

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-02941

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

She be allowed to retroactively apply for the FY22 Medical Special Pay (MSP) Incentive Pay (IP).

APPLICANT'S CONTENTIONS

In 2018, the applicant signed an IP contract that paid her \$20,000 in FY22. However, in Oct 22, she discovered there was an increase in IP from \$20,000 to \$43,000 and requests that she be allowed to retroactively apply at the higher rate. She claims that due to a deployment and medical issues, as well as a loss of her us.af.mil access when it transitioned under the Defense Health Agency (DHA), she did not know about the pay increase until Oct 22. Had she known, she would have applied at that time.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an Air Force colonel (O-6).

On 1 Oct 18, according to *FY18 Consolidation of Special Pays (CSP) Incentive Pay (IP) and/or Retention Bonus (RB) for MC, DC, and BSC*, dated 4 Sep 18, the applicant certified the contract length from 1 Oct 18 through 20 Sep 22. Additionally, the applicant certified "that she will receive the multi-year; coupled IP rate of \$43,000 (IP) paid annually in equal monthly amounts, and/or the RB contract rate of \$38,000 (RB) paid annually upon execution of this contract and its subsequent anniversary dates as applicable and specified in the current pay plan."

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

AIR FORCE EVALUATION

AFPC/DP2N recommends denying the application. Based on the analysis of the facts, there is no evidence or injustice on the part of the Air Force because it is ultimately the applicant's responsibility to monitor medical special pay payments and to contact AFPC/DP2N with concerns regarding missing pays. There was not a pay increase for IP under her specific AFSC in the FY22 Medical Corp Pay Plan and the applicant's 2018 IP contract was in fact for \$43,000, paid in the monthly amount of \$3,583.33 during the duration of her four-year contract.

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 9 Jan 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 AFPC/DP2N 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 the 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-2022-02941 in Executive Session on 22 Feb 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 4 Nov 22.
Exhibit B: Documentary evidence, including relevant excerpts from official records.
Exhibit C: Advisory Opinion, AFPC/DP2N, w/atchs, dated 15 Dec 22.
Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 9 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.

X

Board Operations Manager, AFBCMR