

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

Work-Product

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2023-01055

Work-Product

COUNSEL: Work-Product

HEARING REQUESTED: NO

Work-Product

APPLICANT'S REQUEST

His effective date of rank (DOR) be changed from 11 Jan 23 to 26 May 22.

APPLICANT'S CONTENTIONS

His major promotion package was originally submitted for inclusion in the PVO4/0521F promotion board. However, due to a clerical error his spouse's package, who had been promoted in a previous promotion board, was resubmitted instead of his package. After the error was found, his promotion package was not submitted until a later promotion board. This resulted in an eight month delay in his effective DOR with a corresponding eight month delay in receiving the corresponding pay, allowances, and entitlements.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an Air National Guard major (O-4).

On 4 Nov 21, according to the [State] Air National Guard Special Order Work-Product dated 4 Nov 21, the applicant was promoted to the rank of major in the [State] Air National Guard effective 4 Nov 21, or upon approval of Federal Recognition

On 11 Jan 23, according to Special Order Number Work-Product dated 4 Nov 21, the applicant was extended Federal Recognition with a DOR of 4 Nov 21 and an effective DOR of 11 Jan 23.

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

AIR FORCE EVALUATION

NGB/A1PO 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. The applicant's promotion package was lost during email delivery from his State Joint Forces Headquarters to NGB/A1PO. Thus, NGB/A1PO did not receive his promotion package for the intended Position Vacancy scroll - CY21 4th Quarter with a corresponding effective DOR of 26 May 22. On 3 Aug 22, upon follow up, this error was discovered, and the applicant was promptly submitted for promotion on the Position Vacancy List - CY22C with an effective DOR of 11 Jan 23. Therefore, had the promotion package been processed appropriately, he would have been promoted with an effective DOR of 26 May 22.

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 10 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 the victim of an error or injustice. The Board concurs with the rationale and recommendation of NGB/A1PO 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 DOR for pay reflects 26 May 22 rather than 11 Jan 23.

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-2023-01055 in Executive Session on 6 Jul 23:

- Work-Product** Chair, AFBCMR
- Work-Product** Panel Member
- 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 31 Mar 23.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, NGB/A1PO, dated 1 May 23.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 10 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
 Signed by: **Work-Product**