



Work-Product

UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-00024

Work-Product

COUNSEL: Work-Product

HEARING REQUESTED: NO

APPLICANT'S REQUEST

1. She receive retroactive incentive pay (IP) for the period of 1 Oct 22 through 30 Jun 23.
2. She receive retroactive board certification pay (BCP) for the period of 1 Oct 22 through 31 Jan 23.

APPLICANT'S CONTENTIONS

She initially completed and submitted an IP contract through her chain of command in the appropriate time frame. She signed her IP contract on 10 Aug 22 and emailed it to her Flight Chief and was given verbal confirmation that the contract was being routed for signatures. At around the 60-day mark, when she had not received a signed copy, she again submitted it for signatures. In Jan 23, she finally received the signed contract and submitted it for processing. In Apr 23, she was then informed that the signed contract was not valid and to submit a new contract. On 3 May 23, she submitted a new contract but on 18 May 23, she was informed it was not valid as she mistakenly submitted a general medical officer (GMO) contract instead of the correct Non-GMO contract. She again submitted a contract and was informed on 19 Sep 23 that the commander signature block required a duty title. She updated and resubmitted and the contract was finally accepted with an effective date of 1 Jul 23.

She completed and submitted her BCP contract in Dec 22 with a requested effective date of 13 Oct 22. However, on 13 Feb 23 she was informed she submitted a FY22 BCP contract request instead of a FY23 BCP contract request. She submitted the correct FY23 BCP contract on 17 Feb 23 with a requested effective date of 13 Oct 22.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an Air Force Medical Corps captain (O-3).

On 10 Aug 22, the applicant signed her *FY22 Consolidation of Special Pays (CSP) Incentive Pay (IP) Contract Request (Non-GMO)*, provided by applicant, with a requested Effective Date of 1 Oct 22. Further, the form reflects on 31 Jan 23 it was signed by the Authorized Endorser.

On 1 Feb 23, according to *myFSS email thread for Case #* Work-Product, dated 18 May 23, provided by applicant, she was notified her Medical Special Pays request has been received. Further, according to the thread, she was notified on 12 Apr 23, her IP contract cannot be accepted as the

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signatures did not meet the timelines listed in the Medical Corp pay plan, and on 18 May 23, she was notified she completed the wrong contract and she needed to complete the Non-GMO contract.

On 13 Feb 23, according to myFSS email *RE: Medical Corps Case Number: Work-Product*, provided by applicant, she was notified she completed her {BCP} contract on the outdated FY22 BCP contract request form and she will need to re-accomplish it on the FY23 BCP contract form as it became effective 27 Oct 22. Additionally, she was instructed to “wet sign” the FY23 contract with the same date she originally signed, 31 Oct 22, and resubmit along with her proof of certification.

On 17 Feb 23, according to *FY23 Board Certification Pay Contract Request – All Corps*, the applicant signed her BCP request with an effective dated of 1 Feb 23. On 17 Feb 23, according to myFSS email thread, the Medical Special Pays Staff acknowledged that her request has been received.

On 27 Jul 23, according to *FY23 Consolidation of Special Pays (CSP Incentive Pay (IP), Contract Request (Non-GMO)*, the applicant signed her IP request with a requested effective date of 1 Jul 23.

On 8 Aug 23, according to *myFSS email thread for Case # Work-Product*, dated 23 Oct 23, provided by applicant, she was notified her Medical Special Pay request was received. Further, according to the thread, on 18 Sep 23, she was notified of discrepancies with her submission, specifically, they could not verify her Authorized Endorser and was instructed to provided AE’s full signature block.

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

APPLICABLE AUTHORITY/GUIDANCE

Department of Defense Instruction (DODI) 6000.13, *Accession and Retention Policies, Programs, and Incentives for Military Health Professions Officers (HPOs)*, 30 Dec 15 (Incorporating Change 1, Effective 3 May 16), 8. *General Provisions For Special Pay Programs*:

- e. To be eligible to participate in a special pay program, an officer must: Sign a service agreement when required.
- f. The Secretary concerned may, upon acceptance of a written service agreement, pay a special pay to an eligible officer.

According to *United States Air Force Fiscal Year 2023 Medical Officer Special Pay Plan*:

1.4.1. All CSP pay types require a contract to initiate pay. Details on contract durations and rates are provided later in the Pay Plan. 1.4.2. Contract Effective Date.

1.4.2.1. Contract may be effective as early as the first day of the month in which the officer signed the contract (no backdating to the previous month or further) as long as:

1.4.2.1.1. The officer was eligible on the date to be used as the effective date,

1.4.2.1.2. The authorized endorser’s signature is dated within 1-month of the officer’s signature, and

1.4.2.1.3. The contract is submitted to myPers/received by AFPC Medical Special Pays within 2- months of the officer's signature. 1.4.3. Contract Submission.

