



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

█
Docket No. 9055-23
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO █, USN,
█

Ref: (a) Title 10 U.S.C. § 1552
(b) BUPERSINST 1430.16G
(c) NAVADMIN 104/21
(d) NAVADMIN 260/21

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 reflect advancement to Master-At-Arms Third Class (MA3)/E-4 from the September 2021 (Cycle 252) Navy Wide Advancement Examination (NWAE) to include pay and allowances.

2. The Board, consisting of █, and █ reviewed Petitioner's allegations of error and injustice on 5 March 2024 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. References (c) and (d) indicated, E-4 advancement candidates did not participate in the NWAE but were given the opportunity for advancement using an alternate final multiple score (FMS) rank-order method, without the inclusion of an exam score from a proctored exam. However, the E-4 enlisted advancement worksheets must have been completed by 30 September 2021 for Cycle 252 and 31 March 2022 for Cycle 255. The minimum time-in-rate (TIR) must be on or before 1 July 2021 for E-4 candidates during Cycle 252 and 1 January 2022 for Cycle 255.

b. On 28 March 2021, Petitioner issued Secret clearance.

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- c. On 6 April 2021, Petitioner entered active duty in paygrade E-2.
- d. On 18 June 2021, Petitioner completed Recruit Basic Military Training and advanced to Seaman/E-3 with TIR date of 1 July 2021.
- e. On 19 June 2021, Petitioner reported to [REDACTED] as a student on temporary duty.
- f. On 12 July 2021, Petitioner completed Professional Military Knowledge Eligibility Exam (PMK-EE) for E4 Course.
- g. On 7 September 2021, Petitioner completed Master-At-Arms "A" School.
- h. On 6 April 2022, Petitioner detached [REDACTED] and reported to [REDACTED] on 18 April 2022 for duty.
- i. Petitioner issued Periodic evaluation for period of report from 8 February 2022 to 15 July 2022 with a promotion recommendation of Early Promoted equating to 4.0 performance mark average (PMA).
- j. Petitioner issued Periodic evaluation for period of report from 16 July 2022 to 15 July 2023 with a promotion recommendation of Early Promoted equating to 4.0 PMA.
- k. In September 2023, Petitioner participated in Cycle 260 NWAE. The Exam Profile Data sheet indicates: Rate/Rank: MASN; Exam Standard Score: 50.29; PMA/Eval Average: 4.00/64.00; Service in Paygrade/Yymm: 79.50/0206; Awards: 1; Education Points: 0.00; PNA: (blank); FMS/MMR: 170.79/(blank); and Final Status: Advanced Previous Cycle 259.
- l. On 8 December 2023, Naval District Washington submitted an Advancement Consideration request to Naval Education Training Professional Development Center (NETPDC) for Petitioner to be advanced to MA3/E-4 from Cycle 255 NWAE due to a system error that did not reflect his designation as Master-At-Arms until 2 October 2023. The letter further indicates that as a result of the system error, Petitioner also did not participate in Cycles 256, 258, and 260.
- m. On 17 January 2024, NETPDC completed manual calculation of Cycle 252 and Cycle 255. Petitioner's FMS of 82.39 did not meet the minimum multiple required (MMR) of 82.41 for advancement from Cycle 252, but his FMS of 114.49 did exceed the MMR of 20.00 from Cycle 255. Petitioner would have been eligible for advancement to MA3/E-4 effective 16 September 2022. NETPDC noted Petitioner's Flag Letter of Commendation (FLOC) has an inclusive date of 1 January 2022 to 31 March 2022; therefore, was not included in the calculation.

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 met the

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criteria to participate in Cycle 252 and Cycle 255 NWAE; however, his designation to the Master-At-Arms rating was untimely and precluded him from participating in the exam cycles. The Board noted the FLOC provided was not filed in Petitioner's official military personnel file or documented on his Awards Record in Navy Standard Integrated Personnel System. Additionally, the FLOC does not provide the date given and indicates the award period is for "Blue Jacket of the Semester Fiscal Year 2022 Semester Two" which appears to be after Cycle 252 and Cycle 255, thereby ineligible for inclusion in the FMS for both cycles. The Board determined after manual calculation of Cycle 252 and Cycle 255, partial relief is warranted.

RECOMMENDATION

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

Petitioner participated in the September 2021 (Cycle 252) NWAE. Petitioner's Examination Profile Information and Exam Status sheet reflects Exam Standard Score: 50.29; PMA/Eval Average: 3.60/32.00; Service in Paygrade/YMMM: 0006/00.10; Awards: 0.00; Education Points: 0.00; PNA: (blank); FMS/MMR: 82.39/82.41; and Final Status: PNA-PTS 0.0/0.0.

Petitioner participated in the March (Cycle 255) NWAE. Petitioner's Examination Profile Information and Exam Status sheet reflects Exam Standard Score: 50.29; PMA/Eval Average: 4.00/64.00; Service in Paygrade/YMMM: 0100/00.20; Awards: 0.00; Education Points: 0.00; PNA: (blank); FMS/MMR: 114.49/20; and Final Status: Selectee.

Petitioner advanced to MA3/E-4 effective 16 September 2022 with TIR date of 1 July 2022.

The part of Petitioner's request for corrective action that exceeds the foregoing is denied. Petitioner's FMS for Cycle 252 did not meet or exceed the MMR for advancement to MA3/E-4.

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 (ETP) to the Chief of Naval Operations (OPNAV N132) in accordance with reference (b).¹ 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-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

¹ Reference (b) Commanding Officer and Officer's in Charge are authorized to submit ETP requests with Command Immediate Superior in Command endorsement within 6 months after the exams limiting date. The March exam limiting date is 31 December of the same year and the limiting date for the September exam is 30 June of the next year. Additionally, points are only given for awards approved or earned prior to the day of the regularly scheduled NWAE. FLOC has a one point value for NWAE. Furthermore, 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.

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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 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.

3/14/2024

