

## MILPERSMAN 1910-124

### SEPARATION BY REASON OF CONVENIENCE OF THE GOVERNMENT - PARENTHOOD

<b>Responsible Office</b>	NAVPERSCOM (PERS-8352) Active enlisted members	Phone:	DSN COM FAX	882-4431 (901) 874-4431 882-2754
	NAVPERSCOM (PERS-913) Inactive enlisted members	Phone:	DSN COM FAX	882-4510 (901) 874-4510 882-2673
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<b>References</b>	(a) OPNAVINST 1740.4D
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#### 1. Separation Authority

a. Commander, Navy Personnel Command (COMNAVPERSCOM) for all personnel with greater than 1 year remaining on their enlistments and for all dual Navy couples.

b. Commanding officers (COs) with special courts-martial convening authority or higher for personnel with less than 1 year remaining on their enlistments.

#### 2. Policy

a. Within the context of parenthood, **all** Navy personnel on Active Duty or in the Selected Reserve must be ready to deploy throughout the world on short notice and be able to fully execute their military and professional duties.

b. Formal documentation of a Service member's Family Care Plan (FCP) is required, per reference (a), utilizing NAVPERS 1740/6 Department of the Navy Family Care Plan Certificate and NAVPERS 1740/7 Family Care Plan Arrangements under any of the following conditions:

(1) A Service member with primary or shared physical custody of a minor child or children who are not married to the other natural or adoptive parent of the minor child or children;

(2) Both members of a married dual military couple where one or both have primary or shared physical custody of a minor child or children;

(3) Service members who are legally responsible for an adult family member who is incapable of providing for himself or herself in the absence of the Service member; or

(4) Family circumstances or other personal status changes may result in a Service member becoming legally and primarily responsible for the care of another person and necessitate implementation of a FCP.

c. Commands may also require married Service members with civilian spouses to complete a FCP per reference (a). The FCP provides commands with a detailed plan to ensure members can fulfill military duties (e.g., deployment, normal and extended work hours, temporary additional duty assignments, weekend duty, etc.).

d. The FCP requires provisions for deployment, regardless of current type duty assigned (e.g., shore duty, sea duty, Reserves, etc).

e. Members must submit a new or updated FCP upon reporting to a new duty station or a change in caregiver, personal, or family circumstances (i.e., birth or adoption of a child, assumption of sole care for an elderly or disabled family member, etc.). Commands must verify the FCP upon receipt of a new or updated plan and annually thereafter prior to reenlistment or extension of obligated service (OBLISERV), or prior to execution of permanent change of station (PCS) orders. Verification must ensure capability to meet overseas and sea duty PCS order requirements.

f. Noncompliance does not equate to mandatory separation processing.

(1) **Cases in which CO is the Separation Authority.** CO can retain the Service member until expiration of OBLISERV, despite an inability to fully execute a FCP, depending upon needs of the command and its ability to accommodate the member's

circumstances. However, if the command presents resources and options to assist the Service member and he or she refuses to take advantage of the available resources and options (e.g., affordable child care, flexible work schedule, or even shore duty orders), separation is warranted. COMNAVPERSCOM will assess the voluntary or involuntary nature of all separations under its cognizance and resultant impact on separation entitlements by examining the unique facts and circumstances of the respondent. Selective reenlistment bonus or enlistment bonus (if applicable) will be recouped.

(2) **Cases in which COMNAVPERSCOM is the Separating Authority.** If CO determines the member has potential for continued naval service (albeit unable to execute operational duty orders), submit an administrative separation (ADSEP) package with CO's recommendation for retention. The package will be reviewed by COMNAVPERSCOM and the appropriate enlisted community manager from NAVPERSCOM, Enlisted Community Management Branch (BUPERS-32). Retention will be determined based on needs of the Navy.

g. If separation is the final option, refer as follows:

(1) **Active duty.** Enlisted dual Navy couples, Service members married to civilians with extenuating circumstances as outlined in reference (a), single Service members with more than 1 year remaining on their enlistments, or Service members who received benefits (specialized training or monetary) or is serving in a critical Navy enlisted classification code **forward ADSEP package(s) to Navy Personnel Command (NAVPERSCOM), Enlisted Favorable Separations (PERS-8352).**

(2) **Reserve.** Enlisted dual Navy couples, Service members married to civilians with extenuating circumstances as outlined in reference (a), or single Service members **forward ADSEP package(s) to NAVPERSCOM, Reserve Enlisted Status Branch/ FTS Recall and Disability Division (PERS-913).**

h. A separation package must reflect CO's evaluation of the member's ability to effectively perform occupational specialty or assigned duties and potential to make meaningful contributions to naval service on the letter of transmittal using template in MILPERSMAN 1910-600, paragraph 3. Specifically address if the member is:

(1) Unable to perform duties because of parenthood;

- (2) Repetitively absent because of parenthood;
- (3) Unable to deploy because of parenthood; and
- (4) Not worldwide assignable.

i. In the case of a dual Navy couple, COMNAVPERSCOM will make the determination as to which member will be retained and which member will be separated (if applicable). Recommendations from both members' COs are required. Service members who can fulfill current work requirements, but who are not worldwide assignable, may continue service at their current command at CO's discretion. Reenlistments will be approved by COMNAVPERSCOM on a case-by-case basis.

### 3. Procedures

a. Administrative separation packages must include the following:

(1) NAVPERS 1740/6 (from each member, if dual Navy) showing that:

(a) Member wrote "I cannot comply" on any of items 1-10, 16-18, (19, if applicable). Sign and date the signature block and provide details as to why member cannot comply in block 20; or

(b) CO determines, in block 22, by circling "I am" or "I am not" when the member has or has not made adequate dependent care arrangements. This requirement cannot be delegated and is certified by signing in block 22B.

(2) NAVPERS 1070/613 Administrative Remarks (from each member, if dual Navy) specifically address noncompliance, see MILPERSMAN 1910-204;

(3) NAVPERS 1070/602 Dependency Application/Record of Emergency Data contained within the Navy Standard Integrated Processing System (NSIPS) (from each member, if dual Navy);

(4) Notification Procedure. If dual Navy, use NAVPERS 1910/32 Administrative Separation Processing Notification Procedures per MILPERSMAN 1910-402 for each member; and

(5) Letter of transmittal with recommendation (from each member's command, if dual Navy) per MILPERSMAN 1910-600.

(a) CO's comments shall be used to document why the member cannot comply and will contain a statement of the command's efforts to confirm and alleviate the member's situation.

(b) CO's recommendation with regard to administrative separation.

**b. Administrative separation packages for dual Navy couples must be coordinated through each command. The command recommending separation of one member must send its package via the command recommending retention of the other member. Both packages must be completed per sample format provided and submitted together to NAVPERSCOM (PERS-8352) for Active Duty personnel or NAVPERSCOM (PERS-913) for Selected Reserve personnel for final disposition.**

4. **Characterization of Separation.** Honorable, unless an entry level separation (ELS) or general (under honorable conditions)" is warranted per MILPERSMAN 1910-300. Selected Reserve personnel are not eligible for ELS.

5. **Forms.** NAVPERS 1070/602 Dependency Application/Record of Emergency Data is contained within NSIPS. NAVPERS 1070/613 Administrative Remarks, NAVPERS 1740/6 Department of the Navy Family Care Plan Certificate, NAVPERS 1740/7 Family Care Plan Arrangements, and NAVPERS 1910/32 Administrative Separation Processing Notification Procedures are available at:

<http://www.public.navy.mil/bupers-npc/reference/forms/NAVPERS/Pages/default.aspx>