

Admin Officer Guide: Administrative Corrective Measures

INTRODUCTION

This Admin Officer (AO) Guide is a supplement to the AO Guide 5800-1, "Legal Officer." As a Legal Officer, you will often need to counsel the Commanding Officer (CO) on administrative corrective measures in lieu of Non-Judicial Punishment (NJP). Administrative actions are mentioned throughout service manuals as a way of correcting minor deficiencies, unacceptable behavior, and poor performance. Properly utilizing administrative actions starts with using the lowest form of corrective measures, progressing to more severe options if not effective. Timely correction of identified deficiencies should rarely impact a member's eligibility for advancement or retention; whereas, failure to correct unacceptable behavior or performance may result in degradation of good order and discipline.

OVERVIEW

Administrative corrective measures give leaders the chance to correct poor performance or unacceptable behavior at the lowest levels, and, in some scenarios, hold members accountable for minor infractions of the Uniform Code of Military Justice (UCMJ). If course correction is not applied and further actions merit NJP, administrative measures may be used as evidence that prior actions were taken to correct the deficiency. When provided the opportunity to correct actions at the lowest level, the responsibility must be taken seriously. Below is a list of administrative measures generally available to every superior, regardless of paygrade or position.

Minor infractions of the UCMJ. The CO has the latitude in determining whether an offense is minor. A good guide is to apply the standard of "Commission of a Serious Offense" listed in the MILPERSMAN, the maximum punishment includes a punitive discharge or more than one year of confinement as maximum punishment. If such punishment is not authorized, then the offense could generally be considered minor. Be mindful that even minor infractions, to include poor performance and unacceptable behavior, are violations of the UCMJ and are eligible for referral to NJP.

- Non-punitive censure (counseling). A statement of adverse opinion or criticism of an individual's conduct or performance of duty expressed by a superior in the member's chain of command.
 - Counseling Chit. A form used at the lowest levels to document and correct a deficiency. Requires the counselee to provide input on measures they will use to correct the deficiency. Does not become a part of the member's official record and is kept between the issuer and member unless needed as documentation of prior action.
 - Non-punitive Letter of Caution (NPLOC). A formal method of counseling provided in letter format that identifies a deficiency and directs corrective action. Does not become a part of the member's official record and is kept between the issuer and member unless needed as documentation of prior action.
 - Letter of Instruction (LOI). A formal method of counseling provided in letter format that identifies a deficiency and directs corrective action. May be referenced in official service documentation, and underlying conduct may be mentioned in appropriate official documentation (EVAL, FITREP, etc.).
- NAVPERS 1070/613 Administrative Remarks (Page 13). Used when required to document that a member is aware of adverse information against them. Signature is required acknowledging their understanding of corrective actions. Administrative remarks become a part of a member's official

record. A few required uses include allegations of a member's failure to support dependents, and enrollment in any treatment program.

- Extra Military Instruction (EMI). A bona fide training technique that attempts to improve an individual's performance by focusing additional effort on a deficiency in performance. EMI must be logically related to the deficiency in performance for which it was assigned. Command policy dictates the maximum amount of EMI allowed to be issued by various levels of leadership.
- Withholding of privileges. A privilege is a benefit, advantage, or favor provided for the convenience or enjoyment of an individual. In all instances, final authority to withhold a privilege, however temporary, rests at the level of authority empowered to grant that privilege. Examples are withholding of special liberty (CO), withholding of special pay (CO), exchange of duty (SSL), base driving privileges (Base CO), etc.
- Evaluation/Fitness Reports. Use of performance reports as an administrative corrective measure could have long term career implications. But, lack of accurate reporting could result in personnel advancing to paygrades in which they are not qualified.
 - Minor performance issues that have been identified and not corrected during the reporting period could be documented with appropriate trait grades in the area of deficiency. Two 2.0 trait grades are authorized without making a report adverse (exceptions listed in BUPERSINST 1610.10 (Series)).
 - A member may receive a "progressing" advancement recommendation if they have not received a "promotable" or higher in current paygrade. This is best used for a Sailor who promoted, but has not yet fully developed to the standard of receiving a recommendation for the next paygrade. A "progressing" advancement recommendation is a recommendation against advancement. A "progressing" can only be given after a mark of "significant problems" has been given on the most recent previous evaluation.
 - An adverse report is a report that contains one 1.0 trait grade, three 2.0 trait grades, or a promotion recommendation of "significant problems." To issue an adverse evaluation, there should generally be record of previous corrective measures to validate the action. Any report that documents consistent weakness, continuing incapacity, or unsuitability for specific assignments or promotion must be considered adverse, regardless of trait grades assigned.
 - Accurate reporting is necessary, and a discussion had before creating an "air gap," assigning grades below 3.0, or submitting an adverse report. With that in mind, every Sailor eligible for advancement does not have the capability to serve in the next paygrade. By inaccurately reporting they are ready for the next paygrade, we risk putting bad leaders into roles to which they are not qualified. By using proper promotion recommendations and appropriate verbiage, advancement may be delayed to allow time for development.
 - Removal of frocking, withholding, or withdrawing an advancement/promotion recommendation. These actions may be used when a member is selected/eligible for the next grade, but performance or behaviors do not merit advancement/promotion.
 - Removal of frocking does not remove a member's selection for advancement. The member will not be authorized to wear the rank until the effective date of rank.
 - Withholding (temporary delay) of an advancement or promotion puts a selected member's advancement on hold until the limiting date for the advancement cycle (last increment). A

