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

### RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2023-03875

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COUNSEL:

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HEARING REQUESTED: NO

### APPLICANT'S REQUEST

Restoration of 12 days of use/lose leave from Fiscal Year 23 (FY23).

### APPLICANT'S CONTENTIONS

Despite his due diligence and good faith efforts to reduce his leave balance, improperly imposed critical mission requirements significantly restricted his ability to use his earned leave. He was left few options but to delay taking leave due to a legitimate risk of mission failure; shutting down a clinic, and prohibiting patient care. In May 23, in addition to his assigned role as the Operational Support Team (OST) mental health provider to the **Work-Pr...** Communications Squadron, he was tasked with filling the role of the Alcohol and Drug Abuse Prevention and Treatment Program (ADAPT) clinic Officer in Charge (OIC) due to the assigned OIC beginning maternity leave. As the lone mental health provider, he was also the single point of contact supporting the mental health component of the wing's Personnel Reliability Assurance Program (PRAP) mission, reviewing all PRAP patients and clearing new Personnel Reliability Program (PRP) authorizations. At the time he was tasked as the acting ADAPT OIC, he had 23 days of use/lose leave. However, through careful negotiations and planning within the Mental Health office, and coordination with the Medical Operations Flight Commander, he was able to take 11 days of leave before the end of the fiscal year. In addition, in late Jul 23, he received a notification of a deployment in Oct 23, which required two temporary duties (TDYs), which cut short a planned additional leave of five days. While he acknowledges he does not meet DAFI 36-3003, *Military Leave Program*, criteria to be outright eligible for Special Leave Accrual (SLA), he believes the above mission requirements, together with his best efforts to use his use/lose balance while still maintaining mission integrity, qualifies for an exception to policy and a recoupment of 12 days of leave lost in FY23.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

The applicant is a currently serving Air Force captain (O-3).

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 application. Based on the documentation provided by the applicant and analysis of the facts, there is evidence of an error or injustice. The demands of the mission to reduce the risk of the ADAPT program being shut down and also being tasked to

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fill an additional position was out of the applicant's control and thereby limited his ability to exhaust leave before the end of FY23.

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 17 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.

## RECOMMENDATION

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show twelve (12) days of lost leave be restored to his 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-2023-03875 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 27 Nov 23.

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

Exhibit C: Advisory opinion, AFPC/DPMSSM, dated 12 Jan 24.

Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 17 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

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Board Operations Manager, AFBCMR

Signed by: Work-Product

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