



DEPARTMENT OF THE NAVY

COMMANDING OFFICER
HELTRARON TWENTY EIGHT
7180 USS LONG ISLAND STREET SUITE 320
MILTON FL 32570-6101

IN REPLY REFER TO:

HT-28INST 1626.2B
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31 JUL 13

HELTRARON TWENTY-EIGHT INSTRUCTION 1626.2B

Subj: POLICY CONCERNING EXTRA MILITARY INSTRUCTION (EMI) AND
OTHER NON-PUNITIVE PERSONNEL ACTION

Ref: (a) JAGINST 5800.7 (Series)
(b) U.S. Navy Regulations, 1990
(c) OPNAVINST 3120.32 (Series)
(d) Title 5 of the U.S. Code

1. Purpose. Per references (a) through (c), this instruction sets forth policy concerning the administration of EMI and other non-punitive personnel actions. This instruction applies to military personnel only. Civilian deficiencies will be addressed as outlined in reference (d).

2. Cancellation. HT-28INST 1626.2A.

3. Discussion. Superiors are expected to lead their subordinates. When counseling, normal instruction or training fail to achieve desired results, extra instruction or withholding certain privileges may be appropriate. These motivational measures may be imposed during, or after, normal working hours.

4. Policy

a. Extra Military Instruction. EMI is instruction in a phase of military duty in which an individual is deficient and is directed toward the correction of that deficiency. EMI is a non-punitive measure sanctioned by the Manual for Courts-Martial as a bona fide training device. It must not, however, be used as a substitute for punitive action appropriate under the UCMJ. The extra instruction assigned must be logically related to the deficiency to be corrected. For example, EMI outside of normal working hours to process TAD claims is appropriate for an individual who is deficient in this task. Similarly, instances of minor lack of respect for authority or lack of military discipline might be corrected by the assignment of military drill. Conversely, the assignment of a night BEQ fire watch to correct an individual's failure to maintain grooming standards would not be appropriate. Additional limitations are as follows:

(1) EMI will not normally be assigned for more than two hours per day.

(2) EMI may be assigned during a reasonable time outside the individual's normal working hours and only by those to whom authority has specifically been granted.

(3) The duration of EMI shall be no longer than necessary to correct the deficiency.

(4) EMI shall not be assigned on the member's Sabbath.

(5) EMI shall not be used as a method of depriving normal liberty. A member who is otherwise entitled to liberty may depart on liberty after completing the EMI.

b. Withholding of privileges. Temporary withholding of privileges is sanctioned by the Manual for Courts-Martial as a non-punitive measure which may be employed by superiors to correct performance deficiencies when punitive action does not appear appropriate. A privilege is a benefit provided for the convenience or enjoyment of an individual. Examples of privileges which may be withheld are special liberty, exchanges of duty, special pay, special squadron or divisional programs or social functions, and restriction from the library, special services events, and the EMO Club. Officers and petty officers are authorized to initiate privilege withholding actions when appropriate.

c. Extension of working hours. Deprivation of normal liberty as punishment is illegal, except as specifically authorized under the UCMJ. It is not a punishment if squadron members are required to remain onboard outside of normal working hours for normal work assignments.

5. Authority. Authority to assign EMI to be performed during working hours is vested in all Officers and Chief Petty Officers holding supervisory positions in this squadron. Authority to assign EMI outside of normal working hours is hereby delegated to Department Heads and the Command Chief. The authority of Officers and Chief Petty Officers to withhold privileges is limited to recommendations via the chain-of-command. All Officers and Chief Petty Officers are authorized to extend working hours of their subordinates in order to complete their assigned tasks.

6. Accountability. The authority to administer EMI and to take other measures described herein compels the exercise of good judgment at all supervisory levels. The objective is the reinforcement of good order and discipline and command efficiency can only be achieved if the policies are fair, reasonable and nondiscriminatory. Department Heads and the Command Chief are directed to ensure wide dissemination of this policy and to closely monitor the assignment of EMI within their areas of responsibility. Supervisors should maintain records of EMI and other assignment under this policy. Written reports above the department level are not required.



C. L. PESILE

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