

Demobilization/Mobilization of Reservists

Can I be released from active duty if I am a mobilized reservist if I have not completed all medical care related to an injury or disease?

Yes. SECNAVINST 1770.3C directs that mobilized Reservists are to be released from active and returned to Selected Reserve status when they are "fit for duty", although the member is not cured or returned to 100% health.

Continued treatment is provided under the "Notice of Eligibility" process, which also provides for incapacitation pay in cases where a Reservist is "fit for duty" but unable to perform their previous civilian employment.

Only when found "not fit for duty" are Reservists continued on active duty, which allows for appropriate treatment or final adjudication through the Physical Evaluation Board for those likely to be found permanently disqualified for Naval service.

What are the applicable instructions related to entitlement of medical services and demobilization of reservists?

[SECNAVINST 1770.3C, Management and Disposition of Incapacitation and Incapacitation Benefits for Members of Navy and Marine Corps Components](#)

To whom should I report concern about demobilization based on a medical issue?

The Senior Medical Officer or you may appeal the SMO's decision to demobilize you to the Office of the Judge Advocate General.

Where can I find more information about issues related to demobilization of reservists?

Noble Eagle Sailor Advocacy (NESA) 1-800-303-8913

Commercial: (901) 874-4584/ 85/ 86/ 87/ 88

E-mail: NESA@PERSNET.NAVY.MIL

PERS-9 General Policy Guidance related to [Mobilization/Demobilization](#) (Bureau of Naval Personnel Web Page)

[Reserve Affairs Information and Resources Guide](#)

Demobilization/Mobilization of Reservists (w/medical conditions)

What is the most current guidance regarding mobilization/ demobilization in support of Operations Noble Eagle and Enduring Freedom?

[NAVADMIN 124/03 - Demobilization of Naval Reservists Recalled in Support of Operations Noble Eagle, Enduring Freedom and Iraqi Freedom](#)

Where can I obtain information related to mobilization/demobilization of reservists?

Noble Eagle Sailor Advocacy (NESA)

1-800-303-8913

1-866-827-5672

Commercial: (901) 874-4584/ 85/ 86/ 87/ 88

E-mail: NESA@NAVY.MIL

Websites:

Detailed mobilization guidance is posted on the BUPERS website listed below:

[PERS-9 General Policy Guidance related to Mobilization/Demobilization](#) (Bureau of Naval Personnel Web Page)

[Reserve Affairs Information and Resources Guide](#)

Department of Defense Schools (DODDS)

Submit complaints concerning Department of Defense Dependent Schools (DODDS) directly to the [DODDS IG](#) or to [Department of Defense Inspector General \(DODIG\)](#).

Dependent Support (failure of military member to provide support)

The office that is specifically designed to assist you is the [DEERS/Dependency Section](#) of Manpower (MRP-1).

They can be contacted directly by calling (703)-784-9529 or DSN 278-9529.

In addition, Marine Corps Legal Service Offices can provide guidance and answers regarding non-support of military dependents.

BAH fraud: If you have evidence that a Marine has been receiving BAH for longer than 3 months and has failed to provide support, contact the local [Command Inspector General](#).

Deployment

Military members should address complaints concerning deployment with the chain of command. See more information on the [Navy Lifelines 2000 Website](#).

Dependents can contact BUPERS, request the assistance of an [Ombudsman](#) or contact someone affiliated with the Navy Wives program if the military member is deployed.

[Navy Wives Website](#)

Deserters

What is the applicable instruction pertaining to deserters and unauthorized absence?

[SECNAVINST 1620.7A, Desertion and Unauthorized Absence \(UA\)](#)

[32 CFR Part 630, Absentee Deserter Apprehension Program and surrender of military personnel to civilian law enforcement agencies](#)

Whom do I call if I want to report a deserter?

To report a deserter from the Navy, contact the Naval Absentee Collection and Information Center, Great Lakes, Illinois, at 1-800-423-7633.

Whom do I call if I am a deserter and I want to come forward?

If you are a deserter and wish to come forward, contact your command/ship or any military authority, i.e., Army, Air Force.

Detachment for Cause

Follow the instructions in your letter. Contact your legal assistance office or Staff Judge Advocate for questions or more information.

