

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2019-03539

XXXXXXXXXXXXXXXXXX (APPLICANT)

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

Her deployment orders be extended.

APPLICANT'S CONTENTIONS

Her leave was incorrectly calculated on orders and she departed from the Area of Responsibility (AOR) at a date later than planned.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a currently serving Air Force Reserve staff sergeant (E-5).

AFI 36-2619, *Military Personnel Appropriation Mandy Program*, paragraph 3.1 (Activation Periods), states the activation period will include down time (no more than 14 days) if authorized and 2.5 days of accrued leave for every 30 days on active duty.

The applicant's Mobilization order, Reserve Order A88SY8, dated 12 Jun 18, shows she was tasked for a period of active duty from 5 Sep 18 to 8 Jun 19.

According to the applicant's ticketed travel receipt, she returned to her home station on 7 May 19.

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

AIR FORCE EVALUATION

AFRC/A1R recommends granting the application. The applicant's mobilization order started on 5 Sep 18 and ended on 8 Jun 19. Her boots-on-ground dates were from 5 Sep 18 through 7 May 19. In accordance with the downtime policy, the applicant should have earned 14 days of downtime, but she forfeited 1 day and utilized 13 days of downtime (8 May 19 – 20 May 19). The applicant earned 23 days of leave (21 May 19 – 12 Jun 19). The applicant was scheduled to depart the AOR (TDY expiration date) on 28 Apr 19 but did not depart the AOR until 7 May 19. Based on documentation and information in the Deliberate and Crisis Action Planning and Execution Segments (DCAPES), the applicant's orders should be extended from 8 Jun 19 to 12 Jun 19 to allow her to receive all pay, allowances, and points associated with these days.

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 10 Mar 20 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 the victim of an error or injustice. The Board concurs with the rationale and recommendation of AFRC/A1R and finds a preponderance of the evidence substantiates the applicant's contentions. The Board also believes it is appropriate to correct the applicant's records to reflect that said period was classified as ordinary leave to ensure the applicant is actually charged for the leave and preclude the possibility of an unearned windfall. Therefore, the Board recommends correcting the applicant's records as indicated below.

RECOMMENDATION

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show he was not released from Reserve Order A88SY8 on 8 Jun 19, but continued to serve on active duty, in an ordinary leave status through 12 Jun 19.

CERTIFICATION

The following quorum of the Board, as defined in Air Force Instruction (AFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 1.5, considered Docket Number BC-2019-03539 in Executive Session on 28 May 2020:

, Panel Chair,
, Panel Member
, Panel Member

All members voted to correct the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 10 Jul 19.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, AFRC/A1R dated 17 Oct 19.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 10 Mar 20.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by AFI 36-2603, paragraph 4.11.9.

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Board Operations Manager, AFBCMR