



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

[REDACTED]
Docket No. 586-24
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USN,
XXX-XX-[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552
(b) 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 retroactive advancement to Sonar Technician Submarines Third Class (STS3)/E-4 from the March 2022 (Cycle 255) Navy Wide Advancement Examination (NWAE).

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 30 January 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. In accordance with reference (b), E-4 advancement candidates will not participate in an exam but will be given the opportunity for advancement using an alternative final multiple score (FMS) rank order method, without the inclusion of an exam score from a proctored exam. Although the E-4 exams are cancelled, E-4 enlisted advancement worksheets (EAW) were still required to be fully completed by 31 March 2022 for Cycle 255. Candidates taking the E-4 NWAE had their performance mark average (PMA) computed using all evaluations in the current pay grade with an ending date that fell within the 1 June 2021 to 28 February 2022 period.

b. On 9 September 2019, Petitioner entered active duty.

c. On 14 January 2021, Petitioner reported to the [REDACTED] ([REDACTED]) for duty.

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- d. On 16 March 2021, Petitioner advanced to STSSN/E-3.
- e. Petitioner issued a Periodic evaluation for period of report from 15 January 2021 to 15 July 2021 with a Must Promote promotion recommendation and recommended for retention.
- f. In September 2021, Petitioner participated in Cycle 252 NWAE, and it was invalidated.
- g. On 3 October 2021, Petitioner completed Professional Military Knowledge Eligibility Exam for E-4.
- h. Petitioner issued a Periodic evaluation for period of report from 16 July 2021 to 15 July 2022 with an Early Promote promotion recommendation and recommended for retention.
- i. On 22 January 2024, Naval Education Training and Professional Development Center completed a manual calculation of Cycle 255 NWAE Petitioner's FMS of 98.56 exceeded the minimum multiple required (MMR) of 82.46 for advancement to STS3/E-4 effective 16 December 2022 with a time-in-rate (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 conclude that Petitioner was eligible to participate in Cycle 255 NWAE; however, his EAW was not properly uploaded to the required Navy systems, which prevented his advancement opportunity. Therefore, the Board determined that under this circumstance, relief is warranted.

RECOMMENDATION

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

Petitioner participated in the March 2022 (Cycle 255) NWAE, and his Examination Profile Information and Exam Status sheet reflected PMA/Evaluation Average: 48.00/3.80; Service in Paygrade/Yymm: 00.27/0104; Awards: 00; Education Points: 0.00; PNA: 0.00; Final/MMR: 98.56/82.46; and Final Status: Selectee.

Petitioner advanced to STS3/E-4 effective 16 December 2022 with a TIR date of 1 July 2022.

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 BUPERSINST 1430.16G. 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

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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 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.

2/12/2024

