



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

█
Docket No. 8114-23
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

Encl: (1) DD Form 149 w/attachments
(2) Advisory Opinion by NPC (PERS-8031), 13 Dec 23
(3) CO, NMRTC ltr 1430 Ser 00FO/01016 of 11 Jan 24
(4) 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 reflect an adjusted time-in-rate (TIR) to account for the induced gap that prevented her participating in Navy Wide Advancement Examinations (NWAE) before September 2019.

2. The Board, consisting of █, and █ reviewed Petitioner's allegations of error and injustice on 14 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. In accordance with reference (b), Commanding Officers and Officers in Charge are authorized to submit exception to policy (ETP) requests with Command Immediate Superior in Command endorsement within 6-months after the exams limiting date. Examples of reasons for requesting an ETP include the inability to participate in the advancement exam. The March exam limiting date is 31 December of the same year and September exam limiting date is 30 June of the next year. ETP request submitted later than 6-months after the NWAE Cycle's limiting date must go through the Board of Correction of Naval Records.

b. On 16 June 2017, Petitioner advanced to Hospital Corpsman Second Class (HM2)/E-5.

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c. Petitioner participated in September 2019 (Cycle 244) and March 2020 (Cycle 247) NWAE and passed not advanced both exams.

d. On 27 June 2020, the Board approved (Docket NR20190009062) Petitioner for retroactive advancement to HM2/E-5 effective 10 March 2014 with TIR date of 1 January 2014. All of Petitioner's evaluations prior to 16 June 2017 have been updated with the correct rate of HM2 in her official military personnel file.

e. Petitioner participated in September 2020 (Cycle 248), March 2021 (Cycle 251), September 2021 (Cycle 252), and March 2022 (Cycle 255) NWAE and passed not advanced all the exams.

f. In September 2022, Petitioner participated in Cycle 256 NWAE and advanced to HM1/E-6 effective 16 June 2023.

g. On 29 December 2023, Naval Education Training and Professional Development Center advised the Board that a standard score comparison (SSC) should be completed from the September 2019 (Cycle 244) NWAE to September 2016 (Cycle 232), March 2017 (Cycle 235), September 2017 (Cycle 236), March 2018 (Cycle 239), September 2018 (Cycle 240), and March 2019 (Cycle 243). However, data elements values for each cycle were required to complete the manual calculation.

h. On 9 January 2024, the examiner of record requested Enlisted Advancement Worksheets (EAW) for each missed cycle. On 12 January 2024, Petitioner provided enclosure (3) indicating EAWs were not available for submission because they were not produced between advancement ineligibility and the adjustment of Petitioner's advancement date to HM2/E-5.

i. In the advisory opinion, attached as enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that the request has merit and warrants favorable action.

CONCLUSION

Upon review and consideration of all the evidence of record, and in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following partial corrective action. The Board concluded Petitioner met the criteria for a SSC of the September 2019 (Cycle 244) NWAEs to the missed cycles in September 2016 (Cycle 232), March 2017 (Cycle 235), September 2017 (Cycle 236), March 2018 (Cycle 239), September 2018 (Cycle 240), and March 2019 (Cycle 243) in accordance with reference (b). However, NETPDC requires EAWs to complete the manual SSC. The Board determined, the Service should be able to manually produce EAWs for the missed cycles to complete a SSC and determine if Petitioner would have advanced to HM1/E-6 prior to 16 June 2023. Therefore, under these circumstances, partial relief is warranted.

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[REDACTED]

RECOMMENDATION

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

ETP authorized for the Navy to execute SSC from the September 2019 (Cycle 244) NWAE to the missed cycles in September 2016 (Cycle 232), March 2017 (Cycle 235), September 2017 (Cycle 236), March 2018 (Cycle 239), September 2018 (Cycle 240), and March 2019 (Cycle 243). Note: If Petitioner meets minimum multiple score for advancement to HM1, backdate E-6 advancement and ensure pay and allowances are adjusted accordingly.

That a copy of this report of proceedings be filed in Petitioner's naval record.

That no further changes be made to 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.

4/9/2024

