**Demotion Checklist**

**Items needed:**

|  |
| --- |
| \_\_\_\_RIP – 5 Part Record’s Review RIP (RCD) and AMJAMS RIP (review for DOS, HYT, or other considerations)  These items will be listed on item 15 on the demotion form and are necessary for legal review.  |
| \_\_\_\_PIF/PRDA 1. Includes All Properly Filed LORs/LOAs/LOCs, MFRs, Art 15 w/ attchs etc, that will be the basis of the demotion action).
2. For DUIs, please include the police report to ensure there is evidence of the underlying offense, not just the arrest for DUI.
3. These items will be listed after the summary of facts in item 15 on the demotion form and are necessary for legal review.
 |
| \_\_\_\_For FA Failures, include most recent Fitness Management Assessment History and Medical Condition Determination These items will be listed in item 15 on the demotion form and are necessary for legal review. \_\_\_\_Consult with Legal Office if there is a legal question regarding the basis for the demotion. \_\_\_\_Consult with MPF if there are questions regarding effects of HYT or other personnel considerations.  |
|  |
|  |

**STEP 1: NOTIFICATION**

\_\_\_\_\_\_\_ Fill in Member’s name, grade, unit in block 1, and blocks 2(a), 2(b), and 2(e). Type summary of facts supporting the demotion in item 15.

\_\_\_\_\_\_\_Do not fill in the number of attachments in block 1, that will be done at the end of the action.

\_\_\_\_\_\_\_ Ensure all attachments that serve as basis for demotion are listed by title, date, and # pages in item 15.

\_\_\_\_\_\_\_ Commander signs and dates the notification.

\_\_\_\_\_\_\_ Member will sign and date block 3. Provide copy of form and all attachments to member. Allow the member 3 duty days to respond.

**STEP 2: MEMBER RETURNS AFTER THREE DUTY DAYS**

\_\_\_\_\_\_\_ Member completes block 4(a), 4(b), 4(c), and 4(d) and notes whether they have submitted a written statement, annotating the number of pages. The written statement will be listed as an attachment in item 15.

\_\_\_\_\_\_\_ If personal appearance requested, the commander will fill out and sign block 5. CCF will summarize the hearing and list it as an attachment in item 15.

\_\_\_\_\_\_\_If personal appearance is not requested, line out block 5.

**STEP 3: COMMANDER’S DECISION**

\_\_\_\_\_\_\_ Commander will initial block 6(a) if he/she feels the demotion is not appropriate. The CC will then sign and date block 6, terminating the action.

\_\_\_\_\_\_\_ Commander will initial block 6(b) if he/she feels the demotion is appropriate after filling in the recommended new rank of the member. CC will sign and date block 6.

\_\_\_\_\_\_\_ Member will sign/date block 7 to acknowledge the commander’s decision.

\_\_\_\_\_\_\_Provide a copy of the form to the member.

**STEP 4: DEMOTION AUTHORITY DECISION**

\_\_\_\_\_\_\_ Ensure entire package, with all attachments, are forwarded to JA for legal review. \_\_\_\_\_\_\_\_dropped at JA.

\_\_\_\_\_\_\_JA will review package and provide a legal review whether there is a legally sufficient basis for demotion.

\_\_\_\_\_\_\_JA will return the package, with the legal review, to the unit for service to the demotion authority.

\_\_\_\_\_\_\_Input the date of legal review in block 8(a). Fill in the name/rank/organization of the demotion authority in block 8.

\_\_\_\_\_\_\_Demotion authority will circle 8(b), whether there is or is not a legally sufficient basis to demote the member

\_\_\_\_\_\_\_If the demotion is terminated, the demotion authority will initial block 8(c)(1) and sign, and date in block 8.

\_\_\_\_\_\_\_If the demotion is appropriate, the demotion authority will initial block 8(c)(2) and fill in the new grade and new date of rank as the date they sign block 8.

**STEP 5: NOTIFICATION OF MEMBER**

\_\_\_\_\_\_ Commander will initial block 9(a) if the demotion authority did not demote the member and sign and date block 9.

\_\_\_\_\_\_ Commander will initial block 9(b) if the demotion authority demoted them, annotating the new grade and date of rank.

\_\_\_\_\_\_ Commander/CCF will provide 3 duty days for the member to appeal the demotion authority’s decision in block 9(c) and will note who the appellate authority is. Commander signs and dates block 9.

\_\_\_\_\_\_Provide member a copy of the form.

**STEP 6: MEMBER ACKNOWLEDGEMENT**

\_\_\_\_\_\_\_ Member fills in block 10 with the new grade and date of rank and effective date. Member will sign and date block 10.

\_\_\_\_\_\_\_Member has 3 duty days to respond. \_\_\_\_\_\_\_\_date member due back.

**STEP 7: MEMBER APPEAL DECISION**

\_\_\_\_\_\_\_Member circles whether they appeal in block 11(a), whether they are retirement eligible in block 11(b) and whether they have or have not submitted written matters in block 11(c). Member will sign and date block 11.

**FINAL STEP – IF MEMBER DOESN’T APPEAL**

\_\_\_\_\_\_\_ After receiving the member’s decision not to appeal, send entire package to MPF, promotions section.

\_\_\_\_\_\_\_note final number of attachments in block 1.

**APPEALS PROCESS**

**STEP 1:**

\_\_\_\_\_\_ If the member provides a written response to the appeal, resubmit to JA for a legal review of the appeal.

\_\_\_\_\_\_ JA will then provide a legal review and return to the unit for continued processing to the demotion authority and the appellate authority.

\_\_\_\_\_\_If the member does not provide a written response with his/her appeal decision, route to the demotion authority \*\*a SSS is advised to expedite the decision process by both the demotion and appellate authority.

\_\_\_\_\_\_ Demotion authority will initial block 12(a) if he/she terminates the demotion action, and sign/date block 12.

\_\_\_\_\_\_ If the demotion authority recommends denial of the appeal, he/she initials block 12(b) and signs/dates block 12 and forwards the entire package, with all attachments, to the appellate authority.

**STEP 2**

\_\_\_\_\_\_ Unit takes the demotion package, with appeal legal review, if applicable, to the appellate authority.

\_\_\_\_\_\_ If the appellate authority grants the appeal, he/she will initial block 13(a) and sign block 13. Action is terminated.

\_\_\_\_\_\_ If the appellate authority denies the appeal, he/she will initial block 13(b), filling in the new grade and date of rank with the effective date and sign block 13. The date of rank and effective date are the date that the demotion authority took initial action (see block 8(c)(2)).

**STEP 3**

**\_\_\_\_\_\_**Member signs and dates block 14 to acknowledge the appellate authority decision.

\_\_\_\_\_\_Annotate the final number of attachments in item 15 in block 1.

**If appeal is denied:** Send the entire demotion package to the MPF.

**If the appeal is approved:** If the appellate authority approves the appeal, the appellate authority directs the MPF to restore the Airman’s previous grade and revoke demotion orders.