

commanding officer. However, commanding officers should systematically record ineffectiveness in documents specific as to the period each covers, the duties observed, and the defects noted. The Service must remove any officer who has been given a fair chance to become an effective officer and has not done so lest others pay with their lives for his or her weakness.

3. A recommendation for separation under this Article cannot be based on empty generalities or vague impressions. It is necessary to establish with exactitude the reasons why an officer is considered ineffective. Basically, this officer is one who does not get acceptable results. Inefficiency is a relative matter, and a specific definition of the ineffective officer cannot be given. Many ineffective officers are decent, well-mannered, educated, honorable, intelligent, generous, and yet ineffective. It is perfectly proper to credit an officer for good qualities in the same letter or evaluation report which reveals ineffectiveness as an officer.

#### **12.A.15.c. Causes for Separation**

1. The existence of one or more of these or similar conditions may require removing an officer for substandard performance of duty or failure to meet standards prescribed by the Commandant:
  - a. Downward trend in overall performance resulting in unacceptable service or a consistent record of substandard service.
  - b. Failure to keep pace or progress with contemporaries; e.g. consistent below- average performance when compared to other officers of the same grade and length of service or failure of physician assistants to maintain certification from the National Commission on Certification of Physician Assistants.
  - c. Failure to exercise necessary leadership or command expected of an officer of the same grade.
  - d. Failure to assimilate the technical proficiency required of his or her grade.
  - e. Failure to properly discharge assignments commensurate with his or her grade and experience.
  - f. Apathy, a pattern of conduct showing the development of a defective attitude, or other character and behavior disorders including inability or unwillingness to expend effort.
  - g. Failure to meet established weight standards.
2. Existence of one or more of these or similar conditions may require removing an officer for moral or professional dereliction:

COAST GUARD PERSONNEL MANUAL CHAPTER 12.A.

- a. Discreditable intentional failure to meet personal financial obligations.
  - b. Mismanaging personal affairs detrimentally affecting the officer's performance of duty.
  - c. Mismanaging personal affairs to the discredit of the Service.
  - d. Intentionally omitting or misstating facts in official statements or records for the purpose of misrepresentation.
  - e. Acts of personal misconduct prohibited by military or civilian authorities.
  - f. Homosexual conduct as defined in Article 12.D.4.
  - g. Intentional or negligent failure to perform duties or negligence in performing duties.
  - h. Conduct unbecoming an officer.
  - i. Involvement in a drug or alcohol incident as defined in Chapter 20.
  - j. One act of sexual harassment by assault or coercion, or conduct demonstrating an established pattern of sexual harassment by crude or offensive behavior, sexist behavior, and/or unwanted sexual attention. See Article 8.I. and Coast Guard Equal Opportunity Manual, COMDTINST M5350.4 (series) for definitions and guidelines on sexual harassment.
  - k. Involvement in a prohibited relationship. See Chapter 8.H. for policy guidance.
  - l. An act, either committed or omitted, or other behavior clearly not consistent with the interests of national security requires removing an officer.
  - m. An unreasonable refusal to submit to necessary and proper medical or dental treatment considered by competent medical or dental officers to be necessary to render member fit for duty (as determined by a medical board convened in accordance with the provisions of Physical Disability Evaluation System, COMDTINST M1850.2 (series)).
  - n. A repeated refusal to receive an immunization ordered by competent authority.
3. Any one of these or similar reasons causes serious doubt as to the advisability of permitting the officer concerned to retain a commission and normally prompts a review of his or her overall record. This review will determine if

this derogatory information, when viewed in conjunction with other aspects of his or her record, warrants a recommendation for separation. Standing alone any one of these conditions may not support separation. However, any one of them when combined with other known deficiencies could form a pattern which, when viewed in relation to an officer's overall record, requires separation.

- a. Punishment under the Uniform Code of Military Justice, Article 15.
  - b. Conviction by court-martial or a civil court.
  - c. Denial of security clearance.
  - d. Derogatory evaluation report.
  - e. Failure to be recommended for promotion by a selection board selecting officers for promotion on a fully qualified basis.
  - f. Failure by a Regular Coast Guard officer of any required course of training, instruction, or indoctrination at a service school.
  - g. An approved finding of misconduct by a board of investigation.
4. Officers with less than **five** years of commissioned service will normally be processed under Article 12.A.9. or 12.A.11. depending upon their status.

**12.A.15.d. Relationship of Separation to Discipline**

A commanding officer shall not use separation in lieu of disciplinary action under the UCMJ, but if he or she believes the Service's and officer's interests will be served better by separation proceedings rather than disciplinary action, he or she may so refer any charges. The fact a court-martial has occurred shall not prohibit subsequent proceedings under this Article; however, separation proceedings may not be initiated until a prior UCMJ proceeding is complete.

**12.A.15.e. Initiating Action**

Commander (CGPC-opm) shall review an officer's Personal Data Record (PDR) and weigh all facts and circumstances to determine whether an officer should be considered for action under this Article. If Commander (CGPC-opm) decides further processing is warranted, Commander (CGPC-c) will refer the case to a determination board. At any time, an area commander, district commander, maintenance and logistics commander, or unit commanding officer may request Commander (CGPC-opm) to review an officer's PDR to determine whether the officer should be considered for separation.