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UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-01214

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COUNSEL: NONE

HEARING REQUESTED: YES

APPLICANT'S REQUEST

1. The Letter of Admonishment (LOA), dated 8 March 2022, be removed from her record.
2. The AF Form 475, *Education/Training Report*, for the period 1 July 2021 thru 30 June 2022, section III, *Comments*, remove the sentence - "Work-Prod... received an LOA during her third year of training due to failure to comply with Air Force and residency leave policies resulting in the administrative actions."

APPLICANT'S CONTENTIONS

While completing her Family Medicine residency at the University of Nebraska Medical Center (UNMC), she was under the impression the process by which she was requesting vacation and leave was appropriate given she was never instructed otherwise. Vacation was to be submitted whenever taking a scheduled day off from UNMC; residents were allotted 20 days of such vacation annually. Leave was to be submitted whenever traveling beyond the local area, even on the weekends. She never received a briefing or training on the use of LeaveWeb. She communicated with her flight commander whenever she took off from work. The flight commander never stated she needed to also enter dates into LeaveWeb. Her limited understanding of leave rules was misinterpreted to be an intentional failure to comply with policy. Nothing could have been further from the truth. She holds herself to the highest ethical standards, and this situation was an honest mistake stemming from a lack of clear guidance. She desires to continue to serve as an Air Force physician. It is imperative the LOA and corresponding wording on her training report be removed from her records. Due to the negative paperwork and impact, she was not selected for promotion.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

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

On 8 March 2022, the applicant received an LOR from the 55 HCOS/CC. The LOR states, an investigation had disclosed the applicant was derelict in her assigned duties as a resident physician within the combined UNMC and Offutt Air Force Base Family Medicine Residency Program. Over the past 27 months, she was identified as being absent without leave for a total of approximately 24 days. These indiscretions occurred because she failed to ensure her leave requests were submitted as required by the Program Policy and AFI 36-3003, *Military Leave Program*. The Associated Program Director supplied a memorandum to indicate the dates she was absent from the program and considered "on leave status" by UNMC."

AFBCMR Docket Number BC-2024-01214

Work-Product

Work-Product

On 8 March 2022, the applicant acknowledged receipt and understanding of the LOR.

On 10 March 2022, the applicant submitted a response and documents in response to the LOR.

On 5 April 2022, the commander considered the applicant's response and reduced the action to an LOA.

AF Form 475, for the period 1 July 2021 thru 30 June 2022, section III, *Comments* reflect "Work-Prod... received an LOA during her third year of training due to failure to comply with Air Force and residency leave policies resulting in the administrative actions."

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

AIR FORCE EVALUATION

AFPC/DP3SP recommends denying the application in regard to the TR. The applicant did not file an appeal through the Evaluation Report Appeals Board (ERAB) under the provisions of AFI 36-2406, *Correcting Officer and Enlisted Evaluations*. HQ AFPC/DPMSPE, Evaluation Procedures and Appeals, reviewed the applicant's request and determined there is no action required by their office.

IAW AFI 36-2406, paragraph 10.1 states - the ERAB was established to provide all Air Force personnel with an avenue of relief for correcting errors or injustices in evaluations at the lowest possible level. If an evaluation cannot be corrected under Table 10.2., *Correcting Minor Errors on Evaluations*, an applicant's first avenue of relief for correcting an evaluation is through the ERAB, which is accessible via the vMPF/vPC-GR.

Under the provisions of AFI 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, the request for correction of military records, DD Form 149, *Application for Correction of Military Records Under the Provisions of Title 10, USC, Section 1552*, has been examined at this Center. The AFBCMR is the highest level of administrative appeal within the Department of the Air Force. The AFBCMR will not consider a case until all avenues of administrative relief have been exhausted. We recommend the applicant submit a new AF Form 948, *Application for Correction/Removal of Evaluation Reports*, with all required supporting documentation, through the vMPF/Evaluation Appeals found under the Most Popular Applications.

The complete advisory opinion is at Exhibit C.

AFPC/DPMSSM recommends denying the application in regard to the LOA. Upon review of the documentation submitted by the applicant and careful analysis of the pertinent facts, it has been determined there is insufficient evidence to support claims of an error or injustice in relation to the administration of the LOA. The issuance of the LOA by the commander aligns with the guidelines outlined in DAFI 36-2907, *Administrative Adverse Actions*, Chapter 3, and no deviations from procedural norms have been identified that would warrant exclusion from the applicant's record. The Special Programs section reviewed the applicant's Master Personnel Record Group/Officer Selection Record and documentation of the adverse administrative action along with the applicant's response to the LOR has been filed accordingly.

The complete advisory opinion is at Exhibit D.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 24 June 2024 for comment (Exhibit E), and the applicant replied on 22 July 2024. In her response, the applicant contended the LOR was reduced to an LOA. Of note, an LOA is to be utilized to address behaviors. She states she was never provided counseling. Leadership's training lacked the LeaveWeb policy. It appears she could have been AWOL for 16 days not 24. Leave was to be submitted whenever traveling beyond the local area, even on the weekends. She communicated with her flight commander/program director regarding leave. She was claimed to be AWOL in October 2020, December 2020, and December 2021; however, she submitted this time in LeaveWeb because she left the local area. She further states she is a proud outstanding officer and physician in the Air Force and does not want this unjustified blemish to destroy her career.

The applicant's complete response is at Exhibit F.

APPLICANT'S ADDITIONAL REVIEW OF AIR FORCE EVALUATION

The applicant also provided a letter from her squadron commander who supports the removal of the LOA. The commander indicates it appears the LOA has been the discriminating factor in the applicant's repeated non-selection for major. Since the LOA was issued, the applicant has had no further disciplinary issues. She has stepped up to fill interim flight commander and Chief of Aerospace Medicine roles. The LOA was successful in rehabilitating deficiencies and has help to align the applicant to not only meet but exceed DAF standards. She does not believe this should be sufficient justification to withhold promotion or to hinder her future in the Air Force.

The applicant's complete response is at Exhibit G.

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. While the Board notes the recommendation of AFPC/DP3SP and AFPC/DPMSSM against correcting the record, the Board finds a preponderance of the evidence substantiates the applicant's contentions. Specifically, the Board finds the 21 Dec 24 letter from the squadron commander who issued the applicant's LOA compelling to grant relief. The letter indicated that since the LOA was issued, the applicant has had no further disciplinary issues, including the appropriate use of Leave Web. She has stepped up to fill interim Flight Commander and Chief of Aerospace Medicine roles. Further, the Board notes the LOA was successful in rehabilitating deficiencies and has helped to align the applicant to not only meet but exceed DAF standards. Therefore, the Board recommends correcting the applicant's records as indicated below.
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 pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show:

- a. The Letter of Admonishment (LOA), dated 8 March 2022, be removed from her record.
- b. The AF Form 475, *Education/Training Report*, for the period 1 July 2021 thru 30 June 2022, section III, *Comments*, remove the sentence - “*Work-Prod...* received an LOA during her third year of training due to failure to comply with Air Force and residency leave policies resulting in the administrative actions.”

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-2024-01214 in Executive Session on 14 January 2025 and 10 February 2025:

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III, 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 21 March 2024.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SP, dated 12 June 2024.
- Exhibit D: Advisory Opinion, AFPC/DPMSSM, dated 18 June 2024.
- Exhibit E: Notification of Advisory, SAF/MRBC to Applicant, dated 24 June 2024.
- Exhibit F: Applicant’s Response, w/atchs, dated 22 July 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.

4/6/2025

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