

IN THE CASE OF: ██████████

BOARD DATE: 28 February 2024

DOCKET NUMBER: AR20230005671

APPLICANT REQUESTS: correction of retirement points for Inactive Duty (IDT) service performed for "points only" in June 2020.

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:

- DD Form 149 (Application for Correction of Military Record)
- DA Form 1380 (Record of Individual Performance of Reserve Duty Training)
- Memorandum – Subject: Request for Exception to Policy (ETP) to Process Inactive Duty Training, 17 October 2023
- Memorandum – Subject: DA Form 1380 Returned Without Action, 8 February 2024

FACTS:

1. The applicant states in pertinent part that he was assigned to a Troop Program Unit (TPU) and attending Battle Assemblies (BA) in February 2020. At that time, he was in the process of transferring units and participating in the Individual Mobilization Augmentee (IMA) program. He notes that his transfer into the IMA program was completed in March 2020, during the COVID 19 pandemic restrictions resulting in the cancellation of all nonemergent military travel. His assigned unit was not versed in the processing of Rescheduled Training (RST) and the payment of Reserve personnel as they were an active component unit. In June 2020, he requested the ability to work remotely "for points only" in order to meet the requirements to receive service credit for a good year. Upon completion of duty, he submitted his DA Form 1380 to his unit but was advised to submit the documentation to the U.S. Army Human Resources Command (AHRC) for processing. Based upon the guidance of a fellow Reserve Soldier, he was advised that it may take up to a year for the points awarded to be reflected within his record, so the lack of an immediate response was not concerning. However, upon later review of his retirement points, he noted that he did not receive credit for a good year in 2019/2020 because his duty performed in June 2020 was not added. Upon inquiry, he was advised that the points were not processed because the submitted DA Form 1380 was not completed correctly. He was advised to correct the form and resubmit it to this Board for consideration because it was outside of the 30-day window for processing.

2. A review of the applicant's available service records reflects the following:

a. On 28 July 2008, the applicant was appointed a Reserve commission and subsequently assigned to a TPU.

b. On 12 September 2018, AHRC issued Orders Number B-09-807556 announcing the applicant's promotion to the rank/grade of major (MAJ)/O-4, effective 21 August 2018.

c. On 24 March 2020, AHRC issued Orders Number C-03-003641 reassigning the applicant to the Headquarters Support Company, U.S. Army North as an IMA, effective 24 March 2020.

3. The applicant provides the following a:

a. DA Form 1380 dated 8 May 2023, reflective of the applicant's performance of duty for "points only" from 11-12 June 2020. The form further provides that the applicant performed duty for 8 hours (11 June) but incorrectly indicates "68 hours" (12 June). This document is endorsed by the USARNORTH IMA Manager.

b. DA Form 1380 dated 14 September 2020, reflective of the applicant's performance of duty for "points only from 11-12 June 2020 (8 hours per day = 4 points total). This document is endorsed by the USARNORTH HQ Company Commander.

c. Memorandum – Subject: Request for ETP to Process IDT, dated 17 October 2023, reflective of the submitted justification for the late submission of the applicant's DA Form 1380. The USARNORTH, G-6 provides that the delayed submission was the result of errors on the initial DA Form 1380, COVID 19 restrictions and the ultimate rejection by the AHRC IMA Branch. This document is further provided in its entirety within the supporting documents for the Board's review.

d. Memorandum – Subject: DA Form 1380 Returned Without Action, dated 8 February 2024, reflective of AHRCs rejection of the applicant's submitted DA Form 1380 due to several reasons to include late submission and documentation errors. The applicant was advised to resubmit his documentation to this Board for relief.

4. On 28 November 2023, the Headquarters, U.S. Army Reserve Command, Chief, Soldier Programs Branch, provided an advisory opinion recommending approval noting that the applicant should be awarded 4 points for the duty performed. The initial submission could not be processed because the DA Form 1380 was not completed properly.

5. On 5 December 2023, the applicant was provided a copy of the advisory opinion and afforded 15 days to provide comments. As of 13 February 2024, the applicant has not responded.