What rules/regulations/laws apply to Detach for Cause?

[MILPERSMAN 1611-020, Officer Detachment for Cause \(DFC\)](#)

What is Detach for Cause?

Detachment for Cause (DFC) is the administrative removal of an officer, whether on active duty or in the Selected Reserve, from his or her current duty assignment before the planned rotation date. An approved DFC waives Minimum Tour for Separation (MTS) and Prescribed Tour Length (PTL) requirements for releasing Permanent Change of Station (PCS) funds.

The need for a DFC arises when an officer's performance or conduct detracts from accomplishing the command mission and the officer's continuance in the billet can only negatively impact the command. DFC is one of the strongest administrative measures used in the case of officers. An approved DFC, together with endorsements, is filed in the officer's official record. As such, a DFC has a serious effect on the officer's future naval career, particularly with regard to promotion, duty assignment, selection for schools, and special assignment.

Who do I contact if I believe I have evidence that I was improperly Detached for Cause?

Obtain more information from a legal assistance office or Staff Judge Advocate.

Disability (Military Members)

Contact the Physical Evaluation Board (PEB) if you have questions about a medical discharge based on Fitness for Duty or your disability status.

Which office is responsible for administering the disability program for the Navy?

The Physical Evaluation Board (PEB) is an administrative board that determines whether a service member's disability prevents his or her continued performance in the Navy or Marine Corps. If the PEB determines that a member is no longer Fit to continue naval service, and the member is eligible for disability benefits, the PEB then decides the % of disability and the appropriate disposition that shall be assigned to the member.

What is the applicable Navy instruction?

[SECNAVINST 1850.4E, Department of the Navy Disability Evaluation Manual](#)

Who do I contact with questions about a medical discharge?

Contact the Physical Evaluation Board (PEB) if you have questions about a medical discharge based on Fitness for Duty.

Websites:

[Physical Evaluation Board \(PEB\)](#)

[Department of Veterans Affairs](#)

Disability (Naval Civilian Employees Defrauding the Government)

Address the issue with your chain of command and your Human Resources Representative.
Report suspected fraud of an employee on disability to the Department of Labor.

What should I report?

Suspected improper receipt of compensation for a disability.

What are the applicable statutes/regulations?

[20 C.F.R. parts 1-25, Office of Workmen's' Compensation Programs Department of Labor](#)

To whom do I report violations?

Report suspected fraud of an employee on disability to Department of Labor.

Website:

[Office of the Department of Labor, Office of the Inspector General, Fraud and Racketeering Division](#)

Discharges (214s, medical, ect)

If you are being processed for separation, address the issue to the chain of command.

If you are separated, contact [BCNR](#). Navy and Marine Corps members who request review or upgrade of a discharge should seek redress from BCNR for all reenlistment codes, general court martial discharges and ALL discharges older than 15 years. Submit all other requests to [NDRB](#).

What is a DD214?

Report of Separation from military service. We strongly suggest keeping a copy of your DD214 prior to your separation/discharge from military service. Obtaining a copy of a DD214 can take as long as a year.

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What are the applicable statutes/instructions that pertain to discharge from military service?
[10 U.S.C. § 553](#), Chapter 61, Review of Discharge or Dismissal

[SECNAVINST 5420.193, Board for Correction of Naval Records](#)

Which office should I contact regarding discharge from active duty service?

[Naval Discharge and Review Board \(NDRB\)](#)

[Board for Correction of Naval Records \(BCNR\)](#)

Discrimination (Military Members)

Contact your Command Managed Equal Opportunity Officer.

Discrimination (Civilian Employee)

Contact your Human Resource Office, Human Resource Service Center, Equal Employment Opportunity (Navy civilians) Advisor, or [Alternate Dispute Resolution Regional Coordinator](#) to discuss how to proceed.

Dispute a Gov Travel Card Charge

Read the following memo: [How to Resolve Government Travel Card Disputes](#)

Domestic Abuse

Report domestic abuse to the base or local police and to the military member's command.

To whom do I report domestic abuse?

Report incidents of domestic abuse concerning military members and their families to the local police (911) if the incident occurs off-base and to the Base security office if the incident occurs on a military facility.

