

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-02718

XXXXXXXXXX

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

She be reimbursed for her use or loose leave balance from the end of Fiscal Year 2022 (FY22).

APPLICANT'S CONTENTIONS

She had approved scheduled leave from 11 August 2022 through 26 August 2022 but had to return early due to family issues at the leave location. She states that she planned to reschedule to take leave later with her spouse and stepchild prior to the end of FY22. However, she had to attend Airman Leadership School (ALS) prior to her Permanent Change of Station (PCS) to XXX in November 2022.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a currently serving Air Force senior airman (E-4).

According to the applicant's LES History for the FY22, she lost a total of 6 days of use or lose leave.

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

AIR FORCE EVALUATION

AFPC/DPMSSM recommends denying the application. Based on the Master Military Pay Account (MMPA), the applicant used the following leave for the fiscal year (FY22): 13 leave days in January 2022, which brought the use or lose down to 17 days; 1 day of leave in May 2022, which brought the use or lose down to 16 days; and 9 leave days in August 2022, which brought the use or lose down to 7 days. The applicant started off as of 1 October 2021 with 29.5 use or lose leave days, and the applicant only used 23 leave days for FY22, resulting in the loss of 6 days of leave. IAW DAFI 36-3003, members have a responsibility in managing their leave balance throughout the fiscal year and failure to do so can result in loss of accrued leave at fiscal year-end leave balance.

IAW DAFI 36-3003, dated 20 September 2020:

3.1.1. Annual Leave. Another name for annual leave is "ordinary" leave. Normally, members request leave, as accruing, within mission requirements and other exigencies. Member's failure to use leave, as accruing, can result in loss of accrued leave at fiscal year-end leave balancing or upon retirement or separation from active duty.

5.9. Members not eligible for SLA. Members not eligible for SLA, for the reasons listed in paragraph 5.8, can request recovery of days lost by submitting a DD Form 149 to the Board of Correction of Military Records (BCMR). See AFI 36-2603. Applications must clearly establish that an error or injustice by the Air Force caused the member's lost leave. If the Board restores leave to current leave account, members must use these days before the end of the current FY. (T-1).

Based on the documentation provided by the applicant and analysis of the facts, there is no evidence of an error or injustice. The applicant did not properly manage her leave earlier in FY22, which resulted in losing leave 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 18 November 2022 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 AFPC/DPMSSM and finds a preponderance of the evidence does not substantiate the applicant's contentions. 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-2022-02718 in Executive Session on 10 January 2023:

- , 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 11 October 2022.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.

Exhibit C: Advisory Opinion, AFPC/DPMSSM, dated 1 November 2022.

Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 18 November 2022.

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.

X

Board Operations Manager, AFBCMR