



**CUI//SP-MIL/SP-PRVCY**

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

*Work-Product*

**RECORD OF PROCEEDINGS**

**IN THE MATTER OF:**

**DOCKET NUMBER: BC-2023-00558**

*Work-Product*

**COUNSEL: NONE**

**HEARING REQUESTED: YES**

*Work-Product*

**APPLICANT'S REQUEST**

Thirteen (13) days of leave be restored to her leave account.

**APPLICANT'S CONTENTIONS**

She has been receiving medical care for the last two years and have taken convalescent leave due to several surgeries. Therefore, she has not been able to use all her leave.

The applicant's complete submission is at Exhibit A.

**STATEMENT OF FACTS**

The applicant is a currently serving Air Force major (O-4).

According to the applicant's Master Military Pay Account (MMPA), she lost 13 days of leave for the Fiscal Year 2022.

On 23 December 2022, the applicant's commander signed a memorandum informing the Board the applicant suffered an injustice when she lost 13 days of leave due to short staffing, multiple convalescent leaves, hospitalizations, and medical appointments.

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

**APPLICABLE AUTHORITY/GUIDANCE**

Title 10, United States Code, Section 701: *Entitlement and accumulation*; Title 10, U.S.C. § 1552: *Correction of military records: claims incident thereto*; Department of the Air Force (DAFI) 36-3003, *Military Leave Program*; AFI 36-2603, *Air Force Board for Correction of Military Records*; Total Force Military Leave Program Personnel Services Delivery Guide.

Special Leave Accrual (SLA) allows members in qualifying duties to accumulate leave in excess of 60 days. SLA should be a result of the member's 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 duties. SLA shall not be used as a means to authorize the accumulation of leave in excess of 60 days that is a result of members' failure to properly manage their leave balance.

Members not eligible for SLA can request recovery of days lost by submitting a DD Form 149, *Application for Correction of Military Records*, and must clearly establish that an error or injustice by the Air Force that caused their lost leave.

**AFBCMR Docket Number BC-2023-00558  
CUI//SP-MIL/SP-PRVCY**

Controlled by: SAF/MRB  
CUI Categories: SP-MIL/SP-PRVCY  
Limited Dissemination Control: N/A  
POC: [SAF.MRBC.Workflow@us.af.mil](mailto:SAF.MRBC.Workflow@us.af.mil)

**AIR FORCE EVALUATION**

AFPC/DPMSSM recommends granting the application. Based on the documentation provided by the applicant and analysis of the facts, there is evidence of an error or injustice. According to the Defense Joint Military Pay System, the applicant took 13 days ordinary leave and was on convalescent leave for 143 days, which resulted in her inability to reduce her leave balance to 60 days or less. Therefore, on 1 October 2022, she lost 13 days of leave.

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 5 April 2023 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 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 substantiates the applicant’s contentions. Therefore, the Board recommends correcting the applicant’s records as indicated below.
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**

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show that thirteen (13) days of leave be added to her leave account commencing 2 October 2023.

**CERTIFICATION**

The following quorum of the Board, as defined in DAFI 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2023-00558 in Executive Session on 4 May 2023:

- Mr. **Work-Product** Chair, AFBCMR
- Mr. **Work-Product**, Panel Member
- Mr. **Work-Product**, Panel Member

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 6 February 2023.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, AFPC/DPMSSM, w/atch, dated 22 March 2023.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 5 April 2023.

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.

5/16/2023

X

*Work-Product*

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Board Operations Manager, AFBCMR

Signed by: *Work-Product*