You may also report domestic violence to the [National Domestic Violence Hotline](#) or obtain more information at:

1-800-799-SAFE (7233).

[The Department of Justice Violence Against Women Office](#)

Another resource for information is the website for the [Women's Law Initiative](#), which provides state-by-state legal information and resources for domestic violence.

Family Crisis Centers in your local area can also offer assistance, to include shelters and other emergency residential facilities. Consult your local phone directory to find a family crisis center near you.

Where can the abuser get help to understand why their behavior is abusive and to develop ways to stop the abuse?

Abusers can also get help with changing their behavior by contacting the family advocacy worker at a Fleet & Family Support Center near you.

Review the [List of Navy Fleet and Family Service Centers](#) and contact the one nearest you for assistance. If you are not located near a Navy military installation, you may want to contact the nearest [Family Service Center](#).

If you know which command the abusive military member is assigned, report the abuse to the member's command.

Employee Appeals (Civilian)

Depending on the nature of the issue, i.e., classification appeals, several appeal processes are available to appeal an outcome of an investigation.

What are the rules and regulations related to non-union Navy civilian employees' appeals of disciplinary action?

5 C.F.R. §§ [1201.24](#) (most Board appeals);

[1203.11 \(request for regulation review\)](#);

1208.13 (Uniformed Services Employment and Reemployment Rights Act (USERRA));

[1208.23 Veterans Employment Opportunities Act \(VEOA\)](#);

[1209.6 \(individual right of action \(IRA\) appeal - whistleblowing\)](#).

What may be appealed?

- **Classification**

Review the OPM website for information related to what civilian matters may be appealed.

[OPM website](#)

- **Removals, suspensions, furloughs, and demotions**

Merit Systems Protection Board website for an explanation of the mission of MSPB

[Merit Systems Protection Board \(MSPB\) website](#) for filing appeals in writing by regular mail or electronically.

Equal Employment Opportunity

Contact your Human Resource Office, Human Resource Service Center, or Alternate Dispute Resolution (ADR) Regional Coordinator ([see ADR](#)) to discuss how to proceed.

What is Equal Employment Opportunity?

The statutes enforced by the Equal Employment Opportunity Commission make it illegal to discriminate against employees or applicants for employment because of race, color, religion, sex, national origin, disability, or age.

What laws does the Equal Employment Opportunity Commission enforce?

The EEOC is responsible for enforcing a number of federal laws prohibiting job discrimination, including:

- Title VII of the Civil Rights Act of 1964 (race, color, religion, sex, or national origin)
- Equal Pay Act of 1963
- Age Discrimination in Employment Act of 1967 (protects individuals 40 or older)
- Titles I and V of the Americans with Disabilities Act of 1990 (ADA)
- Sections 501 and 505 of the Civil Rights Act of 1991

The Civil Service Reform Act of 1978 (CSRA) also contains provisions prohibiting discrimination. The Merit Systems Protection Board (MSPB) and the Office of Special Counsel (OSC) are responsible for enforcing the CSRA.

The new Executive Order amends section 1 of Executive Order 11478 (1969), which now reads, in part, as follows:

Under and by virtue of the authority vested in me as President of the United States by the Constitution and statutes of the United States, it is ordered as follows:

Section 1. It is the policy of the Government of the United States to provide equal opportunity in Federal employment for all persons to prohibit discrimination in employment because of race, color, religion, sex, national origin, handicap, age, or sexual orientation through a continuing affirmative program in each executive department and agency. This policy of equal employment opportunity applies to and must be an integral part of every aspect of personnel policy and practice in the employment, development, advancement, and treatment of civilian employees of the Federal Government, to the extent permitted by law.

What Navy regulations outline the Navy's civilian EEO policy?

[29 CFR Part 1614, Federal Sector Equal Employment Opportunity](#)

[SECNAVINST 12720.5A, Department of the Navy Civilian Equal Employment Program](#)

[OPNAVINST 12720.4B, Equal Employment Opportunity Program Management](#)

[MCO 12713.6A, Equal Employment Opportunity Program](#)

What do I do if I feel I have been discriminated against in the workplace?

We encourage resolution of conflict at the lowest level possible. If Federal civilian employees believe they have been discriminated against by a federal agency, and are unable to resolve a complaint informally, they may file a formal complaint against that agency.

