



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, D.C. 20350-2000

OPNAVINST 1811.3A
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28 FEB 2012

OPNAV INSTRUCTION 1811.3A

From: Chief of Naval Operations

Subj: VOLUNTARY RETIREMENT AND TRANSFER TO THE FLEET RESERVE OF
MEMBERS OF THE NAVY SERVING ON ACTIVE DUTY

Ref: (a) 10 U.S.C.
(b) DoD Instruction 1332.20 of 12 February 2007
(c) SECNAVINST 1920.6C
(d) MILPERSMAN 1910-166
(e) OPNAVINST 1420.1B
(f) SECNAVINST 1420.1B
(g) SECNAVINST 5420.193

1. Purpose. To establish policy governing voluntary retirement of officers on the active duty list (ADL) of the Navy and voluntary retirement and transfer to the Fleet Reserve of enlisted members of the Navy serving on active duty under references (a) and (b).

2. Cancellation. OPNAVINST 1811.3.

3. Applicability

a. This instruction applies to all officers on the ADL of the Navy and enlisted members on active duty.

b. Retirement of officers for cause is covered in reference (c). Retirement and transfer to the Fleet Reserve of enlisted members in lieu of administrative separation is covered in reference (d), article 1910-166.

4. Policy

a. Department of the Navy policy is to provide for voluntary retirements and voluntary transfers to the Fleet Reserve to assist in meeting force management objectives. Those objectives are to maintain a vigorous active force, reasonable promotion flow, reasonable career opportunities in each officer

competitive category and in the enlisted career forces. To support these objectives while providing equity and consistency in retirement options for members on active duty, the criteria in this instruction are intended to be applied uniformly to all officer competitive categories and enlisted ratings, except where otherwise specifically provided.

b. Officers must satisfy the minimum active duty time-in-grade requirement to retire in the highest grade satisfactorily served. Officer time-in-grade policy exceptions are provided for in paragraph 7e. Officers who desire to retire before completion of the minimum time-in-grade requirement must decline appointment to the next higher grade. Officers who have accepted appointment to the next higher grade must satisfy the retired grade criteria in paragraph 7. Frocking does not constitute acceptance of a promotion.

c. Enlisted members must satisfy the minimum active duty time-in-grade requirement specified in paragraph 7 to obtain approval of voluntary requests for retirement and transfer to the Fleet Reserve. Time-in-grade policy exceptions must comply with the criteria in paragraph 7e.

d. Requests for retirement or transfer to the Fleet Reserve shall normally be held in abeyance awaiting resolution of pending investigations. Requests for voluntary retirement in cases where court-martial charges have been preferred and not disposed of shall be denied except as provided in references (c) and (d).

e. The Commander, Navy Personnel Command (COMNAVPERSCOM) will disapprove requests for retirement and transfer to the Fleet Reserve which do not satisfy the policy and criteria established by this instruction.

5. Authority to Approve Requests for Voluntary Retirement for Officers serving in Grades W2 through O6, and Voluntary Retirement or Transfer to the Fleet Reserve for Enlisted

a. Approval of requests for voluntary retirement and transfers to the Fleet Reserve rests with the Secretary of the Navy (SECNAV) and the President. Pursuant to a delegation of those authorities, COMNAVPERSCOM may approve voluntary retirements as follows:

(1) Officers of the Navy and warrant officers (W2) or above who request retirement after completing 30 or more years of active service under reference (a), section 6322.

(2) Officers of the Navy and warrant officers (W2) or above who request retirement after completing more than 20 years of active service, of which at least 10 years was active service as a commissioned officer, under reference (a), section 6323. SECNAV may authorize a waiver of commissioned service of 10 years to 8 years as authorized by law.

(3) Warrant officers of the Navy who request retirement after completing at least 20 years of active service under reference (a), section 1293, and have completed their 3 or 4-year commission service obligation per reference (e).

(4) Enlisted members of the Regular Navy who request retirement after completing 30 years or more of active service under reference (a), section 6326.

(5) Enlisted members of the Regular Navy who request transfer to the Fleet Reserve after completing 20 years or more of active service under reference (a), section 6330.

(6) Limited duty officers serving under a temporary appointment and having a permanent enlisted grade who request reversion and transfer to the Fleet Reserve after having completed 20 years of active service. Transfer of a temporary officer to the Fleet Reserve will be at the highest enlisted permanent grade held including grades to which advanced while serving concurrently as a temporary officer, provided the member meets the enlisted time-in-grade requirements as prescribed in paragraph 7d. Procedures for requesting termination of temporary appointment and transfer to the Fleet Reserve are contained in reference (d), article 1100-060.

b. A Fleet Reserve request may be approved for an effective date later than that requested when a delay is necessary, in the best interest of the Service, in order to provide a timely relief or completion of the existing or ordered tour of duty.

c. Unless waived by proper authority, approval of requests for voluntary retirement or transfer to the Fleet Reserve will normally be denied until an individual has completed:

(1) The applicable time-in-grade requirements of paragraph 7;

(2) Current Department of Defense area tour;

(3) At least 20 years of active service by requested date of transfer to the Fleet Reserve; and

(4) Tour of duty or obligated service requirements, as prescribed by COMNAVPERSCOM.

d. Unless, in response to service needs, or COMNAVPERSCOM directs otherwise, requests for voluntary retirement or transfer to the Fleet Reserve will not be approved if notified by any means (e-mail, message, telephone, or personal visit) that permanent change of station orders will be issued, and the member is within 6 months of the normal projected rotation date.

e. Except for separations of officers for cause and release of retirement-eligible reserve officers as provided in reference (c) and separation of enlisted members for misconduct as provided in reference (d), article 1910-100, requests for voluntary retirement or transfer to the Fleet Reserve shall not be used to influence unrelated administrative actions.

