



Work-Product

UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-00999

Work-Product

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His Fiscal Year (FY) 2022 aviation bonus (AvB) in the amount of \$35,000 in exchange for a one-year service contract be approved.

APPLICANT'S CONTENTIONS

His AvB contract was approved, and he completed his AGR tour extension, but he has not received payment for his AvB. The AGR AvB is an incentive for Air Force Reservists to continue actively serving. However, he has been dealt a great disservice by not receiving the \$35,000 he was entitled.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

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

On 26 Feb 20, the applicant signed an "Aviation Bonus (AvB) Program Agreement" for FY20 and requested a three-year AvB in the amount of \$35,000. On 12 Jan 21, the AvB agreement was approved by ARPC with a start date of 22 Jan 20 but shows an amended agreement length of 41 months and an end date of 22 Aug 23.

On 15 Jul 22, Special Order **Work-Product** was published and amended previous orders that ordered the applicant to extended active duty in accordance with 10 USC 12310. The orders provided the applicant with a date of separation (DOS) of 31 Aug 23.

On 26 Sep 22, AFRC/A3 issued a "Blanket Exception to Policy for AvB Extension to Match AGR Order Extension" memorandum. The memorandum served as a blanket exception to policy (ETP) approval for any AGR personnel requesting to extend their current three- or four-year AvB agreement by a minimum of 12 months beyond the current AvB agreement expiration date. It further states members must have AGR tour extension orders in hand at the time of the request.

On 25 Sep 23, Case Management System (CMS) case number **Work-Product** was opened to request an AvB for the applicant from 22 Aug 22 through 22 Aug 23; however, on 8 Dec 23, the Defense Finance and Accounting Service (DFAS) rejected the application and stated that per policy, an ETP cannot be used to extend a contract that has already been signed, extended or changed after it has been completed.

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According to DD Form 214, *Certificate of Release or Discharge from Active Duty*, the applicant was honorably discharged after completing a period of active duty service from 6 Jan 17 through 31 Aug 23. He was credited with 6 years, 7 months and 25 days of net active service.

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

AIR FORCE EVALUATION

ARPC/DPAT recommends granting the application. The applicant requests he be awarded payment of \$35K for his FY22 AvB agreement from 22 Aug 22 through 21 Aug 23. The applicant applied and was approved for AvB bonus with contract dates of 22 Jan 20 through 22 Aug 22. On 15 Dec 22, he inquired about extending his AvB contract as his AGR orders were extended 12 months, ending 31 Aug 23. He was subsequently notified via My Force Support Squadron (myFSS) an ETP would need to be submitted with supporting documentation. He submitted the documentation and on 20 Jan 23, he was notified via myFSS his ETP was approved for a 12-month extension and was provided with an updated contract from HQ ARPC with a lined through date on the original end date and a new date that reflected a 12-month extension.

On 25 Sept 23, a CMS inquiry was opened and sent to DFAS, but on 8 Dec 23 was returned stating "per policy, an ETP cannot be used to extend a contract that has already been signed." The CMS case was closed, and the applicant was notified by ARPC on 14 Dec 23 for the rationale of not being able to complete the payment. The applicant was advised that all legal means were exhausted, and the best course of action was to submit to the AFBCMR.

Based on the documentation provided by the applicant and analysis of the facts, there is evidence an error or injustice has occurred. The intent of the AvB program is to retain and recruit fully qualified and experienced aviators for time served in the AFR. The applicant successfully and faithfully executed his assigned duties remaining qualified during the extension of his AGR orders. Granting the AvB payment will ensure both the applicant and the AFR receive everything originally intended: a well-deserved bonus paid to these critically needed aviators for a term of service to which both parties believed had been agreed.

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 29 Apr 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 ARPC/DPAT and finds a preponderance of the evidence substantiates the applicant's contentions. The Board notes that in good faith the applicant extended his AGR tour by an additional one-year and in exchange for his extended service the Air Force agreed and informed the applicant that he would receive a bonus. However, due to procedural and administrative errors with the execution of the AvB program, the applicant has not received the bonus for which he has earned. Furthermore, the Board notes that

the purpose of the AvB program is to retain our talented and skilled Airmen and denying the applicant a bonus he earned would not only be a detriment to the applicant, but the Air Force as well. 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:

- a) The applicant's Fiscal Year (FY) 2020 Aviation Bonus (AvB) be amended to reflect an agreement length of 41 months with effective dates 22 January 2020 through 21 August 2023 and a competent authority approved the agreement at the annual rate of \$35,000.
- b) He receives all associated payments not already received based on the amended Aviation Bonus (AvB) agreement.

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-2024-00999 in Executive Session on 24 Sep 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 19 Mar 24.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, ARPC/DPAT, dated 24 Apr 24.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 29 Apr 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.

2/12/2025

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