**Section 2510.30 Caveat; RE Codes**

In defining what constitutes an "unfavorable military discharge" for purposes of the above prohibition, Section 1-103(P) of the Act indicates that the term *includes discharges...which are classified as RE-3 or the equivalent thereof, but does not include those characterized as RE-4 or "Dishonorable."* The RE codes referred to in the definition are used by the armed forces to designate the reenlistment status of an individual at the time of discharge, but they do not always correlate exactly with the nature of the individual's discharge. The RE-4 code is used by most (but not all) branches of the armed forces to designate that the individual is absolutely barred from reenlistment. While all persons receiving "Dishonorable" discharges are likely to be assigned the RE-4 code, that code may also be assigned to an individual whose discharge is not "Dishonorable." Moreover, individuals whose discharges have been upgraded by the military review boards may not have received corresponding changes in their reenlistment codes, since the review boards are not authorized to alter the codes. Thus strict reliance on RE codes in evaluating job applicants may lead to results inconsistent with the legislative intent. Therefore, the nature of the discharge, rather than the RE code, should be regarded as the controlling factor.