6. Voluntary Retirement of Flag and General Officers. Flag and general officers will be considered for voluntary retirement on the basis of service needs reflected in the annual promotion and continuation plans approved by SECNAV under reference (f), and the merits of the individual case as required by reference (a), section 1370.

7. Time-in-Grade Requirements. Unless retirement in the next inferior grade is directed by SECNAV for an officer or warrant officer under reference (c), then officers, warrant officers, and enlisted members retired voluntarily or transferred to the Fleet Reserve shall be retired in the highest grade satisfactorily held upon completion of the following time-in-

grade requirements. COMNAVPERSCOM shall make determinations and recommendations of satisfactory service, considering the factors noted in paragraph 7h.

a. Six months for an officer serving on active duty in pay grade O1 or O2.

b. Two years for warrant officers and officers serving on active duty in pay grades O3, O4, and W2 through W5. In individual cases involving hardship of a non-temporary nature or exceptional or unusual circumstances, COMNAVPERSCOM may waive up to 18 months of the 2-year period.

c. Three years for an officer serving on active duty in pay grade O5 or O6. For officers subject to the 3-year period, the President may waive any portion, except the minimum period of 6 months of the 3-year period under reference (a), section 1370, when the President determines that the individual's case involves extreme hardship or exceptional or unusual circumstances. Since only the President may grant such waivers, it is anticipated that very few requests will be considered and approved under this authority. COMNAVPERSCOM shall provide recommendations with supporting rationale to SECNAV. SECNAV shall determine whether a member's request for waiver meets the eligibility criteria, in his opinion, prior to forwarding to the Office of the President.

d. Enlisted members serving in pay grades E7, E8, or E9 shall require a minimum of 2 years active duty in grade. In individual cases involving substantial hardship, unusual circumstances, or when the best interest of the service is concerned, waivers of time-in-grade may be authorized by COMNAVPERSCOM, for not less than 6 months.

e. COMNAVPERSCOM shall normally deny retirement requests or Fleet Reserve requests of members serving on active duty in, whose length of service in the highest grade held while on active duty does not meet the time-in-grade requirements specified above. In cases discussed in paragraphs 8b and 8d, or when other circumstances clearly indicate that the retention of a member is not consistent with the needs of the Navy, COMNAVPERSCOM may authorize a member who does not meet the applicable time-in-grade requirement to be retired:

(1) In the highest grade in which the enlisted member, warrant officer or officer (O4 and below) served on active duty satisfactorily for not less than 6 months, or

(2) In the next lower grade in which the member served on active duty satisfactorily.

f. When required to manage grade structure imbalances which would make a major change in promotion flow point and opportunity, or strength overages such as may occur during reduction in force, COMNAVPERSCOM may suspend the time-in-grade requirements in paragraph 7b for specified competitive categories and specialties. When time-in-grade requirements are suspended, officers may be retired when they meet the time-in-grade requirements as noted in paragraphs 7e(1) and (2) above.

g. For purposes of this instruction, active duty service in grade will be computed from the date of rank of such grade.

h. Considering performance in the highest grade held, the length of service in the highest grade held, and the circumstances that resulted in the member no longer being in the highest grade held, COMNAVPERSCOM shall make determinations of satisfactory service for enlisted advancements, and the Secretary will make determinations of satisfactory service for officer advancements on the retired list in the following cases:

(1) Warrant officers, and enlisted members who served on active duty in a higher permanent grade and are eligible for advancement on the retired list under reference (a), section 6334, when their active service plus service on the retired list and or Fleet Reserve totals 30 years.

(2) Warrant officers, and enlisted members who served on active duty in a higher temporary grade and are eligible for advancement on the retired list under reference (a), section 6151, when their active service plus service on the retired list and or Fleet Reserve totals 30 years.

(3) Retired warrant officers or enlisted members who have been advanced on the retired list to a higher commissioned grade may request restoration to the former warrant officer or enlisted status within 3 months after advancement under reference (a), section 6335.

i. In considering whether a member served satisfactorily in the current grade held, or in a higher grade, the following factors are considered:

(1) Time served in current or higher grade.

(2) If a member voluntarily requested retirement or transfer to the Fleet Reserve in the next lower grade and has not fulfilled the required time-in-grade requirements as stated in paragraph 7.

(3) Any conviction by courts-martial, report of misconduct, moral, or professional dereliction, or conduct not in the interest of national security.

(4) The nature and severity of any misconduct.

8. Reconsideration of Retirement Requests

a. Requests to modify, or cancel a voluntary retirement or transfer to the Fleet Reserve may be considered under the following standards:

(1) The request is submitted before final action has been taken on the original submission;

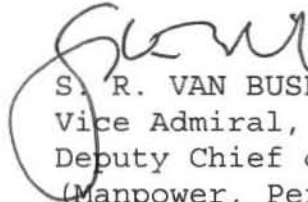
(2) The request is submitted after the original request has been approved but before the member has transferred to the Fleet Reserve or retired list; or the member shows compelling circumstances that would substantially benefit the member or their dependents; or the member's retention will be in the best interest of the Navy;

b. Requests, to change retirement dates, submitted after the member has been transferred to the retired list, or the Fleet Reserve, must be requested through the Board for Correction of Naval Records (see reference (g)).

c. Nothing in this instruction is intended to limit SECNAV's authority to recall members or to retain members on active duty.

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9. Records Management. Records created as a result of this instruction, regardless of media and format, shall be managed per SECNAV Manual M-5210.1 of November 2007.


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