



Work-Product

UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

Work-Product

DOCKET NUMBER: BC-2023-01314

COUNSEL:

Work-Product

HEARING REQUESTED: NO

APPLICANT'S REQUEST

1. Pay and points towards her Retention/Retirement (R/R) years that she would have received for the 10 months she was not allowed to participate in drill due to being erroneously discharged.
2. Compensation for any challenges she may have faced due to the erroneous discharge, to include: any debts that she may have incurred (SGLI and taxes owed); a cut in wages, due to having to take a lower GS position; and any drops in her quality of life due to having to take time off to seek counseling. **(Not within the scope of the Board's Authority)**

APPLICANT'S CONTENTIONS

She was erroneously discharged on 20 Nov 20 without having first been provided the opportunity to request a hearing before an administrative discharge board. On 8 Mar 21, her erroneous discharge was rescinded; however, she was not able to participate for pay and points during this time period. Additionally, she wants to ensure that her record is properly amended to reflect that her time in the Reserve is credited accordingly.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an Air Force Reserve master sergeant (E-7).

According to documentation provided by the applicant:

On 20 Sep 17, AF Form 422, *Notification of Air Force Member's Qualification Status*, contains the following note: "Subject member has been found fit and was returned to duty by HQ AFRC/SCP, Member has been placed in ALC-C2 status with the following restrictions: Reserve participation in UTAs, ATs and mandays within CONUS; member may be assigned to locations with fixed MTFs only; no duty under field conditions. Member should not occupy a mobility position. These restrictions are permanent and may not be removed without prior approval from HA AFRC/SG."

On 6 Jun 19, according to AF Form 469, *Duty Limiting Condition Report*, the Health Care provider's medical recommendation for the squadron commander indicated Duty Restrictions (DR) and Mobility Restrictions (MR). Under the *Physical Limitations / Restrictions* section, it states the member is NOT cleared to test on 1.5 mile run, 2 km walk, push-up, sit-ups. The release dates for both MR and DR restrictions are 5 Jun 20. It was signed by the Health Care Provider on

AFBCMR Docket Number BC-2023-01314

Work-Product

Controlled by: SAF/MRB

Work-Product

Limited Dissemination Control: N/A

POC: SAF.MRBC.Workflow@us.af.mil

28 Jul 20. However, the section *Squadron Commander's Review – Mobility Restrictions Not Valid Without Signature*, is blank.

On 8 Mar 20, according to the memorandum, *Notification of Initiation of Separation Under AFI 36-3209*, the applicant was notified that actions were being initiated to administratively discharge her from the Air Force Reserve for Substandard (Unsatisfactory) Performance: Failure to Meet Minimum Fitness Standards. Specifically, she received at least four “unsatisfactory” scores on her Physical Fitness Assessment (PHA) within a 24-month period: 2 Jun 19, 10 Feb 19, 7 Jan 18, 4 Jun 17.

On 31 Mar 20, according to email from the applicant's Area Defense Counsel to ARW/CC, FSS/CC and ARW/JA, *Administrative Separation extension request for <applicant> until 1 Apr 20*, the ADC informed them that regardless of the service characterization being recommended or the basis of the discharge, the applicant should be board entitled due to her length of service. The email trail shows further correspondence, on the same day, between the ARW/JA Paralegal Specialist and the ADC discussing way forward with the Paralegal Specialist stating they would contact the Reserve Acting SJA to get his inputs on the case.

On 9 Nov 20, according to Reserve Order *Work-Product* Discharge Order, dated 10 Nov 20, she was honorably discharged from the Air Force Reserve for Failure to Meet Minimum Fitness Standards.

On 6 Dec 20, according to ARW/JA's memorandum to the FSS/CC, *Change of Administrative Orders*, which states the applicant was erroneously discharged without having first been provided the opportunity to request a hearing before an administrative discharge board. Furthermore, it states that in accordance with guidance from AFRC/JA, the FSS is requested to recall the applicant to the Air Force by executing an AF IMT 973, *Request and Authorization for Change of Administrative Order*.