The Department of the Navy (DoN) Policy and Procedures for Filing an Individual Complaint of Discrimination can be found at the [Department of the Navy, Office of Civilian Human Resources \(OCHR\) website](#).

See also Questions and Answers related to filing an EEO Complaint on the [DON, OCHR website](#).

Where can I get more information about the Navy's EEO policy?

Websites:

[Department of the Navy Office of Civilian Human Resources](#)

[U.S. Equal Employment Opportunity Commission](#)

The [EEOC website](#) and the [OPM website](#), provide additional details.

Equal Opportunity (Military)

Contact the Command Managed Equal Opportunity Officer.

What regulations apply to the Department of the Navy Equal Opportunity/Sexual Harassment program?

[OPNAVINST 5354.1E, Navy Equal Opportunity Policy \(EO Manual\)](#)

- [SECNAVINST 5300.26, Department of the Navy Policy on Sexual Harassment](#)

- [NAVPERS 15620, Navy's Informal Resolution System \(IRS\) Complaint Procedures](#)

- [NAVPERS 5354/2, Navy's EO/sexual harassment formal complaint form](#)

- [DoDDIR 1350.2, Department of Defense Military Equal Opportunity \(CMEO\) Program](#)

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[U.S. Navy Regulations, Chapter 11, General Regulations: Article 1164, Equal Opportunity and Treatment](#)

- [DoD 5500.7-R, Joint Ethics Regulation, Sec. 2-100, Standards of Ethical Conduct for Employees of the Executive Branch](#)

- [SECNAVINST 5350.16, Equal Opportunity within the Department of the Navy](#)

[OPNAVINST 5354.1E, Navy Affirmative Action Plan](#)

[MCO 5354.3B, Equal Opportunity Advisor](#)

How do service members file an informal complaint of sexual harassment or discrimination?

We encourage resolution of conflict at the lowest level using the Informal Resolution System (IRS) and the chain of command. You may file a complaint of discrimination or sexual harassment, which includes a hostile work environment, using the command complaint resolution processes. Military should seek assistance from their Command Managed Equal Opportunity (CMEO) representative.

If you feel uncomfortable raising the issue with your command, you may request the assistance of the Equal Opportunity representative at the next higher level of authority.

What if a service member is unable to resolve his/her complaint informally?

If service members are unable to resolve their complaints informally, they may use the Navy Equal Opportunity (EO) Formal complaint form 5354/2 to file a formal EO/SH complaint. The instructions above outline the Navy's policy on discrimination and sexual harassment.

Within 72 hours of receipt of a formal complaint of unlawful discrimination or sexual harassment, the command must report it via SITREP to their General Courts-Martial Authority (GCMA) and info addresses CNO WASHINGTON DC/NOOE//, COMNAVPRSCOM MILLINGTON TN/NPC6/NPC61//, the Command's Echelon 2 Commander and the Immediate Superior in Command (ISIC).

May service members bring matters involving Equal Opportunity to the attention of an Inspector General?

The process explained above is the preferred method of pursuing a complaint of harassment/discrimination; however, you may bring these matters to the attention of an Inspector General's office. We will review complaints involving investigations that were materially flawed, etc.

Is the Informal Resolution Process described above the appropriate process to file a complaint of rape, assault, or other criminal activities?

No. Employees should contact the base police, Commanding Officer, or Naval Criminal Investigative Service regarding complaints of this nature.

Can I appeal the results of a formal EO complaint?

Yes. You may file suit in Federal District Court.

When does a Marine Corps Inspector General intervene in EO/sexual harassment complaints?

- If a military member has attempted to pursue the matter using the appropriate process and the CMEO program management has not been responsive.
 - If the complainant can provide evidence that the EO process is biased or the investigation was improperly conducted.
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Where can a service member obtain more information and advice concerning the EO process?

Contact the command Managed Equal Opportunity Officer.

For more information contact:

Professional Relationships Division (PERS-61), Navy Personnel Command at:

Navy Advice line # 1-800-253-0931 (8:30 a.m. to 3:00 p.m. EDT)

The advice line is manned by Navy Personnel Command staff and provides any personnel, civilian or military, to anonymously request advice concerning sexual harassment and equal opportunity issues. Personnel calling after work hours are encouraged to leave a message, and they will contact you the next business day. The advice line does not accept complaints; they only provide guidance and refer personnel to the another agency, if appropriate.

