



CUI//SP-MIL/SP-PRVCY

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

RECORD OF PROCEEDINGS

IN THE MATTER OF:

Work-Product

DOCKET NUMBER: BC-2022-03279

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His effective date of rank (DOR) for pay to major (O-4) be changed from 7 Oct 22 to 19 Jan 22.

APPLICANT'S CONTENTIONS

In Sep 21, he was recommended for promotion to major on the Calendar Year 2021E Position Vacancy (PV) Major /Lieutenant Colonel Promotion Board (CY21E PVO4/O5). However, his promotion was not approved until Oct 22, because the promotion package was lost when it was transferred from Joint Force Headquarters (JFHQ) [State] Air National Guard (ANG) to the National Guard Bureau (NGB). The administrative error resulted in him being added to the CY22 PVO4/O522B scroll and promoted to major with an effective DOR of 7 Oct 22. On 15 Sep 22, the JFHQ State-ANG commander submitted an exception to policy to NGB detailing the administrative error that resulted in his promotion package missing the CY21E PVO4/O5 board, and requested to change his DOR to reflect 23 Sep 21. NGB corrected his DOR to reflect 23 Sep 21; however, his effective DOR is still incorrect and should reflect 19 Jan 22, which is commensurate with the timeline of the original promotion package.

On 12 Dec 22, his wing commander submitted a memorandum for record that outlined how JFHQ State-ANG mistakenly emailed the promotion to the NGB mandatory promotion email inbox instead of the PV promotion email inbox. His DOR was corrected; however, the change did not correct the effective DOR, which drives all finance actions.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an ANG major.

On 23 Sep 21, according to Special Order Number *Work-Prod...* [State], provided by the applicant, the Federal Recognition Examining Board found the applicant to be qualified and recommended he be promoted to major.

On 23 Sep 21, according to Special Order Number *Work-Product*, the applicant was extended Federal Recognition and promoted in the Reserve Air Force to the rank of major, with a DOR of 23 Sep 21 and an effective date of 3 Oct 22.

**AFBCMR Docket Number BC-2022-03279
CUI//SP-MIL/SP-PRVCY**

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Limited Dissemination Control: N/A
POC: SAF.MRBC.Workflow@us.af.mil

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On 7 Oct 22, according to Special Order Number [Work-P... [State], the applicant was promoted to the permanent rank of major in the [State] ANG with a DOR and an effective date of 7 Oct 22.

On 20 Oct 22, Special Order Number [Work-Pro... [State], provided by the applicant, was published to amend Special Order Number [Work-P... [State] to read “with an effective date of 3 Oct 22 and with a DOR: 23 Sep 21,” rather than “with an effective date of 7 Oct 22 and with a DOR: 7 Oct 22.”

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

AIR FORCE EVALUATION

NGB/AIPO recommends granting the application. On 28 Sep 21, the applicant’s promotion package for the CY21E PVO4/O5 board was submitted to JFHQ State-ANG. On 1 Oct 21, JFHQ State-ANG routed the package to NGB/AIPO via email. However, when the approved scroll was released, it was discovered the applicant was not listed. After discussions between JFHQ State-ANG and NGB/AIPO, it was determined the promotion package was sent to the mandatory promotions email organization box instead of the correct PV email organization box. Upon request by NGB/AIPO, JFHQ State-ANG submitted an exception to policy memo to honor the date of rank listed on the applicant’s NGB 89-1, *Proceedings of a Federal Recognition Examining Board (ANG)*. The applicant was then submitted for the CY22B PV O4/O5 promotion board, which was the next available PV board and had a closeout date of 30 Apr 21. As a result of the board, the 3 Oct 22 date was approved by the Secretary of Defense as the effective DOR for CY22B PV O4/O5. On 23 Sep 21, the applicant’s original DOR from the NGB 89-1, was honored when he was promoted; however, his effective DOR still reflects 3 Oct 22. Based on documentation provided by the applicant and analysis of the facts, there is evidence to support errors occurred at no fault of the applicant. The applicant’s effective DOR for pay would have been 19 Jan 22, had his promotion package met the original CY21E PVO4/O5 promotion board timeline.

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), and the applicant replied on 8 May 23. In his response, the applicant concurred with the NGB/AIPO to grant his request.

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 the victim of an error or injustice. The Board concurs with the rationale and recommendation of NGB/AIPO and finds a preponderance of the evidence substantiates the applicant’s contentions. Therefore, the Board recommends correcting the applicant’s records as indicated below.

RECOMMENDATION

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show his effective date of rank for pay to the rank of major reflects 19 Jan 22 rather than 7 Oct 22.

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-2022-03279 in Executive Session on 6 Jul 23:

Work-Product

All members voted to correct the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 13 Dec 22.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, NGB/A1PO, dated 2 Feb 23.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 2 May 23.
- Exhibit E: Applicant’s response, dated 8 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.

8/9/2023

X *Work-Product*

Board Operations Manager, AFBCMR
Work-Product