

## RECORD OF PROCEEDINGS

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2022-02666

XXXXXXXXXXXXXXXXXX

**COUNSEL:** NONE

**HEARING REQUESTED:** NO

### APPLICANT'S REQUEST

He receive his full incentive participation bonus for his enlistment in the Air Force Reserve on 7 Dec 19.

### APPLICANT'S CONTENTIONS

He did not receive his full enlistment bonus due to not being gained in his unit's system after signing his contract. He was not in the system from Dec 19 to Sep 20 due to issues during COVID-19. He made up the unit training assemblies (UTA) for a satisfactory year of service.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

The applicant is a staff sergeant (E-5) in the Air Force Reserve.

The applicant signed AF IMT 4021, *Application for Incentive Participation*, on 24 Jun 22 for an incentive participation program effective 7 Dec 19 for a total incentive amount of \$7,500 to be paid in 3 installments, 50 percent paid on the first anniversary of date of enlistment or approved retraining date and remainder of payments prorated each year of the contract. More than four unexcused absences (UTA) would terminate the incentive. Payments were to be prorated on UTA participation during the anniversary year. The application was approved 12 Sep22 with a date entered bonus program date reflecting 7 Dec 19.

The applicant provides certification of eligibility for increment payment in USAFR Incentive Program printout which shows his incentive payment was based on his 7 Dec 19 enlistment.

He provides his leave earnings statement (LES) for the period covered 28 Sep 22, which shows payment of reenlistment bonus effective 7 Dec 20.

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

### AIR FORCE EVALUATION

AFRC/A1KK recommends denial. Administrative actions have been taken to adjust the total bonus amount owed to the applicant. The applicant enlisted in the Air Force Reserve on 7 Dec 19 for three years as a prior service enlistee from the Marine Corps. The applicant's Duty AFSC (DAFSC) was listed as eligible for an incentive bonus per the FY20 Officer-Enlisted Incentive List for up to \$7,500 for a three-year contract or up to \$15,000 for a six year contract. However, in accordance with AFI 36-3012, *Military Entitlements, paragraph 5.8.3*, payments are based on the number of UTA/inactive duty training (IDT) period performed during the anniversary year.

In Dec 19, the applicant contacted the military personnel flight (MPF) to set up an appointment for a new identification card. He was advised he was not in the military personnel data system (MilPDS) and that he should follow up in a couple weeks for the gain action to flow in MilPDS. In Jul and Aug 20, it was determined his record did not flow and the MPF had to contact ARPC to have the members record created. He was then scheduled for in-processing in Sep 20. Unfortunately, the applicant was not gained into the AFR until Sep 20, almost 10 months after his enlistment, and he failed to follow up with the MPF as directed. As a result, he missed eight months of UTA participation which would affect the first bonus payment. Since the applicant was not fully gained or participating until 10 months later, he was not eligible for a full bonus payment during his first year or overall bonus payout of \$7,500. Furthermore, in accordance with paragraph 5.8.4, credit for missed UTAs can only be granted if the applicant is medically excused, which was not the case for the applicant.

To be eligible for the entire three-year bonus amount of \$7,500, the applicant must accomplish 48 points or 12 UTAs during each bonus anniversary year for a maximum amount of \$2,500 based on participation of 144 points or 36 UTAs. The applicant only completed 112 UTA periods of the 144 required, which when computed would equal \$5,833.30 owed to the applicant. Lastly, in accordance with DODI 1304.31, *Enlisted Bonus Program*, the applicant had to complete technical school to obtain his three-skill level before his bonus application could be processed. Upon completion of technical school, his overall bonus eligibility payout was \$5,833.24.

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 15 Feb 23 for comment (Exhibit D), and the applicant replied on 28 Feb 23. In his response, the applicant contended his commander support staff (CSS) affirmed his contract was signed on 7 Dec 19. They also said his documentation was not completed until Sep 20. In the meantime, he kept in contact with his flight chief and the career advisor about coming in for drill. Since none of his records were transferred from the Marine Corps or his records not created, he was told by multiple people he was not assigned to them. He was told not to come in because they could not do anything with him, and he had to wait for his newcomer's letter. This is why he did not report for drill. Afterwards, he crammed as many UTAs and active duty orders as he could to make up for a good year of service. The nine months not on record was completely out of his control. This is why he believes he rates receiving the remaining \$1,666.76.

He provides email thread with his force support squadron (FSS) dated 22 Jun 20. They advised he was not in their system and asked if he had contacted anyone. He responded he had been in contact with multiple people. In a memorandum dated 31 Aug 20, the applicant's FSS scheduled him for in-processing on 12 Sep 20.

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. The Board concurs with the rationale and recommendation of AFRC/A1KK and finds a preponderance of the evidence does not substantiate the applicant's contentions. The Board notes the applicant did not complete the UTA requirements for entitlement to the full incentive bonus. While there appears to have been some administrative delays with gaining his records in the MilPDS and the AFR; the Board does not find it in the interest of justice to provide the applicant an incentive payment for a period of service he did not serve. 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 Air Force Instruction (AFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 1.5, considered Docket Number BC-2022-02666 in Executive Session on 28 Mar 23:

, Panel Chair  
, Panel Member  
, Panel Member

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 28 Sep 22.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFRC/A1KK, w/atchs, dated 2 Feb 23.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 15 Feb 23.
- Exhibit E: Applicant's Response, w/atchs, dated 28 Feb 23.

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.