[Navy Advice line E-mail Address](#)

[CNET Webpage pertaining to CMEO Training](#)

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Equal Opportunity (Off=Base Housing)

Report discriminatory practices by landlords to the Housing Referral Office on base and contact the legal assistance office for advice.

What is the applicable instruction?

[SECNAVINST 5350.14, Equal Opportunity in Off-Base Housing](#)

To whom do I report violations?

Report discriminatory practices by landlords to the Housing Referral Office on base, or the circumstances may require you to pursue the action in civil court to resolve the matter.

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Ethics Violations

Report ethics violations to supervisors in the chain of command, the Commanding Office or your local Command Inspector General.

What are the statutes/regulations applicable to ethics violations?

[DoD Directive 5500.7-R, Office of Government Ethics Regulation "Standards of Ethical Conduct for Employees in the Executive Branch"](#)

[Standards of Conduct for Executive Branch Employees, 5 C.F.R. Part 2635](#)

Activities with Non-Federal Entities	DoD 5500.-R, Sections 3-100 through 3-307
Conflicts of Interests You should avoid situations where your official actions affect or appear to affect your private interests, financial or non-financial. More information on this website about Conflict of Interests	DoD 5500.7-R, Sections 5-100 through 5-410
Communications (significant allegations concerning misuse of government owned telephones, facsimile machines, electronic mail, internet systems and commercial systems)	DoD 5500.7-R, Sections 2-301, Use of Federal Government Resources
Employment issues: Disqualification for reasons of financial interest, impartiality or matters affecting prospective employers. Conflicting outside employment and activities	DoD 5500.7-R: Section 2-204 5 C.F.R. Parts 2635.802
Endorsements	DoD 5500.7-R: Section 3-209
Enforcement of the Provisions of the JER	DoD 5500.7-R, Sections 10-100 through 10-202
Ethical Conduct	DoD 5500.7-R, Sections 12-100 through 12-601
Executive Branch , Use of Public Office for Private Gain	5 CFR 2635.702(a)
Expert Witness , serving as	
Financial and Employment Disclosure	5 C.F.R. Parts 2635.401 through 2635.403 DoD 5500.7-R, Sections 7-100 through 7-310
Financial Obligations	5 C.F.R. Parts 2635.809
Fundraising and Membership Drives and other activities	DoD 5500.7-R: Section 3-210, 3-300 5 C.F.R. Parts 2635.808 -
General Information	DoD 5500.7-R, Sections 1-100 through 1-500

Gambling	DoD 5500.7-R, Sections 2-302
Gifts <ul style="list-style-type: none"> • Accept gifts from the same or different sources on a basis so frequent that a reasonable person would be led to believe the employee is using his public office for public gain • Accept vendor promotional training • Accept a gift in return for being influenced in the performance of an official act • Gifts to superiors • Gifts to Federal employees • Gifts from a prohibited source • Gifts given because of the employee's official position • Receipt and disposition of foreign gifts and decorations • Solicit or coerce the offering of a gift 	DoD 5500.7-R, Sections 2-300 5 C.F.R. Parts 2635.201 through 2635.205 SECNAVINST 4001.2G , Acceptance of Gifts, Sep. 16, 1996 w/ change 1, Apr. 16, 1997 SECNAVINST 1650.1G , Navy and Marine Corps Awards Manual, Jan. 7, 2002, Chapter 7 (Foreign Awards, Gifts and Decoration) OPNAVINST 4001.1D , Acceptance of Gifts, Apr. 30, 1997
Government Resources; use of, acceptance of, incidental use of i.e., rental car companies and hotel credits.	
Military Title, misuse of	DoD 5500.7-R: Section 2-304
Misuse of Government Property More information on this website about misuse of government property and cites to specific statutes/regulations.	5 C.F.R. 2635.704
Nepotism You may not appoint, employ, or promote a relative to a position in the Department, or advocate a relative for appointment, employment, promotion or advancement.	5 U.S.C. § 3110 , The prohibition against participation in appointment or promotion of relatives 32 CFR 145.4(g)
Political Activities	DoD 5500.7-R, Sections 6-100 through 6-300
Post-Government Service Employment	DoD 5500.7-R, Sections 9-100 through 9-901
Post Employment Restrictions	18 USCS §207 Sections 207(a)(2) and 207(c)

