



Work-Product

## UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

### RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-02135

Work-Product

COUNSEL: NONE

HEARING REQUESTED: YES

### 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

He began a three-year tour in an Air Guard Reserve (AGR) position in April 2019 and he extended for an extra year in 2022. He turned in all the necessary paperwork in June 2022 and the myFSS website showed it was complete. He assumed this meant his bonus was approved. He was notified by the Air Reserve Personnel Center (ARPC), that in order to receive his AvB bonus for which he thought he was on, he must file an appeal to the BCMR. In this regard, he was a qualified aviator eligible for a \$35,000.00 AvB bonus for the period of 16 April 2022 through 30 April 2023.

In addition, the applicant provides a letter to the Board and explains that 10 months after he thought the myFSS website showed his AvB request was approved, he contacted ARPC who stated they had no bonus paperwork for him. The arduous process he has been through since April 2023 has been an outright dishonorable display by the Air Force Personnel Center. He was one of three squadron members who were under contract for this same service. One member received the full contracted bonus of \$35,000.00 and another received a partial bonus, but he received none of the contracted bonus. He has been told he did not deserve the bonus because of "Bad luck," "Bad timing," and other unethical excuses that have nothing to do with the signed contract or time he served. This money promised to him by contract is a year overdue, it is owed to him for his service, and as of 31 May he will retire without payment.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

The applicant is a retired Air Force Reserve lieutenant colonel (O-5).

According to the documents provided by the applicant and ARPC/DPAT:

On 25 March 2019, Special Order **Work-Product** was published and ordered the applicant to extended active duty in accordance with 10 USC 12310 effective 15 April 2019 and gave him a date of separation (DOS) of 30 April 2022.

On 10 October 2019, the applicant signed an "Aviation Bonus (AvB) Program Agreement" for Fiscal Year (FY) 19 and requested a three-year AvB in the annual amount of \$35,000.00 On 4 November 2019, the AvB agreement was approved by ARPC with a start date of 15 April 2019 and an end date of 15 April 2022.

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On 29 March 2021, Special Order **Work-Product** was amended to extend the applicant's active duty assignment with a DOS of 30 April 2023.

On 22 May 2022, the applicant signed an "Aviation Bonus (AvB) Program Agreement" for FY22, but the section for approval by ARPC is not completed or signed.

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 15 April 2019 through 30 April 2023. He was credited with 4 years and 16 days of net active service.

On 21 March 2024, Reserve Order number **Work-Product** was published and relieved the applicant from his current assignment and placed him on the Reserve retired list effective 31 May 2024.

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 denying the application. The applicant received AGR orders effective 15 April 2019, with a DOS of 30 April 2022. The applicant was approved for a three-year AvB agreement for FY19. On 29 March 2021, the applicant received an AGR order extension through 30 April 2023. However, the FY21 AvB program did not authorize members to extend or renegotiate their AvB agreements at that time. The applicant applied for a one-year extension of his AvB agreement on 31 May 2022, after the original AvB contract was considered fulfilled, but the extension was rejected by ARPC on 8 June 2022. The rejection was based on a misunderstanding of a missing required document, which was later discovered to have been submitted; however, additional research shows that there was no approved Exception to Policy (ETP) and therefore the DPATI office would have disapproved as an extension of the AvB agreement was not possible for the original FY19 agreement. However, the applicant was eligible for a new one-year agreement at \$25,000.00 towards the end of his previous agreement due to having at least 12 months of AGR orders remaining.

Based on ARPC's analysis of the facts, there is no evidence that an error or injustice has occurred. ARPC could not have legally executed an extension without an approved ETP from Air Force Reserve Command (AFRC/A3). At the request of the applicant, an ETP was requested by ARPC on 6 July 2023, for the purpose of extending the FY19 agreement at the same \$35,000.00 incentive rate. On 18 August 2023, the ETP was denied by AFRC/A3 and therefore no extension or new agreement was ever executed.

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 12 August 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 ARPC/DPAT and finds a preponderance of the evidence does not substantiate the applicant's contentions. In this regard, the Board notes while the applicant was ineligible for an extension to his FY19 bonus, he could have been eligible for a new 12-month bonus for FY22. While there may have been mistakes made by both ARPC and the applicant, the Board finds that ARPC attempted to contact the applicant on several occasions regarding his AvB, but the applicant failed to respond. In addition, it appears the applicant did not do his due diligence to secure the bonus and missed the window of opportunity to apply for the FY22 bonus. 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-2024-02135 in Executive Session on 10 December 2024:

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 21 April 2024.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory opinion, ARPC/DPAT, w/atchs, dated 5 August 2024.
- Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 12 August 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.

4/14/2025

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