



Work-Product

UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-02459

Work-Product

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

His Fiscal Year (FY) 2022 Aviation Bonus (AvB) be corrected to reflect a Tier 1A incentive for 36 months at the annual rate of \$35,000 versus \$25,000.

APPLICANT'S CONTENTIONS

His FY22 AvB contract was finalized at the Air Reserve Personnel Center (ARPC), but was erroneously approved with a start date and an end date that reflects 1 May 22, despite stating "3 years" in the agreement length block. In addition, the contract was approved at the incorrect annual rate of \$20,000, which applies to a Tier 1B contract and those serving in an Air Force Specialty Code (AFSC) of 12X, *Combat Systems Officer*; however, he is serving in an AFSC of 11S, *Special Operations Pilot*. Furthermore, since he is serving for more than two years in the 11S AFSC he is entitled to a Tier 1A contract at the annual rate of \$35,000. As such, he was underpaid for FY23 and due to the servicing error at ARPC, he has not been paid at all for FY24. He is seeking a correction to the contract to receive the difference in full payment owed (\$20,000 vs \$35,000) for the first year of service, and full payment of the second year of service which has not paid out at all.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is an Air Force Reserve (AFR) major (O-4) serving in an AFSC 11S.

On 5 May 22, according to a signed "Aviation Bonus (AvB) Program Agreement," provided by the applicant, he requested a three-year AvB for his AFSC, 11S. On 16 May 22, ARPC approved (with digital signature date of 16 May 22) the agreement at an annual rate \$20,000 and a start and end date, which both reflect 1 May 22. In addition, according to the contract a Tier 1A: "Active Guard Reserve (AGR) - 11X Pilots and 18X/11U/12U RPA Pilots" are entitled to \$35,000 per year for agreements greater than two years.

According to an amended "Aviation Bonus (AvB) Program Agreement," provided by ARPC/DPAT, the agreement was amended by ARPC (with digital signature date of 2 May 23) and reflects a start date of 1 May 22 and an end date of 1 May 25; however, the annual rate still reflects \$20,000.

According to a printout from the Military Personnel Database System (MilPDS), the Point Credit Accounting and Reporting System (PCARS) reflects he was credited with active duty service

AFBCMR Docket Number BC-2024-02459

Work-Product

Work-Product

beginning on Retention and Retirement (R/R) Year 31 Dec 18 and has remained on active duty through his current R/R Year.

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 his FY22 AvB be corrected to reflect the appropriate Tier 1A incentive rate which was erroneously approved and he receive an additional \$15K incentive payment for 1 May 23. The applicant further states his subsequent payment of \$35K for FY24 AvB agreement has not been paid due to errors found within his agreement as identified by ARPC/DPATI.

The AvB program, designed to retain and recruit fully qualified and experienced aviators for time served in the AFR, was not able to honor several aviators as intended. In Sep 23, the Defense Finance and Accounting Service (DFAS) notified ARPC/DPATI they could not make payments under flawed AvB contract extensions that incorporated the terms of an existing contract into a contract for future service. In response, DPATI conducted an internal audit of records for the AFR AvB program. As a result of this audit, DPATI identified multiple aviators who have been adversely affected. These individuals, despite their belief in the validity of their contracts, have experienced denial of payment.

ARPC's audit identified three categories of errors relating to the AvB program, for which DFAS refuses to make AvB payments. These categories are as follows:

1. The aviator attempted to extend/renege an AvB but signed a new contract after the prior contract had expired.
2. The aviator requested an AvB extension under the authority of an ETP from AFRC/A3.
3. ARPC committed administrative errors when reviewing and approving AvB contracts.

Based on ARPC's internal audit and analysis of the facts, there is evidence an error or injustice has occurred. These highly skilled aviators successfully and faithfully executed their assigned duties. They remained qualified for AvB contract extensions, but DFAS denied payment due to ARPC's errors in administering the AvB contract extension process. Granting the AvB payment will ensure both the applicant and the AFR receive what was originally intended: a well-deserved bonus paid to these critically needed aviators for a term of service to which both parties believed they had 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 10 Sep 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 the applicant requested an AvB contract for 36 months and was serving in AFSC 11S, which is eligible for a Tier 1 bonus at an annual rate of \$35,000. However, due to procedural and administrative errors with the execution of the AvB program, the contract was erroneously approved at the incorrect rate of \$20,000 and with incorrect start and end dates. Furthermore, the Board notes 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) 2022 Aviation Bonus (AvB) with agreement length of 36 months be amended to reflect effective dates 1 May 2022 through 30 April 2025 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-2024-02459 in Executive Session on 8 Oct 24:

Work-Product

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

Exhibit A: Application, DD Form 149, w/atchs, dated 15 Jul 24.

Exhibit B: Documentary evidence, including relevant excerpts from official records.

Exhibit C: Advisory opinion, ARPC/DPAT, w/atchs, dated 22 Aug 24.

Exhibit D: Notification of advisory, SAF/MRBC to applicant, dated 10 Sep 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.

3/17/2025

Work-Product