



Work-Product

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

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2023-03771

Work-Product

COUNSEL: Work-Product

HEARING REQUESTED: YES

APPLICANT’S REQUEST

Twenty-Five (25) days of lost leave be restored for Fiscal Year 2023 (FY23).

APPLICANT’S CONTENTIONS

She is assigned to a geographically separated unit (GSU), with only two authorized positions, as the Director of the Nurse Transition Program (NTP). She and her sole coworker are responsible for coordinating and managing three to four NTP classes per year, with up to 20 students per class and each class lasting 10 weeks. As such, with only two team members, it is discouraged they take leave during an active NTP class. During FY23, Hurricanes Ian and Idalia impacted the local area forcing the evacuation of two NTP classes and delaying the start of a third class. In addition to this workload, during Jan 23 – Mar 23, she was assigned as a team leader for the NTP course rewrite. Following the completion of the rewrite, she took leave from 13 – 17 Mar 23, and planned on taking additional leave in Apr 23 and May 23. Unfortunately, she encountered health complications which resulted in emergency heart surgery and a subsequent stay in the intensive care unit. Upon her release from the hospital she was placed on convalescent leave for cardiac rehabilitation through the end of Jun 23.

When she returned from her convalescent leave, her coworker then underwent shoulder surgery, which required that they be placed on convalescent leave for six weeks, and she undertook the responsibilities for the NTP course that was currently in session. When this course graduated in Aug 23, another course started immediately which made it impossible for her to take any additional personal leave before the end of FY23.

Her emergency heart surgery, subsequent convalescent rehabilitation leave, and mission pipeline requirements were outside her control and she would truly appreciate the ability to take the leave she has earned with her family.

The applicant’s complete submission is at Exhibit A.

STATEMENT OF FACTS

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

On 6 Apr 23, according to the memorandum from [redacted] *Work-Product* dated 20 Apr 23, the applicant was admitted to a hospital for an emergency [redacted] *Work-Product* procedure from 6 Apr 23 – 10 Apr 23 and will need a recovery period of three months.

From 6 Apr 23- 30 Jun 23, according to AF Form 988, *Leave Request/Authorization*, the applicant was on convalescent leave.

AFBCMR Docket Number BC-2023-03771

Work-Product

[redacted] *Work-Product*
[redacted] *Work-Product*
[redacted] *Work-Product*
[redacted] *Work-Product*

In support of her appeal, the applicant provides an Exception to Policy for Excess Leave request signed by her commander recommending approval for restoring 25 days of annual leave.

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

AIR FORCE EVALUATION

AFPC/DPMSSM, recommends granting the request. Based on the documentation provided by the applicant and analysis of the facts, there is sufficient evidence of an error or injustice. The demands of the mission along with her medical emergency were out of the applicant’s control and limited her ability to exhaust her leave before the end of FY23. The applicant took four days of leave in Mar 23 with plans on taking more in Apr 23. However, after having emergency heart surgery, she was placed on convalescent leave from Apr 23 – Jun 23. Upon the applicant’s return to duty, her coworker went on convalescent leave for shoulder surgery, which had been postponed due to the applicant’s convalescent 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 8 Jan 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 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 twenty-five (25) days of lost leave be restored to her current leave account.

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-2023-03771 in Executive Session on 11 Jun 24:

- Work-Product Panel Chair
- 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 15 Nov 23.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, AFPC/DPMSSM, dated 29 Dec 23.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 8 Jan 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.

7/8/2024

X *Work-Product*

Work-Product
Board Operations Manager, AFBCMR
Signed by: *Work-Product*