



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

BAN
Docket No:NR02940-14
10 April 2014

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

Subj: [REDACTED]

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 w/attachments
(2) Navy Personnel Command (NPC) memo 1430 Ser 811/084
of 13 Mar 2014

1. Pursuant to the provisions of reference (a) Petitioner filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to show that Petitioner was advanced to E-4/AT3 from the March 2013 Navy-wide advancement examination.

2. The Board, consisting of Messrs. Zsalman, Exnicios and George reviewed Petitioner's allegations of error and injustice on 7 April 2014 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, naval records, 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, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. In correspondence 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 especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following

corrective action.

RECOMMENDATION:

That Petitioner's naval record be corrected, where appropriate, as follows:

a. Petitioner was advanced to E-4/AT3 from the March 2013 Navy-wide advancement exam with an effective date of 16 September 2013 with a Time In Rate date of 1 July 2013.

Note: The change in the effective date of advancement to E-4 may also impact on Petitioner's E-4 advancement opportunity. If Petitioner was eligible for, but did not take an E-5 examination because the above change had not yet been made, the following procedures will apply to remediate that missed opportunity. Petitioner should take the next available E-5 advancement examination and compare the Final Multiple Score (FMS) received on that examination with the FMS that was required for the "missed" examination. If the score received meets or exceeds the score that was previously required for advancement, Petitioner may reapply to this Board for consideration of advancement to E-5 retroactive to the date Petitioner would have been advanced on the "missed" examination cycle. A DD Form 149, a command endorsement/recommendation, and a copy of this letter must be included with the request. The Board will determine whether the request will be approved.

b. That a copy of this Report of Proceedings be filed in Petitioner's naval record.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that 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.

ROBERT D. ZSALMAN
Recorder


BRONTE I. MONTGOMERY
Acting Recorder

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 reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

10 April 2014

A handwritten signature in black ink, appearing to read "Robert D. Zsalmán". The signature is written in a cursive style with a prominent initial "R".

ROBERT D. ZSALMAN
Acting Executive Director