Page 13 entry and NETPDC notification is required for withholding an advancement. If a member is not reinstated by the limiting date, the advancement is affected.

- Withdrawal (permanent action) of an advancement/promotion recommendation requires use of an adverse evaluation report. There should be record of prior administrative corrective measures to validate the action.
- Reassignment/early transfer/delay of transfer. Moving a top performer within the command to positions of greater authority, transferring early to support special programs, or OPHOLD due to experience, if documented properly, may look positive on the top performer's record. The same applies for adverse reasons. When members are reassigned, transferred early, or delayed in transfer due to poor performance or behaviors, it should not be treated as a positive action. These actions should be properly documented to annotate the reason. Removal from a leadership role due to incompetence, poor performance, unacceptable behaviors, or misconduct, requires documentation on an adverse evaluation.
- Detachment for Cause. Detachment for Cause (DFC) is an administrative corrective measure the CO may use for any Officer or Chief, and E6 personnel in key positions (CCC, IDC, etc). Basis for a DFC is failure to correct previously identified deficiencies, or lack of performance or behaviors that are detrimental to the whole of the organization or wardroom/CPO Mess.
- Reduction in Rate for incompetence. May be used for E6 and below personnel that have had a 1.0 evaluation mark in "professional knowledge," "quality of work," "personal job accomplishment/initiative," or "leadership" on two consecutive evaluations for a minimum period of 15 months (one regular evaluation period and one special evaluation period covering a minimum of 3 months).
- Separation. The most severe form of administrative measure is the determination that a member's continued service is not in the best interest of the Navy. There are many avenues to pursue administrative separation if proper action is taken and properly documented.

REFERENCES:

[U.S. Navy JAG Corps Page](#)
jag.navy.mil/

[MyNavyHR MILPERSMAN 1900 Separation Page](#)
mynavyhr.navy.mil/References/MILPERSMAN/1000-Military-Personnel/1900-Separation/

[Manual for Court-Martial](#)
[jsc.defense.gov/Portals/99/Documents/2019%20MCM%20\(Final\)%20\(20190108\).pdf?ver=2019-01-11-115724-610](http://jsc.defense.gov/Portals/99/Documents/2019%20MCM%20(Final)%20(20190108).pdf?ver=2019-01-11-115724-610)

[Manual of the Judge Advocate General](#)
secnav.navy.mil/doni/SECNAV%20Manuals1/5800.7G.pdf

[Commander's Quick Reference Legal Handbook](#)
jag.navy.mil/documents/NJS/QUICKMAN.pdf

[MyNavyHR Separations Page](#)
mynavyhr.navy.mil/Career-Management/Personnel-Conduct-Sep/Enlisted-Separations/

MyNavyHR Misconduct Reporting

[*Misconduct Reporting Submission Instructions 3_28_23.pdf \(navy.mil\)*](#)

QUICKMAN

[QUICKMAN.pdf \(navy.mil\)](#)

The most recent QUICKMAN is available at: https://www.jag.navy.mil/njs_publications.htm