

## MILPERSMAN 1910-124

### SEPARATION BY REASON OF CONVENIENCE OF THE GOVERNMENT - PARENTHOOD (FAILURE TO MAINTAIN CURRENT FAMILY CARE PLAN)

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		MyNavy Portal:		<a href="https://my.navy.mil/">https://my.navy.mil/</a>

<b>References</b>	(a) OPNAVINST 1740.4E (b) SECNAVINST 1000.10B (c) DoD Instruction 1332.14 of 27 January 2014 (d) DoD Instruction 1342.19 of 7 May 2010
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#### 1. Policy

a. Per references (a) through (d), 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. Per references (a), (b), and (d), formal documentation of a Service member's family care plan (FCP) is required, using [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) Service members 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 that may result in a Service member becoming legally and primarily responsible for the care of another person, which then necessitates implementation of an FCP.

c. Commands may also require married Service members with civilian spouses to complete an 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, reserve, 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 (e.g., 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 requirements for overseas and sea duty PCS orders.

f. Per reference (a), commanding officers (CO) **will** ensure that administrative separation (ADSEP) processing is initiated for members who are unable to or refuse to maintain a current FCP. However, noncompliance **does not** equate to a mandatory separation determination by the separation authority (SA).

(1) **Cases in which a CO with Special Courts-martial Convening Authority (SPCMCA) is the SA.** 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 childcare, flexible work schedule, or even shore duty orders), separation is appropriate. However, if the CO determines that a member has potential for continued naval service, despite inability to fully execute the FCP and:

(a) If the member's soft expiration of active obligated service (SEAOS) date is prior to the projected rotation date (PRD), the CO may, depending upon needs of the command and its ability to accommodate the member's circumstances, choose to retain the member until SEAOS.

(b) If the member's PRD is before his or her SEAOS, defer SA to Commander, Navy Personnel Command (COMNAVPERSCOM) and submit ADSEP package with CO's recommendation for retention to Navy Personnel Command Enlisted Performance and Separation Branch (PERS-832) for adjudication.

(c) Reenlistments will be approved by COMNAVPERSCOM on a case-by-case basis.

(2) **Cases in Which COMNAVPERSCOM is the SA.** If a CO determines a member has potential for continued naval service, submit an ADSEP package with CO's recommendation for retention. The package will be reviewed by COMNAVPERSCOM and the appropriate enlisted community manager within Bureau of Naval Personnel 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.** For 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 are serving in critical Navy enlisted classification codes forward ADSEP package(s) to PERS-832.

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

**Note.** Selective reenlistment bonus or enlistment bonus (if applicable) will be recouped.

h. A separation package must reflect the 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 [MILPERSMAN 1910-600](#) paragraph 3 template. 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, or
- (4) Not world-wide 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.

j. Service members who are pregnant and express or display a potential future inability to comply with an FCP do not meet the requirements for separation for parenthood under this article. In these cases, members should be referred to [MILPERSMAN 1910-112](#).

## 2. SA

a. COMNAVPERSCOM is the SA for all personnel with more than 1 year remaining on their enlistments and for all dual Navy couples.

b. COs with SPCMCA or higher are the SAs for personnel with less than 1 year remaining on their enlistments.

## 3. Procedures

a. ADSEP packages must include the following:

- (1) [NAVPERS 1740/6](#) (from each member, if dual Navy) showing:

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

(b) CO determines, in block 22, by circling "I am" or "I am not" convinced that the member has or has not made adequate dependent care arrangements.

(2) [NAVPERS 1070/613](#) Administrative Remarks (from each member (if dual Navy)) that specifically address noncompliance, see [MILPERSMAN 1910-202](#) (if processing dual military couple then one from each member);

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

(4) Notification Procedure. Use [NAVPERS 1910/31](#) Administrative Separation Processing Notification Procedures per [MILPERSMAN 1910-402](#) for each member of dual military or single parent, and

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

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

(b) CO's recommendation will be documented with regard to ADSEP.

**b. ADSEP 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 PERS-832 for active duty personnel or 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](#) is contained within NSIPS. [NAVPERS 1740/6](#), [NAVPERS 1740/7](#) and [NAVPERS 1910/31](#) are available at <https://www.mynavyhr.navy.mil/References/Forms/NAVPERS/>