



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

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2022-03136

COUNSEL: NONE

HEARING REQUESTED: YES

APPLICANT'S REQUEST

Twenty-one (21) days of lost leave be restored.

APPLICANT'S CONTENTIONS

Due to mission requirements, he did not have the opportunity to take 21 days of leave in fiscal year (FY) 2022. His group commander (GP/CC) approved the special leave accrual (SLA) memorandum, which was submitted to the finance office on 6 Sep 22. Despite, the SLA approval, he lost 21 days of leave.

His finance office advised his SLA should have been approved and opened a case management system (CMS) request. However, it was returned stating since he was not in a combat zone, his request had to be approved by the first O-6 in his rating chain. Upon receiving his GP/CC's approval, he submitted the request to finance but it was again denied by AFPC. With the information provided and the multiple commanders who approved the SLA, it was fair for him to believe his SLA would be approved and he did not need to rush to use his leave. He requests his leave be restored and he will ensure in the future it does not happen again.

STATEMENT OF FACTS

The applicant is a master sergeant (E-7) in the Air Force.

The applicant provides contingency exercise deployment (CED) orders, Special Order dated 22 Sep 21, showing he deployed to a non-combat zone location (MacDill AFB FL). The temporary duty (TDY) length shows 200 days, with a proceed on or about date of 5 Oct 21.

The applicant provides SLA request memorandum dated 15 Aug 22, which states he deployed in support of Central Command (CENTCOM) operations at MacDill AFB, FL from 5 Oct 21 to 22 Apr 22 for a total of 200 days. He was not allowed to take leave during deployment. He was reassigned locally on a permanent change of assignment (PCA) to a new unit in May to fill a need. He was responsible for learning his role as the unit security chief and was not provided adequate opportunity to take a large amount of leave. The SLA memorandum is signed by his flight chief, the finance office technician, squadron commander (SQ/CC) and GP/CC.

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

APPLICABLE AUTHORITY/GUIDANCE

AFBCMR Docket Number BC-2022-03136



[REDACTED]

DAFI 36-3003, *Military Leave Program*, Paragraph 5.2. SLA Eligibility. Paragraph 5.2.1. Leave in Excess of 60 Days at the End of the Fiscal Year. SLA allows members assigned to hostile fire/imminent danger pay areas for 120 consecutive days or more or members not serving in a hostile fire or imminent danger area, but who are assigned to qualifying duties, as designated by SAF /MR, to accumulate leave in excess of 60 days. Furthermore, it should be a result of the members' inability to take leave or to reduce their leave balance to 60 days before the end of the fiscal year while being assigned to said activities. In assessing whether or not a member has exhausted all means to reduce their leave balance to 60 days before the end of the fiscal year, commanders should assess the entire fiscal year, including the time prior to and after the deployment.

Paragraph 5.2.3. Members assigned to a non-hostile fire pay and/or non-imminent danger pay area in support of a contingency operation who are on Contingency, Exercise, and Deployment orders (and in rare cases, DD Form 1610, Request and Authorization for TD Y Travel of DoD Personnel orders) are authorized to retain such leave up to 120 days until the end of the second fiscal year following the fiscal year in which SLA was lost.

Paragraph 5.9, Members not eligible for SLA for the reasons listed can request recovery of days lost by submitting a DD Form 149, *Application for Correction of Military Record*. If the Board restores leave to current leave account, members must use these days before the end of the current FY.

AIR FORCE EVALUATION

AFPC/DPMSSM recommends denial. The applicant cites the reason he was unable to take leave was due to PCA and learning his new role as the unit security chief. These reasons are ineligible for SLA in accordance with DAFI 36-3003, paragraph 5.8.

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 2 May 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/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.
4. The applicant has not shown a personal appearance, with or without counsel, would materially add to the Board's understanding of the issues involved.

RECOMMENDATION

[REDACTED]

[REDACTED]

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-2022-03136 in Executive Session on 12 Jun 23:

[REDACTED] Panel Chair
[REDACTED], Panel Member
[REDACTED] Panel Member

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 29 Nov 22.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, AFPC/DPMSSM, dated 21 Apr 23.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 2 May 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.

4/15/2025

X [REDACTED]

Board Operations Manager, [REDACTED]
[REDACTED]

[REDACTED] **Docket Number BC-2022-03136**