

## MILPERSMAN 1450-010

### REDUCTION IN RATE

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<b>References</b>	(a) Uniform Code of Military Justice (UCMJ) (b) BUPERSINST 1430.16E, Manual of Advancement (c) NAVPERS 18068F, Manual of Navy Enlisted Manpower and Personnel Classifications and Occupational Standards (d) OPNAVINST 1160.5C
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#### 1. Purpose

a. Reduction in rate by a commanding officer (CO) may be considered as coming within two general classes:

(1) Those made as a punishment under reference (a), article 15.

(2) Those made by reason of incompetency.

b. This article deals with administrative reduction in rate for incompetency, when members concerned have proven themselves not qualified to perform properly the duties of their rates.

**NOTE:** For reduction in rate under reference (a), see article 15.

#### 2. CO's Authority

a. COs or officers in charge (OICs) may reduce an enlisted member within their command or in their charge to the next inferior grade under this article if the grade from which demoted is within the promotion authority of the CO, OIC, or lower command. Exceptions to this rule are enlisted members in the rank of

- (1) master chief petty officer.
- (2) senior chief petty officer.
- (3) chief petty officer.

b. The CO is not considered to have the authority at nonjudicial punishment (NJP) to reduce a servicemember in paygrades E-7 or above to a lower paygrade since advancement to E-7 or higher requires selection by a board convened for that purpose by Navy Personnel Command (NAVPERSCOM) (reference (b), paragraph 803.2).

3. **Marking Periods.** For the purpose of this article, two consecutive marking periods are defined as two regular evaluation periods or one regular evaluation period and one special evaluation period covering a minimum of 3 months.

4. **First Class Petty Officer or Below**

a. Prior to execution of a reduction in rate of a first class petty officer or below, members concerned shall be apprised of their right to request mast before the CO and to present any evidence or witnesses in their own behalf and reminded of their right to appeal any adverse action to the next higher common superior having power to act in the matter.

b. Reduction, or a recommendation for reduction, of first class petty officers and below not qualified to perform the duties of their rate by reason of incompetency (not for disciplinary reasons) shall be supported by the following performance marks. For first class petty officers and below, such action must be supported by a mark of 1.0 in any one of the trait areas labeled

- (1) "Professional Knowledge,"
- (2) "Quality of Work,"
- (3) "Personal Job Accomplishment/Initiative," or
- (4) "Leadership"

on NAVPERS 1616/26 (Rev. 03-02), Evaluation Report and Counseling Record (E1-E6), for at least two consecutive marking periods covering a minimum of 15 months performance.

**NOTE:** Waiver of these requirements may be granted only by NAVPERSCOM, Enlisted Performance and Separations Section (PERS-832).

5. NAVPERS 1070/613 (Rev. 10-81), Administrative Remarks.

Subject to the conditions stated in this article, COs are authorized to effect reduction in rate of a petty officer first class or below by signing the following NAVPERS 1070/613 entry in the service record:

(date): "Proved not qualified for rate of (fill-in) by reason of (fill-in). Received and acknowledged evaluation marks of (fill-in relevant adverse marks) in (evaluation factors) on performance evaluation reports for periods (fill-in). Reduced in rate to (fill-in) this date."

\_\_\_\_\_  
(Commanding Officer)

(date): "I understand that I have been administratively reduced in rate for the reason(s) stated above. I have been counseled and understand my rights of redress in this matter and it is my decision (to/not to) request review by higher authority."

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(Member)

6. Master Chief, Senior Chief, or Chief Petty Officers

a. For master chief, senior chief, or chief petty officers, the CO may recommend reduction in rate for reasons of incompetency to NAVPERSCOM. Such recommendation shall be supported by a mark of 1.0 in any one of the trait areas labeled

- (1) "Leadership,"
- (2) "Professional Expertise," or
- (3) "Mission Accomplishment"

for two consecutive marking periods covering a minimum of 15 months performance. The recommendation shall contain a full report of the circumstances together with certified copies of all pages of the service record containing assigned marks or entries pertaining to the performance of the member concerned.

b. The member concerned shall be apprised of the right to request mast before the CO, to present any evidence or witnesses in the their behalf, and to submit a written statement for inclusion as an enclosure to the CO's recommendation. Should the member concerned not desire to make a written statement, indication thereof shall be included in the CO's recommendation.

**NOTE:** Waiver of these requirements may be granted only by NAVPERSCOM (PERS-832).

#### 7. Paygrade Reduction

a. Members reduced in rate or recommended for reduction in rate under the authority of this article may be reduced only one paygrade. Subsequent reductions for incompetency must be substantiated by further unsatisfactory marks and service record entries.

b. Reduction in rate shall be to a lower paygrade in the path of advancement as specified per reference (c). Where a petty officer is reduced to paygrade E-3, it shall be to a rate, which is in the appropriate apprenticeship. For example: MM3 reduced to FN or AE3 reduced to AN. If appropriate, a striker identification should be assigned.

#### 8. Reinstatement and Reenlistment

a. Reinstatement of personnel reduced in rate per this article is not authorized. Personnel must requalify through normal advancement system.

b. Personnel reduced in rate per this article are ineligible for reenlistment, per reference (d).