

**DEPARTMENT OF HOMELAND SECURITY
BOARD FOR CORRECTION OF MILITARY RECORDS**

Application for the Correction of
the Coast Guard Record of:

**FINAL DECISION
BCMR Docket No. 2012-025**

XXXXXXXXXXXXXXXXXX.
XXXXXXXXXX, OS3

SUMMARY OF THE RECORD

The applicant asked the Board to correct his record to show that he is eligible to receive the critical skills training bonus (CSTB) that he was promised for agreeing to remain on active duty for 4 years after completing OS "A" School. He enlisted in the Coast Guard on October 25, 2005, and advanced to BM3 on December 20, 2008. On February 15, 2011, the Coast Guard issued orders for the applicant to attend OS "A" School, and the orders state that he must have at least 29 months remaining on his enlistment upon graduation. The orders also state that a CSTB of \$5,000 is available to OS "A" School graduates who agree to obligate a minimum of 4 years of service. The applicant signed a 4-year reenlistment contract on March 10, 2011, to obligate service for the school and reported on April 24, 2011. On June 1, 2011, he signed a CSTB agreement which states that he agrees to remain on active duty for 4 years upon completion of OS "A" School, in consideration for a \$5,000 CSTB. The agreement cites ALCOAST 496/10, which states that the CSTB is available only to non-rated members. The applicant completed OS "A" School on August 24, 2011, and made a lateral rate change from BM3 to OS3.

The Judge Advocate General (JAG) of the Coast Guard recommended that the Board deny relief because the applicant was a BM3 when he went to OS "A" School and the CSTB for OS "A" School was available only to non-rated members.

FINDINGS AND CONCLUSIONS

The applicant was erroneously counseled regarding his eligibility for a \$5,000 CSTB. Although both his orders and the CSTB agreement state that OS "A" School graduates who agree to obligate at least 4 years of service will receive the CSTB, the applicable ALCOAST states that the CSTB is available only to non-rated members who attend OS "A" School. Because the applicant was a rated member (BM3) when he reported to OS "A" School, he was not eligible for the bonus under the terms of the ALCOAST. However, neither his orders nor the CSTB agreement mention the requirement that the member be non-rated to receive the bonus. Both of these documents cite the ALCOAST, which includes the non-rated member provision, but the applicant was not required to sign anything affirming that he had read the ALCOAST. Accordingly, the applicant should receive the bonus because his transfer orders state that all OS "A" School graduates who obligate 4 more years of service will receive the CSTB; he reenlisted for 4 years to attend OS "A" School; he signed a CSTB agreement; and he completed OS "A" School. His record should be corrected to show that he is eligible to receive the \$5,000 CSTB that he was promised.

ORDER

The military record of OS3 XXXXXXXXXXXXXXXXXXXX, USCG, shall be corrected to show that he is eligible to receive a \$5,000 CSTB pursuant to ALCOAST 496/10. The Coast Guard shall pay him any amount due as a result of this correction.

June 7, 2012 _____
Date

Donna M. Bivona

Randall J. Kaplan

Paul B. Oman