



DEPARTMENT OF THE NAVY
NAVAL EDUCATION AND TRAINING PROFESSIONAL
DEVELOPMENT AND TECHNOLOGY CENTER
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PENSACOLA, FLORIDA 32509-5237

IN REPLY REFER TO:
NETPDTCINST 1620.1
N313/LNC

21 OCT 1999

NETPDTC INSTRUCTION 1620.1

Subj: EXTRA MILITARY INSTRUCTION AND OTHER NONPUNITIVE MEASURES

Ref: (a) Manual for Courts-Martial
(b) U.S. Navy Regulations, 1990
(c) Manual of the Judge Advocate General, 0102-0105

Encl: (1) EMI Assignment Sheet

1. **Purpose.** To provide guidelines for the proper use and assignment of Extra Military Instruction (EMI), administrative withholding of privileges, and non-punitive censure. Further, to establish a command Disciplinary Review Board.

2. **Cancellation.** NETPMSAINST 1620.1A

3. **Information.** EMI and other non-punitive measures are intended to further the efficiency of the command by correcting identified deficiencies. The authority to impose EMI and other non-punitive measures is derived from reference (a) through (c). These management tools must be understood as a supplement to, but not a replacement for, positive leadership at the officer and senior enlisted levels as the primary means available to influence the behavior of subordinates. All members of this command who use these measures must do so in a positive, constructive, fair, and impartial manner.

4. **Extra Military Instruction.** Extra Military Instruction is an instruction in a particular phase of military duty in which an individual is deficient, and is intended for and directed towards the correction of that deficiency. It is a bona fide training technique to be used for improving the efficiency of an individual within a command or unit through the correction of some deficiency in that individual's performance of duty. It may be assigned only if genuinely intended to accomplish that result. EMI is neither a punishment nor a substitute for punishment. It is not to be used as a substitute for judicial action (court martial) or non-judicial punishment (NJP), and must be logically related to the deficiency in performance for which it was assigned.

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5. Authority to Impose EMI.

a. The Commanding Officer is the only individual authorized to assign EMI to be performed after working hours. However, the Commanding Officer may delegate authority to impose EMI outside working hours to subordinate personnel. The Executive Officer, Department Directors, Division Officers, and Leading Chief Petty officers are hereby delegated authority to impose EMI after working hours. Any individual who does not possess such authority may recommend the imposition of EMI to the chain of command. The following individual may award EMI not to exceed the following periods of time:

Executive Officer:	20 hours
Department Directors:	18 hours
Division Officers:	15 hours
Leading Chief Petty Officers:	10 hours

b. Authority to assign EMI that is to be performed during normal working hours is not limited to any particular grade or rate, but is an inherent part of that authority over their subordinates which is vested in officers and non-commissioned/petty officers in connection with duties and responsibilities assigned to them. This authority to assigned EMI that is to be performed during normal working house may be withdrawn by any superior if warranted.

6. Limitations. EMI will be conducted within the following guidelines:

a. EMI normally will not be conducted for more than two hours per day.

b. EMI may be conducted at a reasonable time outside normal working hours. Reserve component personnel on inactive training, however, may not be required to perform EMI outside normal periods of inactive duty training.

c. EMI will not be conducted over a period that is longer than necessary to correct the performance deficiency for which it was assigned.

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d. EMI should not be conducted on the member's Sabbath.

e. EMI will not be used for the purpose of depriving the member of normal liberty to which the member is otherwise entitled. A member who is otherwise entitled thereto may commence normal liberty upon completion of EMI.

f. EMI will be supervised by an individual senior to the member performing EMI.

7. **Administrative Withholding of Privileges.** A privilege is a benefit, advantage, or favor provided for the convenience or enjoyment of an individual. Examples of privileges that may be withheld are special liberty, exchange of duty, special command program participation, access to library, entrance to base clubs, and use of the base for private vehicle driving and parking. Withholding of privileges is non-punitive and may be employed to correct minor infractions of military regulations or performance deficiencies where punitive action would be inappropriate. Since withholding of privileges is temporary in nature, it should be for an appropriate period to effect the desired improvement in the member's performance. An individual may be deprived of his/her normal liberty as punishment only as directed in reference (a). However, loss of normal liberty due to the operational work requirements that extend past liberty call is not considered to be punishment and is lawful.

8. **Authority to Withhold Privileges.** Final authority to withhold a privilege rests with the level of authority empowered to grant that privilege.

a. **Commanding Officer** Authority to withhold privileges of personnel normally exercised while in a liberty status is vested solely in the Commanding Officer. The Commanding Officer may withhold privileges relating to base driving and parking, clubs or shore utilization, and attendance at MWR programs. The Commanding officer may exercise his/her authority in lieu of or in conjunction with the exercise of his/her authority under reference (a).

b. **Department Directors.** All Department Directors are delegated authority to withhold those privileges they are authorized to grant.

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9. **Non-punitive Censure.** Censure is adverse comment upon or criticism of an individual's character, conduct, performance, or military appearance. Such reflection may be made orally or in writing. The fact that an individual has received non-punitive censure will not be mentioned in an enlisted evaluation/fitness report nor recorded in the individual's service record.

10. **Authority to Impose Non-punitive Censure.**

a. The Commanding Officer, Executive Officer, and all Department Directors may issue formal oral or written non-punitive censure.

b. All officers and chief petty officers may issue informal oral censures as necessary.

11. **Disciplinary Review Board.** The breadth and depth of experience found within the chief petty officer community can be applied to significantly enhance personal development of enlisted members. Accordingly, a Disciplinary Review Board is hereby established. When the above measures have proven to be unsuccessful, Department Directors should refer their personnel to the Disciplinary Review Board. Personnel will be required to appear before the Board due to either referral by the department head or by the Executive Officer. In either case, a report chit may or may not have been executed on the member. The primary goal of the Board is to assist the member in eliminating deviant behavior and ultimately preclude non-judicial punishment proceedings. The Board will be chaired by the Command Master Chief. All chief petty officers are eligible to sit as board members.

12. **Action.** In order to document the use and effectiveness of EMI individuals who assign EMI must submit a written report using enclosure (1), to the Commanding Officer, via the Command Master Chief, Legal officer, and Executive Officer, the day after completion of the EMI.


M. E. McADAMS

Distribution: (NETPDTCINST 5216.1B)
Lists I and II

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EMI ASSIGNMENT SHEET

Rate/name of individual assigned EMI: _____

Description of the deficiency to be corrected: _____

Dates/times/location of EMI: _____

Nature of the EMI assigned: _____

Rate/name of individual assigned to supervise the EMI: _____

EMI hours assigned

Signature of person assigning EMI/Date

I HAVE READ, UNDERSTAND, AND ACKNOWLEDGE RECEIPT OF THE ABOVE EMI ASSIGNMENT. I FURTHER UNDERSTAND THAT FAILURE TO PERFORM THE ABOVE EMI ASSIGNMENT MAY SUBJECT ME TO DISCIPLINARY AND/OR ADMINISTRATIVE ACTION.

Signature of person performing EMI

Date

Witness signature

Date

From:

Date: _____

To: Commanding Officer

Via: Command Master Chief

Legal Officer

Executive Officer

Assessment of the effectiveness of the EMI: _____

Signature

Enclosure (1)