

## NONPUNITIVE ACTIONS

### 1. **SUSPENSION OF FAVORABLE PERSONNEL ACTIONS (FLAGS):**

a. When a soldier has become the subject of a criminal investigation, civilian offenses, entry into the weight control program, failure of a PT test, or upon initiation of most disciplinary actions, a suspension of favorable personnel actions is initiated by the commander. (AR 600-8-2)

b. A flag prohibits the following:

(1) Promotion

(2) Awards

(3) Attendance at military schools (PLDC, BNCO, Air Assault School, etc.

(4) PCS

c. A flag is effective the date the incident was committed. In many cases, a soldier will be flagged a considerable time after the offense is committed. This is not illegal, and can be done by the commander.

d. A flag remains in place throughout both the investigative and punishment phase of an action (including civilian offenses).

### 2. **COMMANDER'S INQUIRIES:**

a. Any time a commander becomes aware of a problem within a unit, whether resulting from a single incident or from subtle indications of a problem in morale or discipline he may initiate an investigation. The investigation may be formal or informal, depending on the problems.

b. Soldiers whom are subjects of the commander's investigation may be flagged. AR 15-6

### 3. **CORRECTIVE TRAINING:**

a. Corrective training or instruction may be used when a soldier's duty performance has been substandard or deficient and the soldier would benefit from extra training. The training may be outside of normal duty hours. Corrective training may be authorized or directed by the soldier's commander or by the noncommissioned officers in the soldier's chain of command.

b. Corrective training must be **DIRECTLY RELATED** to an observed deficiency and must be oriented toward improving the soldier's performance in the problem area. For example, an order to dig and fill holes is improper to correct a soldier who continues to have a sloppy uniform. Training may not be used in an oppressive manner or to evade the procedural safeguards applicable to nonjudicial punishment under Article 15, UCMJ. AR 27-10, para 3-3c.

#### **4. ADMONITIONS AND REPRIMANDS:**

a. An admonition is a warning that an act is considered misconduct and repetition of the act will probably evoke a further, more severe response from the commander. A reprimand is a censure given to the soldier for failing to comply with established standards. Reprimands are more serious than admonitions and are normally used for more serious or repeated offenses such as DWI's.

b. Admonitions or reprimands may be oral or in writing. Written admonitions and reprimands must contain a statement that the action was imposed as an administrative remedy and not as punishment under Article 15, UCMJ. Soldiers must be afforded an opportunity to rebut any statements filed with a written admonition or reprimand.

c. Written reprimands may be filed in a soldier's local file or his Official Military Personnel File (OMPF). Only the General Court-Martial Convening Authority may file a reprimand in a soldier's OMPF. AR 600-37.

#### **5. ADMINISTRATIVE REDUCTIONS IN GRADE:**

a. An enlisted soldier may be reduced in grade based upon a conviction by a civilian court or for inefficiency.

b. Commanders may reduce soldiers in the grade of E4 and below one grade. The commander must notify the soldier in writing and allow him five working days to rebut the proposed reduction. Soldiers in the grade of E4 or below are not authorized a reduction board.

c. Reduction boards are required for soldiers in the grade of E5 and above, unless the soldier waives this right in writing. The soldier has the following rights:

(1) Appear in person before the board.

(2) Be represented by a military or civilian lawyer (at own expense).

(3) Challenge any board member for cause.

(4) Submit evidence on his own behalf.

d. Soldiers may submit appeals to reductions for misconduct or inefficiency. Appeals must be submitted within 30 days of the date of the reduction. AR 600-8-19.