1.4.3.1. Contracts should be signed, scanned and submitted via myFSS no earlier than 60 days prior to the requested effective date. All contracts are binding upon signature and submission to AFPC Medical Special Pays. Officers with extenuating circumstances may contact AFPC Medical Special Pays office to request approval for early submission, however, approval is on a case by case basis and contracts will not be processed any earlier. Extenuating circumstances may include inability to access internet services/scanners while deployed.

1.4.4. Each officer is responsible for requesting/monitoring his/her Medical Special Pays and obligations. Officers should maintain a copy of the pay plan and signed contract(s) for record. Processed contracts in the Personnel Records Display Application (PRDA) via AFPC Secure

5.1. To be eligible for BCP, an officer must: 5.1.3. Submit a BCP contract and copy of board certificate with start date (or notification letter) via myPers. BCP is a contract based pay and does not allow backdating. Contract effective date may be no earlier than the first day of the month in which the contract was signed, or the start date of certification, whichever is later.

7. Officer's Responsibilities. 7.1. Officers are responsible for reading and understanding each year's pay plan to determine if eligibility requirements are met prior to submitting special pay contract(s). Each officer is responsible for requesting and monitoring his/her Medical Special Pay(s) and obligations. Officers should maintain a copy of the pay plans, signed contracts, and confirmation of receipt notification for records.

37 U.S. Code § 335 - *Special bonus and incentive pay authorities for officers in health professions* :

(f) Written Agreement For Bonus. To receive a bonus under this section, an officer determined to be eligible for the bonus shall enter into a written agreement with the Secretary concerned that specifies-the amount of the bonus; the method of payment of the bonus under subsection (e)(2); the period of obligated service; whether the service will be performed on active duty or in an active status in a reserve component; and the type or conditions of the service.

AIR FORCE EVALUATION

AFPC/DPMSSM recommends denying the request. Based on the analysis of the facts, there is no evidence of an error or injustice. The applicant did not meet the requirements and timelines outlined in DoDI 6000.13 and the FY22/23 Medical Corps Consolidated Special Pay Plans. The applicant did not correctly apply for her incentive pay until 8 Aug 23. The applicant signed her FY 22 Incentive Pay contract on 10 Aug 22, her Authorized Endorser (AE) signed on 31 Jan 23 and she submitted her contract request on 1 Feb 23. In accordance with DoDI 6000.13 and the Medical Corps Special Pay Plan, the AE's signature must be within 30 days of the applicant's and completed contracts must be submitted to ARPC via myFSS no later than 60 days of the applicant's signature. On 27 Apr 23, she was provided guidance to submit a new contract request by 27 Apr 23 or her case would be closed without action. On 3 May 23, she submitted a new contract request, which upon review, it was noted she submitted a General Medical Officer (GMO) contract rather than the Non-General Medical Officer (Non-GMO) contract specific for her specialty. As a result, her contract could not be accepted and she was advised to submit a new contract. On 8 Aug 23, she applied again for IP and she was notified that the AE's duty title was missing. She provided the necessary information and her application was processed and approved with an effective date of 1 Jul 23.

She applied for BCP on 7 Dec 22. On 13 Feb 23, her application was reviewed and she was notified she had submitted an outdated FY22 contract instead of a FY23 contract. She was instructed to “wet sign” and submit a FY23 contract with the same date as the incorrect contract, 31 Oct 22, along with proof of her board certification. On 23 Mar 23, her case was closed as she did not respond to this notification. However, on 17 Feb 23, she submitted a digitally signed FY23 BCP contract with an effective date of 1 Feb 23 which was processed.

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 Feb 24 for comment (Exhibit D), and the applicant replied on 29 Mar 24. In her response, she provided a timeline of events and states she did everything in her power to receive her incentive and board certification pay and it is disheartening to be denied due to issues that were mostly out of her control. She promptly responded and immediately routed her contracts for her leadership to complete. In regard to her BCP, she responded within four days of being notified. It was over two and one-half months to be notified that her initial contract was incorrect because she inadvertently submitted the GMO versus the Non-GMO contract, however, that is no reason to deny her BCP for that period.

The applicant’s complete response is at Exhibit E.

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/DPMSSM and finds a preponderance of the evidence does not substantiate the applicant’s contentions. The Board determines the applicant failed to meet the requirements of DoDI 6000.13, DAFI 41-110 and the FY23 Medical Corps Pay Plan. Additionally, the Board notes, in accordance with the governing directives, it is the applicant’s responsibility to submit a consolidated special pay contract request on time. 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-2024-00024 in Executive Session on 17 Jul 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:

- Exhibit A: Application, DD Form 149, w/atchs, dated 12 Dec 23.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DPMSSM, dated 12 Feb 24.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 27 Feb 24.
- Exhibit E: Applicant's Response, dated 29 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.

7/30/2024

X

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Board Operations Manager, AFBCMR
Signed by: USAF