

## MILPERSMAN 1910-156

### SEPARATION BY REASON OF UNSATISFACTORY PERFORMANCE

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<b>Reference</b>	(a) NAVADMIN 061/11 (b) 18 U.S.C. §922(g)(9)
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1. **Separation Authority (SA)**. Refer to MILPERSMAN 1910-704 to determine SA. When an administrative board is held, refer to MILPERSMAN 1910-710 for guidance in determining SA.

2. **Policy**. Members may be separated when they are unqualified for further naval service as demonstrated by any of the following reasons:

a. Receipt of an enlisted performance evaluation with one or more 1.0 marks in any performance trait. Counseling, per Note 1, must be completed and subsequently violated. Physical fitness assessment failures must be processed under MILPERSMAN 1910-170;

b. An overall 2.49 cumulative performance mark average, or less for two consecutive evaluations. Per Note 1, counseling must be completed;

c. Promotion recommendation less than **promotable** with no improvement in the recommendation (i.e., significant problems to progressing) for 2 consecutive cycles (e.g., member receives two consecutive **progressing** evaluations). Per Note 1, counseling must be completed;

d. Denial or revocation of security clearance, thereby precluding ability to perform duties in assigned rating. For information regarding rate conversions see MILPERSMAN 1440-010. Member must sign the letter of intent provided by the Department of the Navy Central Adjudication Facility or be counseled, per Note 1, prior to processing;

e. Chief petty officers (E-7 through E-9) and petty officers detached for cause (DFC) due to substandard performance per MILPERSMAN 1616-010. Required counseling, per Note 1, must be completed prior to DFC action, except in cases involving a DFC action for significant event in which case required counseling must be completed prior to processing. Separation processing may only be directed by the Commander, Navy Personnel Command;

f. Failure to participate in or complete mandatory training or education for their rating (e.g., Legalman-Paralegal Education Program per reference (a)). Per Note 1, counseling must be completed prior to processing;

g. Failure to complete initial skills training pipeline as outlined in MILPERSMAN 1910-125. Per Note 1, counseling must be completed prior to processing;

h. Failure to complete the change of rating conversion process outlined in MILPERSMAN 1910-133. Per Note 1, counseling must be completed prior to processing; or

i. Reduced in rate due to disciplinary action, the expiration of active obligated service (EAOS) exceeds the reduced pay grade high year tenure (HYT) limit, and the basis for the reduction in rate does not meet any other basis for separation. If reduced in rate due to misconduct falls within a misconduct section of MILPERSMAN 1910 series, process under that section. Refer to MILPERSMAN 1160-120 for established HYT limits, separation processing timelines, and exceptions.

**Note 1:** Counseling and or warning that specifically addresses deficiencies (i.e., performance of assigned tasks and duties in a manner that is not contributory to unit readiness and or mission accomplishment, and or failure to maintain required proficiency in rate as evidenced by ....) must be documented per MILPERSMAN 1910-202. The member must have been afforded the opportunity to overcome those deficiencies prior to processing.

**Note 2:** Members who lose their ability to carry or handle weapons in the performance of their duties due to a qualifying conviction for domestic violence (DV), per reference (b), should be processed for separation under MILPERSMAN 1910-142 for the actual DV incident(s).

3. **Policy Exception**

a. If the member is in entry level status, as defined per MILPERSMAN 1900-010, process under entry level performance and conduct per MILPERSMAN 1910-154.

b. Do not process under this article if the member qualifies for misconduct processing.

c. At the SA's discretion, member may request separation under MILPERSMAN 1910-102, if member does not qualify for misconduct processing.

4. **Procedures**. The notice of notification procedure, per MILPERSMAN 1910-402, shall be used to process the member for separation.

5. **Characterization of Separation**. For members separated under paragraphs 2a through 2e of this article, the characterization of separation should be under honorable conditions (general), unless an entry level separation (ELS) or honorable is warranted per MILPERSMAN 1910-304. For members separated under paragraphs 2f through 2i of this article, the characterization of separation should be honorable, unless an ELS or under honorable conditions (general) is warranted per MILPERSMAN 1910-304. Selected Reserve personnel are not eligible for ELS.