RECORD OF PROCEEDINGS

AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF: DOCKET NUMBER: BC-2010-02457

XXXXXXX COUNSEL: NONE

HEARING DESIRED: NO

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APPLICANT REQUESTS THAT:

He be given constructive service credit for the period between his graduation from nursing school on 6 May 06, and his appointment as a commissioned officer on 5 Aug 08.

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APPLICANT CONTENDS THAT:

AFI 36-2005, *Appointment in Commissioned Grades and Designation and Assignment in Professional Categories – Reserve of the Air Force and United States Air Force*, provides authority to award constructive credit for full-time professional experience in the specialty in which appointed after obtaining the qualifying degree or license. The experience accrues at a rate of half a year for each year of experience, up to a maximum of three years.

In support of his request, the applicant provides a copy of an excerpt from AFI 36-2005.

The applicant’s complete submission, with attachment, is at Exhibit A.

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STATEMENT OF FACTS:

Information extracted from the Military Personnel Data System (MilPDS) indicates the applicant is currently serving as a member of the Air National Guard as a clinical nurse in the grade of first lieutenant (O-2), effective and with a date of rank of 6 Aug 10.

The remaining relevant facts pertaining to this application are contained in the letter prepared by the appropriate office of the Air Force, which is attached at Exhibit C.

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AIR FORCE EVALUATION:

NGB/A1PO recommends denial, indicating there is no evidence of an error or injustice. The applicant was awarded service credit for his full-time work experience from 22 Jan 07 until the date that he was approved for appointment on 24 Jul 08 in accordance with AFI 36-2005, Table 2.5, Rule 41. This rule allows the appointing authority to award a half year credit for each year of professional experience accrued after obtaining the qualifying degree or license, up to a maximum of three years. Professional experience is defined as full-time work in the specialty. While the applicant’s appointment application indicated he received his Bachelor of Science degree in 2006, and he was licensed as a registered nurse on 15 Aug 06, he did not begin working full-time as a registered nurse until 22 Jan 07. Therefore, he was awarded nine months and one day of constructive credit (one half of the time from 22 Jan 07 to 24 Jul 08).

A complete copy of the NGB/A1PO evaluation is at Exhibit C.

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APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

The applicant provides an expanded statement and payroll reports indicating that he began full-time employment in a qualifying specialty in Aug 06 (Exhibit E).

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THE BOARD CONCLUDES THAT:

1.  The applicant has exhausted all remedies provided by existing law or regulations.

2.  The application was timely filed.

3.  Sufficient relevant evidence has been presented to demonstrate the existence of an error or injustice warranting corrective action. We note the comments by NGB/A1PO indicating the applicant’s constructive service credit was accurately calculated and awarded upon his accession into the Air National Guard (ANG). Nonetheless, after careful review of the evidence of record and the applicant’s complete submission, including his payroll reports describing his full-time work in a qualifying specialty, we are convinced he is entitled to additional constructive service credit. We note he is requesting credit from his graduation from nursing school on 6 May 06 through his appointment into the ANG on 5 Aug 08. However, in view of the fact that credit is only awarded for full-time work in a qualifying specialty, and he has provided evidence indicating that he began such work on 11 Aug 06, we believe the appropriate remedy in this case would be to award him credit for the period 11 Aug 06 through 5 Aug 08, a total of 23 months and 24 days, resulting in constructive service credit of 11 months and 27 days. Therefore, to preclude any further injustice to the applicant, we recommend his records be corrected to the extent indicated below.

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THE BOARD RECOMMENDS THAT:

The pertinent military records of the Department of the Air Force relating to the APPLICANT be corrected to show that he was awarded 11 months and 27 days of constructive service credit upon his appointment in the Air National Guard (ANG) and as a Reserve of the Air Force on 5 August 2008.

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The following members of the Board considered AFBCMR Docket Number BC-2010-02457 in Executive Session on 11 Jan 11, under the provisions of AFI 36-2603:

All members voted to correct the records as recommended. The following documentary evidence was considered:

Exhibit A.  DD Form 149, dated 24 May 10, w/atch.

Exhibit B.  Applicant's Master Personnel Records.

Exhibit C.  Letter, NGB/A1PO, dated 12 Aug 10.

Exhibit D.  Letter, SAF/MRBR, dated 20 Aug 10.

Exhibit E.  Letter, Applicant, undated, w/atch.