

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-00045

XXXXXXXXXX

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

Her current effective date of rank (DOR) for pay to major reflect 3 October 2022 rather than 23 January 2023.

APPLICANT'S CONTENTIONS

A communication error occurred concerning receipt of her promotion package from XXXXX. As a result of the error, the applicant's promotion was delayed. She was to be placed on the Calendar Year 2022B (CY22B) Approved Scroll; however, he was placed on the CY22D Approved Scroll (which made him approved for promotion later in the year of 2022) because the email address was incorrect from XXXXX.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a currently serving Air National Guard major (O-4).

According to Special Order Number XXXXX dated 14 March 2022, by order of the Secretary of the Air Force and Direction of the President, the applicant was extended Federal recognition and promoted Reserve of the Air Force to the grade of major, per 10 U.S.C. 14303, 14308, 14311, and 14316 and 32 U.S.C. 307(e), with a DOR of 14 March 2022 and Promotion Effective Date of 23 January 2023.

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

AIR FORCE EVALUATION

NGB/AIPO recommends granting the application. Based on the documentation provided by the applicant and analysis of the facts, there is evidence to support errors occurred at no fault of the applicant. Had the applicant's package been sent to the correct email org box and been staffed correctly, the applicant would have been placed on the CY22B promotion scroll resulting in an effective date of rank for pay of 3 October 2022.

The applicant's promotion package was submitted from XXXXX on 14 March 2022 via email. It was later discovered after a follow-up inquiry from XXXXX with XXXXX the applicant's promotion package was never received by XXXXX due to XXXXX sending to the incorrect email address. This error was discovered on 29 August 2022. After discussion between the applicant's State XXXXX, it was decided the applicant would be placed on Position Vacancy CY22D. At the time of the error being discovered, CY22D was the next Position Vacancy board closing. The applicant was then routed forward on CY22D and was approved by the Secretary of Defense

(SecDef) for promotion with an effective DOR for pay of 23 January 2023. The applicant's original DOR of 14 March 2022 was honored via 60-day Federal Recognition Review Board (FRRB) waiver. The applicant's promotion package delay resulted in a later effective DOR for pay of four months due to not being forwarded on the CY22B promotion scroll.

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 18 March 2024 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/AIPO 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 date of rank for pay to major reflect 3 October 2022.

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-2024-00045 in Executive Session on 10 September 2024:

, Panel Chair
, Panel Member
, Panel Member

All members voted to correct the record. The panel considered the following:

Exhibit A: Application, DD Form 149, w/atchs, dated 14 December 2023.
Exhibit B: Documentary evidence, including relevant excerpts from official records.
Exhibit C: Advisory opinion, NGB/AIPO, dated 6 March 2024.
Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 18 March 2024.

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.

X

Board Operations Manager, AFBCMR