Preferential Treatment to Private Organizations or Individuals	DoD 5500.7-R: Section 2635.101(b)(8)
Seeking Other Employment	DoD 5500.7-R, Sections 8-100 through
Soliciting Sales	
Supplemental Standards of Ethical Conduct for DoD Employees	CFR Title 5 - Administrative Personnel, Chapter XVI-Office of Government Ethics Chapter XXVI – DoD, Part 3601 DoD 5500.7-R; Section 2-300, Code of DoD 5500.7-R: Sections 2-100 and 5-3 DoD 5500.7-R: Section 2-206, 2-303, 5 9-700, 9-701 5 C.F.R. Parts 2635.601 through 2635.6 through 2635.809, and 2636 5 C.F.R. Parts 2635.807
Teaching, speaking and writing	
Training	DoD 5500.7-R, Sections 11.100 through
Travel Benefits	DoD 5000.7-R, Sections 4-100 through

To whom do I report violations of the above ethics violations?

Report ethics violations to supervisors in your chain of command, the Commanding Office or your local Command Inspector General.

Where can I get more information regarding Ethics violations?

Basic Principles of ethical conduct of Federal government employees.

Website:

- [Office of Government Ethics](#), (Comprehensive list of statutes related to ethics violations)

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Evaluations (Enlisted Marines)

If you are still on active duty and receive an adverse evaluation, you may submit comments at the time you receive your evaluation. If you are still not satisfied, you may petition the [Board for the Correction of Naval Records](#).

If you are out of the Navy, you may submit an appeal to the Commanding Officer requesting he/she change the adverse evaluation or submit an appeal directly to the Board for Correction of Naval Records.

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Exceptional Family Member Program

Contact the EFM coordinator at the Fleet and Family Support Center.

Contact the Health Benefits Advisor regarding TRICARE, PRIMUS, and CHAMPUS issues related to the EFM program.

What is the Exceptional Family Member Program and who is authorized to use it?

The Exceptional Family Member (EFM) Program was established to identify long term medical problems (to include physical and emotional) and/or special educational needs of military families. The EFM program is open to any authorized family member who meets the following criteria:

- Physical, emotional, or other developmental disability or
- Long term chronic illness or long term special education needs or
- Enrolled in DEERS and resides with sponsor (exceptions include geographical bachelors and family members receiving inpatient care or in a residential setting).

What is the applicable Navy instruction?

- [SECNAVINST 1754.5A, Exceptional Family Member Program](#)

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[OPNAVINST 1754.2. Exceptional Family Member Program](#)

Where can I find more information about EFM?

Website:

For more information, review the [Lifelines website](#).

Visit DoD's website for military families with special medical or educational needs:

[Special Needs Network](#)

False Official Statements

Report someone suspected of falsifying documents or making false statements to your chain of command, local Command Inspector General, or NCIS.

What is a false official statement?

Knowingly falsifying any official document or making a false statement knowing it to be false.

What are the applicable regulations/statutes?

[Uniform Code of Military Justice, Article 107](#), False Official Statements (Military Member is the offender)

[SECNAVINST 5430.92A](#), Assignment of Responsibilities to Counteract Fraud, Waste and Related Improprieties within the Department of the Navy

[18 U.S.C. § 1001](#), et.seq., False Official Statements or entries generally (Navy civilian employee or military member)

To whom do I report a violation?

Report to the chain of command or local Command Inspector General.

Favoritism

Navy civilian employees report violations to your chain of command by first notifying the chain of command or Human Resource Office.

Military members may be suspected of fraternization which is showing favoritism to a subordinate in the chain of command. See [Fraternization](#).

What is favoritism?

Favoritism is being shown to another employee or applicant if a supervisor gives unauthorized preferential treatment to any Navy civilian employee or applicant, or, takes specific personnel actions based on nepotism.

What are the applicable regulations/statutes?

