
12.A.21. Separating Chief Warrant Officers for Unfitness or Unsatisfactory Performance

12.A.21.a. General

The responsibility placed on chief warrant officers requires them to accomplish assigned duties effectively and adhere to proper standards of conduct at all times. Retaining chief warrant officers substandard in performance of duty or conduct, deficient in character, or otherwise unsuited for military service cannot be justified. The causes for separation listed in Article 12.A.15.c. apply.

12.A.21.b. Special Boards

Commander (CGPC-c) may submit to a board of at least three Coast Guard officers whose permanent grade is commander or above the names, records, and reports of warrant officers who have been commissioned warrant officers for at least three years. From among the names so furnished, the board shall determine any officer whose reports and records establish, in the board's opinion, unfitness or unsatisfactory performance of duty or the officer's unsuitability for promotion. A finding of not qualified for promotion is appropriate only in cases involving an officer previously selected for promotion and being evaluated under Article 5.B.5.a.

12.A.21.c. Chief Warrant Officer Evaluation Boards

1. If a board convened under Article 12.A.21.b. finds a chief warrant officer unfit or unsatisfactory in performing duty, the officer shall be referred to an evaluation board convened by the Commander (CGPC-c). The board shall be composed of at least three Coast Guard officers whose permanent grade is commander or above.
2. A chief warrant officer whom an evaluation board convened under 1. above is considering does not appear before the board. However, the officer shall be advised of the reasons for the board and given at least 30 days to submit material on his or her own behalf.
3. If the evaluation board recommends that the officer should be retained, the case shall be closed. If the evaluation board recommends separation, the board's report shall be sent to the Commandant who has final decision authority. The officer will be notified of the Commandant's decision in writing through the chain of command.
4. In accordance with 10 U.S.C. 1166 a warrant officer whom the Commandant finds unfit or unsatisfactory following an evaluation board retires or separates on the first day of the month following 60 days after the Commandant acts on the board's recommendation as follows:

- a. If eligible for retirement under any provision of law, the officer shall be retired under that law.
 - b. If the chief warrant officer is not eligible for retirement under any provision of law but has accrued at least three years of active service creditable under Section 511 of the Career Compensation Act of 1949, as amended, since the date he or she accepted the original appointment as a regular chief warrant officer, the officer shall separate with severance pay under 14 U.S.C. 286a, unless the separation was for reasons listed in Article 12.A.15.c.2. and the officer received a general discharge. However, officers entitled to severance pay may refuse it and instead request to enlist in a grade the Commandant prescribes under 10 U.S.C. 515.
 - c. A chief warrant officer with fewer than three years of such service shall be separated under 10 U.S.C. 1165 without severance pay. However, he or she may request and, if the Commandant approves, enlist under 10 U.S.C. 515 in a grade the Commandant prescribes.
5. If the Commandant does not find a chief warrant officer unfit or unsatisfactory following an evaluation board, the case shall be closed.

12.A.22. Requests to Separate Voluntarily in Lieu of Involuntary Board Action

Officers who are undergoing the processes outlined in 12.A.11, 12.A.12, 12.A.15, or 12.A.A21 may have the opportunity to request retirement or discharge in lieu of completing these processes. If this is permitted, the officer will receive the same category of Separations Program Designator code on their DD-214s that they would receive if the board process went to completion with a decision to separate. They will also receive the same period of time to separate as they would receive if the board process went to completion. If no timelines is specified, the individual shall have no more than 90 days from the date the voluntary separation request is approved to separate.