On 19 Jan 21, according to his letter of response to a congressional inquiry, the ARW/CC states that in her notification, dated 8 Mar 20, the applicant was incorrectly informed that she was not entitled to an administrative discharge board. Additionally, the letter states a formal request has been submitted to ARPC to rescind the discharge order and once that is completed the applicant will be reinstated into her position in the Air Force Reserve, pending her administrative discharge board for failing to meet fitness standards.

On 8 Mar 21, according to Order Rescind Order number *Work-Product* dated 8 Mar 21, Order *Work-Product* was rescinded.

On 1 Jun 23, according to the Military Personnel Database System (MilPDS), her Point Credit Summary (PCARS) for her R/R years 2018 - 2022 shows she was credited with the following Active Duty (AD), Inactive Duty for Training (IDT), membership (MBR), and retirement points:

R/R Year	AD	IDT	MBR	Retirement	Satisfactory Service (Year)
15 Dec 18 – 14 Dec 19	34	52	15	101	010000
15 Dec 19 – 14 Dec 20	14	32	15	61	010000
15 Dec 20 – 14 Dec 21	15	20	15	50	010000
15 Dec 21 – 14 Dec 22	15	52	15	82	010000

Additionally, her PCARS record reflects that from 5 Oct 20 – 6 Aug 21, she did not receive any participation points.

For more information, see the excerpt of the applicant's record at Exhibit B and the advisory at Exhibit C.

AIR FORCE EVALUATION

ARPC/DPTSP recommends denying the request for pay and points. Based on a review of the applicant's master personnel record, the documentation provided by the applicant, and analysis of the facts, there is no evidence of an error or injustice. A review of the applicant's point summary reflects that she did not participate between 5 Oct 20 and 6 Aug 21, and while the applicant provides a discharge order dated 9 Nov 20 and a rescission order dated 8 Mar 21 showing that she was incapable of participating during that time period, her record does not show a break in service and she has no unsatisfactory years towards her retirement. Additionally, her records did not contain a no pay/no points memo showing that an injustice may have occurred. Finally, she did not meet the legal standards set forth in AFMAN 36-2136, *Reserve Personnel Participation*, Chapter 2, paragraph 2.2, which states, "...Points may only be credited to the date a Reservist actually performed the duty."

The complete advisory opinion is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 13 Jun 23 for comment (Exhibit D), but has received no response.

FINDINGS AND CONCLUSION

1. The application was timely filed.
2. The applicant exhausted all available non-judicial relief before applying to the Board.
3. After reviewing all Exhibits, the Board concludes the applicant is not the victim of an error or injustice. The Board concurs with the rationale and recommendation of ARPC/DPTSP and finds a preponderance of the evidence does not substantiate the applicant's contentions. Although her official military record does not reflect a break in service, the applicant provides a discharge order that shows she was honorably discharged from 9 Nov 20 until 8 Mar 21 when the discharge order was rescinded and thus not capable of performing drill during that time period, a review of her point credit summary reflects that for her Dec 20 – Dec 21 R/R year she was credited with 50 points and a satisfactory year. Additionally, the review also shows that both the preceding and succeeding R/R years reflect satisfactory years towards retirement. As such, although her discharge may have been erroneous, there was no injustice as she was still able to participate and be credited with a satisfactory year. Therefore, the Board recommends against correcting the applicant's records.

RECOMMENDATION

The Board recommends informing the applicant the evidence did not demonstrate material error or injustice, and the Board will reconsider the application only upon receipt of relevant evidence not already presented.

CERTIFICATION

The following quorum of the Board, as defined in Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2023-01314 in Executive Session on 31 Aug 23:

Work-Product Panel Chair
Work-Product Panel Member
Work-Product Member

All members voted against correcting the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 28 Feb 23.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, ARPC/DPTSP, w/atchs, dated 1 Jun 23.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 13 Jun 23.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by DAFI 36-2603, paragraph 4.12.9.

8/13/2025

X Work-Product
Work-Product
Signed by Work-Product