5 U.S.C. 2302(b), Prohibited Personnel Practices (Navy Civilian Employees)
<http://www4.law.cornell.edu/uscode/5/2302.html>

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DoD 5500.7-R Joint Ethics Regulation (Military Members)

To whom do I report suspected favoritism?

Report violations to your chain of command by first notifying a second level supervisor, or the Commanding Officer. You may also seek advice from the Human Resource Office.

Military members may be suspected of fraternization which is showing favoritism to a subordinate in the chain of command. See [Fraternization](#) on this website for more information.

Where do I find more information about favoritism?

Website: (Information pertaining to Navy Civilian Employees)

[Merit Systems Protection Board \(Prohibited Personnel Practices\)](#)

Financial Obligations (Indebtedness)

Indebtedness is a basis for a civil law suit. This is an issue between the debtor and the creditor.

Financial Support (Dependents)

Obtain a court order stating you or your children are entitled to receive support and provide the court order to your spouse and his/her Commanding Officer if he/she does not comply with the court order.
Contact a Navy Legal Assistance Office if you have questions.

Fit for Duty Determination

Address issues regarding Fit for Duty with the Physical Evaluation Board (PEB).

What are the regulations/rules that apply to "fit for duty"?

The Department of the Navy Physical Evaluation Board can make only one of two primary Fitness determinations...Fit or Unfit.

– The mechanism for making this determination is detailed in [SECNAVINST 1850.4E, the Department of the Navy Disability Evaluation Manual](#). Below is an extract that discusses fitness to continue naval service.

– SECNAVINST 1850.4E, para 2033

What is a finding of "fit" for duty?

Fit. A finding by the PEB meaning that the member is Fit to continue naval service based on evidence which establishes that the member is reasonably able to perform the duties of his or her office, grade, rank or rating, to include duties during a remaining period of reserve obligation. Within a finding of Fit to continue naval service is the understanding that the mere presence of a diagnosis is not synonymous with a disability. It must be established that the medical disease or condition underlying the diagnosis actually interferes significantly with the member's ability to carry out the duties of his or her office, grade, rank or rating. Members found Fit to continue naval service by the PEB are eligible for appropriate assignment. However, a finding of Fit by the PEB does not preclude subsequent temporary determinations of unsuitability for deployment or PRT/PFT participation, disqualification for special duties, Temporary Limited Duty, or administrative action resulting from such determinations.

– The DoD disability Evaluation System is a performance-based system. Therefore, a Fit finding from the PEB simply means the member's condition does not prevent the member from reasonably performing a job somewhere within the Department of the Navy. A PEB finding of Fit does not equate to Fit for Full Duty, Fit for special duties, Fit for overseas or sea duty or Fit to pass the PRT/PFT. It is incumbent upon the member's command to make the difficult decisions as to how best to utilize a member's remaining potential for continued naval service once they have received a Fit finding from the PEB.

– After a Fit finding from the PEB, a member may still be found to be unsuitable for certain assignments because of medical or physical limitations. A Fit finding does not preclude MOS/rating/NEC changes or

administrative separation for unsuitability. Very clearly a member may have a Fit finding for continued naval service from the PEB and yet they may no longer be Fit for Full Duty.

Where can I find more information about "fit" for duty?

[Physical Evaluation Board website](#)

FITREPS and Evaluations (Military)

Report complaints about fitness reports/evaluations to the Commanding Officer or appeal to the Board for Correction of Naval Records.

To whom does a military member submit a complaint regarding fitness reports/evaluations?

Report complaints about fitness reports/evaluations to the:

- Commanding Officer
- Chain of Command (above your reporting senior), or
- [Board for Correction of Naval Records \(BCNR\)](#)

Where can I get more information about how to request a copy of my fitness report or how to submit a complaint if I disagree with evaluation?

For assistance 12 hours a day (7 a.m. to 7 p.m. CST) with career related issues, service record books, evals/FITREPS, contact 1-866-U-ASK-NPC (1-866-827-5672).

Website:

[Chief of Naval Information](#) for information about how to request a copy of a fitness report or performance evaluation.

24-hour a day assistance at [Navy Personnel Command's Support Center](#)

Fraternization

What is fraternization?

