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

### RECORD OF PROCEEDINGS

IN THE MATTER OF:

Work-Product

DOCKET NUMBER: BC-2023-03625

COUNSEL: NONE

HEARING REQUESTED: NO

### APPLICANT'S REQUEST

His separation order be amended to indicate he is entitled to high-year tenure (HYT) pay for serving 10 years as a senior airman.

### APPLICANT'S CONTENTIONS

He served the required years to be entitled for pay but was not made aware of the Individual Ready Reserve (IRR) three-year requirement needed to be entitled before his separation. He is more than willing to sign up for the IRR.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

The applicant is a former Air Force senior airman (E-4).

On 7 Jul 22, AF IMT 100, *Request and Authorization for Separation*, does not indicate the applicant was entitled to separation pay under blocks 21a and 21b, *Eligible for (Per 10 U.S.C. 1174) and Entitled to Severance/Separation Pay*.

On 10 Sep 22, DD Form 214, *Certificate of Release or Discharge from Active Duty*, reflects the applicant was honorably discharged in the grade of senior airman (E-4) after serving 10 years of active duty. He was discharged, with a narrative reason for separation "Completion of Required Active Service."

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

### APPLICABLE AUTHORITY/GUIDANCE

Per DAFI 36-3211, *Military Separations*, dated 24 Jun 22 and incorporating changes through 20 Nov 23, Chapter 11, *Separation Pay*, the member is in the regular component and has completed at least 6 years, but fewer than 20 years of active service. The member cannot separate at their own request; however, after a member has been formally and officially denied reenlistment or

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Controlled by: SAF/MRB

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continuation in the regular component, the member may request an earlier separation from the regular component without loss of separation pay. The member agrees in writing to serve in the ready reserve for at least three years following the separation from the regular component. A member who qualifies for separation pay but is unqualified for the ready reserve still agrees in writing to serve in the ready reserve in order to receive separation pay. Members involuntarily separated from the regular component may be entitled to full separation pay if they meet the criteria above and the following conditions apply, the member's characterization of service is honorable; and the member is fully qualified for retention, but is being involuntarily separated by denial of reenlistment or continuation in the regular component under one of the following specific conditions: (1) member is denied reenlistment under an Early Release; (2) member is denied reenlistment under high year of tenure policy; or (3) member is being involuntarily separated under a reduction in force program.

Per paragraph 12.1, *High Year of Tenure (HYT) Guidance and Procedures*, of DAFI 36-3211, the program was developed to help manage the force. The HYT policy was revised effective 18 Oct 18, which changed E-4 HYT from 8 years of active service to 10 years of active service. Senior airmen (E-4) who fail to progress to staff sergeant (E-5) are separated upon reaching 10 years of Total Active Federal Military Service (TAFMS).

## **AIR FORCE EVALUATION**

AFPC/DPMSSR recommends denying the application finding no error with the applicant's discharge from the Air Force. When the applicant was approved for separation, the DPS Separations Team who prepare the separation orders, sent the applicant notification instructing him to complete his Initial Separation Briefing and his Pre-Separation Order Worksheet (PSOW). Included in the instruction was a message stating a further review of his records indicates he may be eligible for separation pay and entitlements and to sign and return the IRR and if he planned to accept separation pay, would need to agree to placement into the IRR; by signing the top section of the form; or if he was declining separation pay and placement into the IRR, to sign the bottom section of the form. Failing to return the document could cause delay processing orders and potential loss of pay and entitlement. If the applicant had completed the IRR and provided it to DPS Separations, his Separation Program Designator (SPD) code and corresponding narrative reason for separation would have reflected "LCC-Reduction in Force" which would have allowed for separation pay entitlement. When the applicant failed to provide the signed IRR agreement, his SPD and narrative reason for separation reflected "KBK-Completion of Required Active Service" which does not authorize entitlement to separation pay. AFPC/DPMSSR surmised the applicant failed to provide the IRR agreement as instructed.

However, according to comments in the AFBCMR case processing system, AFPC could not verify whether the applicant was notified of his option to serve in the IRR for three years as a requirement for separation pay. Per AFPC/DPMSSR, AFPC/DPS indicated they sent the notice to the applicant via the myPers system; however, after authenticating his orders in Sep 22, AFPC switched over to the MyFSS system and AFPC/DPS was unable to locate the actual notice that was provided to the applicant. If the Board were to grant the applicant's request, the applicant would need to sign an IRR agreement, dated prior to his separation for acceptance by the Defense Accounting and Finance System (DFAS). Title 10, U.S.C., Section 1556, prohibits ex parte communications with

members of the AFBCMR. Specifically, this provision of law states, essentially, the Secretary shall ensure an applicant seeking corrective action by the Air Force Review Boards Agency is provided a copy of all correspondence and communications to or from the agency or Board, or a member of the staff of the agency or Board, with an entity or person outside the agency or Board that pertain directly to or have a material effect on the applicant’s case. Therefore, on 28 Jun 24, the applicant was provided an email which contained the message from AFPC/DPMSSR.

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 27 Mar 24 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/DPMSSR and finds a preponderance of the evidence does not substantiate the applicant’s contentions. Under the presumption of regularity, the Board finds it was more likely than not, the applicant was properly notified of his option to be placed into the IRR for separation pay and entitlements; however, there is no evidence to suggest the applicant signed the IRR agreement as instructed before he was separated. 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 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-2023-03625 in Executive Session on 29 Aug 24:

- Work-Product** Panel Chair
- Work-Product** Panel Member
- Work-Product** Panel Member

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

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Exhibit A: Application, DD Form 149, dated 31 Oct 23.

Exhibit B: Documentary evidence, including relevant excerpts from official records.

Exhibit C: Advisory opinion, AFPC/DPMSSR, dated 26 Mar 24.

Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 27 Mar 24.

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.

9/27/2025

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GS-15, DAF

Associate Director, AFBCMR

Signed by: USAF

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