grade that fell within the 1 June 2021 to 31 January 2021 period.

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b. In February 2022, Petitioner participated in Cycle 110 NWAE without being issued a PMA; Petitioner's final multiple score (FMS) was 50.49 but Naval Education and Training Professional Development Center (NETPDC) invalidated the exam.

c. On 29 April 2022, Petitioner completed PMK-EE for E-4.

d. On 24 July 2022, Petitioner issued Periodic evaluation from [REDACTED] for period of report from 14 December 2021 to 15 July 2022 with a promotion recommendation of Promotable equating to 3.60 PMA.

e. On 4 February 2023, [REDACTED] submitted a PMA correction request to NETPDC.

f. In February 2023, Petitioner participated in Cycle 112 NWAE and selected for advancement to Logistic Specialist Third Class (LS3)/E-4.

g. On 31 May 2023, Petitioner issued Special evaluation from [REDACTED] for period of report from 14 December 2021 to 31 January 2022 with a promotion recommendation of Promotable equating to 3.60 PMA.

h. On 16 July 2023, Petitioner advanced to LS3/E-4 with TIR date of 1 July 2023.

i. On 25 September 2023, NETPDC recalculated Petitioner's Cycle 110 NWAE with a 3.60 PMA and determined his FMS of 82.49 exceed the minimum multiple required (MMR) score of 20.00. NETPDC determined correction of Petitioner's PMA would result in advancement to LS3/E-4 effective 16 September 2022 with TIR date of 1 July 2022.

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 an administrative error occurred with not applying a 3.60 PMA to Petitioner's February 2022 (Cycle 110) NWAE in accordance with reference (b).² Therefore, the Board determined that under this circumstance, relief is warranted.

RECOMMENDATION

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

² Reference (b) "For new accessions that have graduated from "A" School and are eligible for upcoming NWAE and do not have a current evaluation in paygrade, a PMA of 3.60 will be assigned to their worksheet/answer sheet. This PMA will be used solely for the current NWAE and will not be utilized in future PMA computations." Additionally, the policy specifies the limiting date for the February advancement cycle is 31 December of the same year and for the August advancement cycle is 30 June of the next year. However, the policy indicates that Commanding Officer and Officer's in Charge are authorized to submit exception to policy requests with Command Immediate Superior in Command endorsement within 6 months after the exams limiting date.

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Petitioner's Examination Profile Information and Exam Status sheet from the February 2022 (Cycle 110) NWAE is modified to reflect PMA/Eval Average: "3.60/32.00" vice "blank"; FMS: "82.49" vice "50.49"; and Final Status: "Selectee" vice "NETPDC INVALID." Note: MMR: 20.00.

Petitioner advanced to LS3/E-4 effective "16 September 2022" vice "16 July 2023" with TIR date of "1 July 2022" vice "1 July 2023."

Note: The change to the effective date of advancement to E-4 may also have affected Petitioner's E-5 advancement opportunity. If Petitioner was eligible for, but did not take the E-5 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 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 exception to policy, Petitioner may reapply to this Board for consideration of advancement to E-5 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 exception to policy 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 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.

10/26/2023

[REDACTED]

Deputy Director

Signed by: [REDACTED]