Fraternization is defined as a personal relationship between an officer and enlisted member that has crossed the boundary of a senior-subordinate working relationship and doesn't respect differences in grade or rank. Such relationships are prejudicial to good order and discipline and violate long-standing traditions of the naval service.

The Navy prohibits personal and business relationships between officers and enlisted members, calling them prejudicial to good order and discipline. Personal relationships include dating, cohabitation and any sexual relationship. Business relationships include loaning and borrowing money and business partnerships.

The policy also covers relationships between enlisted members and between officers. It puts chiefs (E-7 through E-9) in a separate personnel category and prohibits them from personal relationships with enlisted members E-1 through E-6 in the same command.

What rules/regulations/statutes apply to fraternization?

[OPNAVINST 5370.2B, Navy Fraternization Policy](#)

Outlines prohibitions on unduly familiar relationships that may be prejudicial to good order and discipline or of a nature to bring discredit on the Naval service. Discusses responsibilities of seniors throughout the chain of command.

[U.S. Navy Regulation, Chapter 11, General Regulations; Article 1165](#)

[Uniform Code of Military Justice, Art. 134](#)

Who do I contact regarding allegations of fraternization?

Report the allegation to the chain of command. See [Chain of Command](#) matters on this website.

Fraud

Report allegations of fraud to your local IG, NCIS, DoD Hotline, DCIS, or the Naval Inspector General.

Report Internet Fraud to:
www.fraud.org/internet

1-800-876-7060

What is fraud?

Any intentional deception designed to unlawfully deprive the United States of something of value or to secure for an individual from the

United States a benefit, privilege, allowance, or consideration to which he or she is not entitled.

Such practices include, but are not limited to the offer, payment, or acceptance of bribes or gratuities; making false statements; submitting false claims; using false weights or measures; evading or corrupting inspectors or other officials; deceit either by suppressing the truth or misrepresenting material fact; adulterating or substituting materials; falsifying records and books of accounts; arranging for secret profits, kickbacks, or commissions; and conspiring to use any of these devices. The term also includes conflict of interest cases, criminal irregularities, and the unauthorized disclosure of official information relating to procurement and disposal matters.

What are the applicable regulations/instructions?

[DoDIR 5505.2, Criminal Investigation of Fraud Offenses](#)

Navy Regulations, [Chapter 11, Section 2](#), Section 1115, Standards of Conduct

To whom do I report allegations of fraud?

Report allegations of fraud to your local IG, NCIS, DoD Hotline, DCIS, or the Naval Inspector General.

Fraud hotline #: 1-800-424-9098

[Defense Criminal Investigative Service \(DCIS\) website](#)

[Naval Criminal Investigative Service \(NCIS\) website](#)

DCIS/NCIS will refer all allegations involving non-criminal fraud activity to the Naval Inspector General.

Fraudulent Enlistment

What is fraudulent enlistment?

Knowingly procuring a fraudulent enlistment, appointment or separation by falsely representing his/her qualifications or deliberately conceals information as to any of these disqualifications.

What are the applicable statutes and regulations?

[MILPERSMAN 1910-134](#), Separation by Reason of Defective Enlistments and Inductions - Fraudulent Entry into Naval Service

Uniformed Code of Military Justice Article 83, Fraudulent enlistment, appointment, or separation

To whom do you refer allegations of fraudulent enlistment?

Report allegations to a legal office or to your local Command Inspector General.

Fundraising

What is Fundraising?

Fundraising means the raising of funds for a nonprofit organization, other than a political organization, as defined in 26 U.S.C. 527(e), through:

- Solicitation of funds or sale of items, or
- Participation in the conduct of an event by an employee where any portion of the cost of attendance or participation may be taken as a charitable tax deduction by a person incurring that cost.

What are the applicable regulations/statutes?

[5 C.F.R. Part 2635.808](#), Participation in Fundraising in an Official Capacity

[DoD 5500-R, Joint Ethics Regulation](#), Section 3-209 and 3-210

DoD 5500-R, Joint Ethics Regulations, [Section 2-302](#), Gambling

[5 C.F.R Part 735 § 201](#), Office of Personnel Management, Gambling

Who do I contact if I believe someone is improperly fundraising?

First review the regulation(s) above to determine whether or not the employee's conduct violates the regulation, then contact your local Command Inspector General.