6. A review of the applicant's most recent DA Form 5016 (Chronological Statement of Retirement Points) dated 13 February 2024, is void of evidence of points awarded during the requested period. The applicant's detailed points history available within the Soldier Management System – Web (SMS-Web) is void of evidence of points previously awarded for the periods requested in the relief.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive and standard review based on law, policy and regulation. Upon review of the applicant's petition and available military records and Headquarters, U.S. Army Reserve Command, Chief, Soldier Programs Branch advisory opinion, the Board concurred with the advising official recommendation for approval finding the applicant should be awarded four (4) points based on regulatory guidance. The Board determined based on the opine, there is sufficient evidence for correction of the applicant's retirement points for Inactive Duty (IDT) service performed for "points only" in June 2020. As such, the Board granted relief.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

■	■	■	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected to show the applicant is authorized retirement points for Inactive Duty (IDT) service performed for "points only" in June 2020.

2/29/2024

X [REDACTED]

CHAIRPERSON
[REDACTED]

I certify that herein is recorded the true and complete record of the proceedings of the Army Board for Correction of Military Records in this case.

REFERENCE:

Army Regulation 140-185 (Training and Retirement Point Credits and Unit Level Strength and Accounting Records) prescribes the types of training and activities for which retirement points are authorized and the procedures for recording retirement point credits and training for U.S. Army Reserve (USAR) Soldiers. A qualifying year of service for non-regular retired pay is a full year during which a Reserve Component member is credited with a minimum of 50 retirement points.

a. Paragraph 2-2, (Criteria for Earning Retirement Points) states retirement points may be earned by USAR Soldiers for active duty (AD), or while in an active Reserve status, for ADT, initial active duty for training (IADT), involuntary active duty for training (involuntary ADT), AT, and IDT. Types of IDT are:

- regularly scheduled unit training includes UTA, and MUTA
- Regularly Scheduled Training (RST) other than UTA/MUTA
- make up assemblies for missed UTA/MUTA due to AT
- Equivalent Training (ET) in lieu of scheduled UTA/MUTA or RST
- additional training assemblies (ATA)
- two-hour unit training assemblies
- training of individual Soldiers in non-pay status.

b. Paragraph 2–4 (Criteria for Awarding Retirement Points) states, personnel on AD, ADT, IADT, involuntary ADT, or AT are awarded 1 point for each calendar day they serve in one of these categories and may not be awarded additional points for other activities while in such status. Most types of IDT are covered by one of the following rules on required duration of IDT and calendar day limitations on points:

- one point for each scheduled 4-hour period of IDT at UTA, RST, ET, ATA, or make up assembly maximum of 2 points in 1 calendar day
- one point for each 2 hour or greater period
- two-hour aggregates of shorter periods may be used, except in the case of 2-hour unit training assembly's maximum of 1 point in 1 calendar day
- one point for each 2 hour or greater period
- two-hour aggregates of shorter periods may be used except in the case of 2-hour unit training assemblies
- award of a second point in the same day requires additional hours to bring the day's total to a minimum of 8, maximum of 2 points in 1 calendar day
- points may not be awarded under more than one of the rules above during any single calendar day
- Soldiers may not perform more than 48 BAs per fiscal year. Soldiers must perform RST within 60 days of the missed BA.

c. Paragraph 3-3 (DA Form 1380) provides that DA Form 1380 will be prepared for a unit Soldier who performs equivalent training or additional training with their unit after the scheduled Battle Assembly. TPU units will retain one copy of the DA Form 1380 to post the appropriate entry into ADARS for the months report. Nonpaid DA Forms 1380 will not be entered into ADARS and will be forwarded to HRC for award of retirement points no later than the end of each duty month.

d. Paragraph 3-3b, states a DA Form 1380 will be prepared for a unit Soldier who performs equivalent training or additional training. The code "P" or "N" will be entered in item 9c before the retirement point credit. The code "P" indicates the Soldier is entitled to inactive duty pay for the duties performed; the code "N" indicates the Soldier is entitled to retirement point credit only.

//NOTHING FOLLOWS//