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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-00539

Work-Product

COUNSEL: NONE

HEARING REQUESTED: NOT INDICATED

APPLICANT'S REQUEST

His Enlisted Performance Report (EPR) rendered for the period of 1 April 2022 thru 31 March 2023, be removed from his permanent evaluation record.

APPLICANT'S CONTENTIONS

His rater only had 10 days of supervision and he did not receive an Airman Comprehensive Assessment (ACA) prior to the evaluation closing. While reviewing the EPR he noticed the rater did not use the bullets from the Letter of Evaluation (LOE) he provided from his previous duty station at **Work-Product** (where he was stationed until October 2022) and his deployment. He was informed his rater forgot to add the information onto his EPR because he did not see the LOE at the time. He was later informed his EPR would be reaccomplished to include the LOE. The new EPR he reviewed had a different rating with the correct information. Two months later when he was to sign the EPR he noticed it had changed again. He states he has had four different EPRs with different ratings and additional raters on each report. He believes he was wrongly rated due to discrimination.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

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

DAF Form 910, *Enlisted Performance Report (AB/Spcl thru TSgt)*, rendered for the period 1 April 2022 thru 31 March 2023, Section III, *Performance In Primary Duties/Training Requirements*, 1. *Task Knowledge/Proficiency* reflect "Met all expectations;" Section IV. *Followership/Leadership* "Exceeded some, but not all expectations;" Section VI. *Overall Performance Assessment* reflect "Exceeded some, but not all expectations;" Section VIII. *Additional Rater's Comments*, reflects the additional rater non-concurred on the report; Section IX. *Unit Commander/Military or Civilian Director/Other Authorized Reviewer's Comments*, reflect the reviewer non-concurred.

The applicant filed an appeal through the Evaluation Report Appeals Board (ERAB) under the provisions of AFI 36-2406, *Correcting Officer and Enlisted Evaluation Reports*; and it was returned without action for not providing substantiated documentation or evidence to prove the final EPR was rendered unfairly or unjustly.

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

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Controlled by: SAF/MRB

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Limited Dissemination Control: N/A

POC: SAF.MRBC.Workflow@us.af.mil

AIR FORCE EVALUATION

AFPC/DPMSPE recommends denying the application. Based on the evidence presented or lack thereof, we recommend denial of the applicant's request to void the contested EPR. The applicant has not provided compelling evidence to substantiate the contested report was unjust or inaccurate. The applicant also did not provide factual, specific, and concrete information from his rating chain officials who would have had direct firsthand observation and could have validated the applicant's claim. Based on lack of corroborating evidence and the presumed legitimacy of the evaluator's overall documentation on the subject EPR, we recommend no removal be made to the contested report. An evaluation report is considered to represent the rating chains best judgment at the time it was rendered. The applicant did not prove the report was not rendered in good faith by all evaluators based on knowledge available at the time.

The applicant is requesting the 31 March 2023 EPR be removed from his record due to them believing they were wrongly rated based on discrimination and bias. The applicant contends the rater only had 10 days of supervision and did not receive an ACA prior to the evaluation closing out. Lack of counseling of feedback, by itself is not sufficient to challenge the accuracy or validity of an evaluation. Based on the applicant's statement there was only 10 days of supervision from when supervision began and the EPR close out date. IAW AFI 36-2406, paragraph 1.11.4 states if an ACA is not accomplished, the evaluator states the reason why it was not accomplished in the remarks section of the AF Form 910. The contested EPR in the applicant's record does not have any comments from the evaluator stating if an ACA was not completed. Without statements from the evaluators to confirm if an ACA was completed or not, our office is unable to determine if there was an error or injustice. The applicant also contends there were multiple working copies of his 31 March 2023 EPR where the additional raters were different. IAW AFI 36-2406 paragraph 1.4.3.1., an evaluation is considered complete when all applicable signature elements are signed or completed. Completed evaluations become a matter of record once they are uploaded into ARMS and PRDA.

Evaluations are considered "working copies" until they are made a matter of record. The incomplete evaluations the applicant provided were not complete with all the digital signatures; therefore, those EPRs were considered working copies. The applicant states while reviewing the EPR he noticed the rater did not use the bullets from the LOEs he provided from his previous duty station at [Work-Product] and his deployment. The applicant states on his DD Form 149 his rater forgot to add the information onto his EPR; however, it appears the EPR was corrected to include bullets from the LOEs. The applicant also states the rater was forced to change their ratings; however, the applicant has failed to provide clear evidence leadership coerced the evaluator to change their rating. This statement is contradicted by both the additional rater and unit commander non-concurring with the evaluation based on the markings in Section IV, V, and VI being changed to "Met all expectations." Although the additional rater and unit commander disagreed with the rater's ratings, they did not specifically state the reason for the disagreement IAW AFI 36-2406 paragraph 1.9.1 in the remarks section or on an AF Form 77. Evaluator comments belong to specific evaluator, therefore, statements from the evaluators must be provided as to what the error was and how the error occurred. The applicant provided no statements from any of the evaluators. In the absence of the statements from the evaluators on the evaluation, we can only assume they are unaware or do not agree with the applicant's appeal. Therefore, we can only conclude the evaluation was accurately written at the time it was accomplished.

In summary, the applicant has not provided substantiating documentation or evidence to prove the final EPR was rendered unfairly or unjustly. Air Force policy states an evaluation report is accurate as written when it becomes a matter of record. Additionally, it is considered to represent the rating chain's best judgment at the time it is rendered. To effectively challenge an evaluation,

it is necessary to hear from all members of the rating chain, not only the support but, also for clarification/explanation. Statements from two of the evaluators during the contested period are conspicuously absent. The applicant has failed to provide the necessary information/support from any rating official on the contested EPR. Without the benefit of these statements, AFPC/DPMSPE can only conclude the EPR is accurate as written. It is determined the EPR was accomplished in direct accordance with all applicable Air Force policies and procedures. Once a report is accepted for file, only strong evidence to the contrary warrant correction or removal from an individual's record. The burden of proof is on the applicant.

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 July 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 not the victim of an error or injustice. The Board concurs with the rationale and recommendation of AFPC/DPMSPE and finds a preponderance of the evidence does not substantiate the applicant's contentions. Therefore, the Board recommends against correcting the applicant's records.
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 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-2024-00539 in Executive Session on 19 November 2024:

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, Panel Chair

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Panel Member

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Panel Member

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

- Exhibit A: Application, DD Form 149, w/atchs, dated 29 January 2024.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DPMSPE, w/atchs, dated 1 July 2024.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 8 July 2024.

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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.

9/19/2025

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Associate Director, AFBCMR

Signed by: USAF

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