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## UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

### RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-02150

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COUNSEL: NONE

HEARING REQUESTED: NO

### APPLICANT'S REQUEST

Her Officer Performance Report (OPR) for rating period 27 Aug 17 through 21 May 18, be removed from her record.

### APPLICANT'S CONTENTIONS

Her rater was unable to be objective in his evaluation of her performance from 27 Aug 17 through 21 May 18. Her rater intentionally sabotaged her career by not including a stratification on her OPR. Her rater often openly shared his political views, and when she publicly spoke against those viewpoints, she was targeted in a hostile work environment. On multiple occasions, her rater would join a conversation that was already in progress and physically remove her by turning his back to her and placing her outside of the conversation circle. Furthermore, her rater spread untruths about an interaction she had with a fellow member of a working group to senior leaders in the organization.

On 15 Jun 21, during a career counseling meeting with her senior rater, she discussed the lack of leadership opportunities within her record and the behavior of her former rater. During the meeting, her senior rater advised her to submit a complaint to the Inspector General (IG) regarding the actions of her rater at the time. On 21 Jul 21, the applicant submitted a complaint to the IG against her former rater, and detailed his actions along with the actions of the former working group member. On 3 Aug 21, the applicant submitted a package to the Command IG that included conversations with two former coworkers who witnessed and substantiated her claims of being targeted within a hostile work environment. She also included an email exchange with her rater, where he provided feedback on the OPR.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

The applicant is an Air Force major (O-4).

According to an OPR for rating period 27 Aug 17 through 21 May 18, the applicant received a "Meet Standards" rating in Section III. *Performance Factors*, and "Concur" in Section VI. *Additional Rater Overall Assessment*, and Section VII. *Reviewer*.

AFBCMR Docket Number BC-2022-02150

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Controlled by: SAF/MRB

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Limited Dissemination Control: N/A

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On 23 Aug 21, an unsigned memorandum for record, provided by the applicant, indicates that Command IG conducted an interview with the applicant regarding claims of reprisal from the supervisor who was her rater for the contested OPR.

On 6 Oct 21, according to a letter from the IG and provided by the applicant, she was notified her reprisal complaint filed on 3 Aug 21 was closed. The Command IG's Reprisal Case Analysis concluded she did not submit the allegation to the IG in a timely manner (one-year time limit) under DoDD 7050.06, *Military Whistleblower Protection*, paragraph 3e.

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

## AIR FORCE EVALUATION

AFPC/DP3SP recommends denying the application. The applicant is requesting to remove an OPR for the period of 27 Aug 17 through 21 May 18. She contends the evaluation was completed unfairly due to political disagreements with her rater. She further contends she was the victim of verbal assaults, lies about her to superior members within the organization, physically excluded from conversations with fellow officers, and intentionally delayed delivering her OPR until after she transferred to a remote assignment so she would be unable to easily appeal to senior raters. On 20 Oct 21, the applicant petitioned the Evaluation Report Appeals Board (ERAB) to remove the OPR. The applicant provided text messages and an email to support her claim; however, the ERAB denied the request. There is no evidence of error or injustice on the part of the Air Force because the applicant's OPR was completed in accordance with AFI 36-2406, *Officer and Enlisted Evaluation Systems*, dated 8 Nov 16. The OPR did not include any derogatory information and was rated "Meets Standards" by the rater and the Additional Rater and Reviewer concurred. Furthermore, the applicant did not provide any additional documentation or evidence from the IG or Equal Opportunity to substantiate the claims of a hostile work environment to include political disagreements and verbal assaults.

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 3 Jan 23 for comment (Exhibit D), and the applicant replied on 23 Jan 23. In her response, the applicant contended she did not file an Equal Opportunity (EO) complaint; however, she is unable to provide a copy of the final signed IG complaint summary in a timely manner due to the Freedom of Information Act request procedures. She believes her rater intentionally delayed signing her OPR until five months after the closeout to limit her avenues of recourse. Furthermore, she believes her rater used the time to spread untruths about her to leadership. She confirmed an untruth that she pulled out a knife on a coworker during a phone call with her senior rater. Her PCS to a joint environment on a remote base that was not primarily manned by the Air Force personnel, caused an additional delay in submitting the EO and IG complaints. She sought advice from her Army leadership and was advised to demonstrate resilience. Additionally, she provided additional evidence confirming a separate conversation with a senior officer regarding her rater's behavior. On 8 Dec 21, the senior officer confirmed receiving general information about her situation and mentored her on ways to interpret the rater's behavior. She believes removing this OPR from her record could reduce the damage inflicted on her career.

The applicant's complete response is at Exhibit E.

## 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. While the Board notes the applicant's argument about a hostile work environment, she has provided insufficient evidence to support the removal of her evaluation. The Board recognizes the complaint of reprisal submitted by the applicant on 3 Aug 21; however, the AFMC/IGQ's Reprisal Case Analysis concluded she did not submit this allegation in a timely manner and was therefore closed. In addition, the applicant has provided text messages and e-mails between her and what appears to be former co-workers, but they are also dated nearly two years after the close out of the contested evaluation and long after she had a Permanent Change of Station. While the Board notes the aforementioned correspondence alleges a hostile work environment, they are not formal witness statements and without a formal investigation the Board is unable to determine if the work environment was in fact hostile or simply made up of individuals with different personalities and an employee and supervisor who may have not had a cordial relationship. Furthermore, the Board finds that the applicant's OPR contains no derogatory information, was rated "Meets Standards" by the rater, and the Additional Rater and Reviewer both concurred on the report. As such, based on the presumption of regularity it is assumed that responsible officials carried out these tasks in accordance with the provisions of the prescribing directives and the Board does not find evidence sufficient to show that the lack of stratification on the evaluation was an act of reprisal or was purposefully not included in order for the rater to sabotage her career. Should the applicant provide more evidence, such as signed eyewitness statements and a finalized EO report that substantiates her claims, the Board may be willing to reconsider her request. However, based on what is primarily the applicant's assertions, the Board does not find the evidence persuasive enough to remove the contested evaluation. 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-2022-02150 in Executive Session on 2 Feb 23 and 17 Aug 23:

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

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 12 Jul 22.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.

**AFBCMR Docket Number BC-2022-02150**

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Exhibit C: Advisory Opinion, AFPC/DP3SP, dated 30 Dec 22.

Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 3 Jan 23.

Exhibit E: Applicant Response, w/atchs, dated 23 Jan 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.

7/2/2025

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Board Operations Manager, AFBCMR

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**AFBCMR Docket Number BC-2022-02150**

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