

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 5 April 2024

DOCKET NUMBER: AR20230009320

APPLICANT REQUESTS: correction of his DA Form 5016 (Retirement Accounting Statement) to reflect the additional non-paid retirement points for duty performed:

- 32 non-paid retirement points for Retirement Year Ending (RYE) 11 January 2023
- 13 non-paid retirement points for RYE 11 January 2024

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214 (Certificate of Release or Discharge from Active Duty) service ending 1 December 2016
- E-mail to applicant's unit, 17 August 2021
- Email to applicant's unit, 4 March 2022
- DA Form 1380 (Record of Individual Performance of Reserve Duty Training) for duty performed in September 2022
- DA Form 1380 for duty performed in October 2022
- DA Form 1380 for duty performed in November 2022
- DA Form 1380 for duty performed in December 2022
- E-mail to applicant's unit, 12 January 2023
- E-mail to applicant's unit, 2 February 2023
- DA Form 1380 for duty performed in January 2023
- E-mail to applicant's unit, 16 February 2023
- E-mail to applicant's unit, 23 February 2023
- DA Form 1380 for duty performed in February 2023
- E-mail to applicant's unit, 6 March 2023
- E-mail from U.S. Army Human Resources Command (HRC)
- DA Form 1380 for duty performed in March 2023
- E-mail to applicant's unit, 2 April 2023
- E-mail to 88 Readiness Division (RD), 17 April 2023
- E-mail to applicant's unit, 27 April 2023
- E-mail to applicant's unit, 7 May 2023
- DA Form 5016

- Integrated Personnel and Pay System – Army (IPPS-A) Retirement Point Detail

FACTS:

1. The applicant states in effect, since the beginning of Fiscal Year 2023, he has been submitting his DA Forms 1380 for non-paid retirement points on time; however, they were not being processed correctly. Neither his personnel service center nor his unit understood the proper process for processing DA Forms 1380. Each month after submission, he would inquire about the status and was told to wait 120-days for the points to be reflected on his DA Form 5016. As a result, the points were not added to his DA Form 5016, and he was directed to submit his request to the Board for adjudication.

2. A review of the applicant's service record shows:

a. On 12 January 2006, the applicant enlisted in the U.S. Army Reserve (USAR) Delayed Entry Program (DEP). He was discharged from the USAR DEP and enlisted in the Regular Army on 2 February 2006 with continuous service through extensions and reenlistments.

b. On 29 June 2016, the applicant enlisted in the USAR.

c. The applicant was honorably released from active duty on 1 December 2016 and assigned to a USAR Troop Program Unit (TPU).

d. On 21 March 2022, the applicant reenlisted in the USAR.

e. DA Form 1380 dated 16 November 2022, shows -

(1) the applicant performed duty on:

- 7 November 2022 – 4-hours of duty performing administrative duties to support the unit as the Senior Enlisted Advisor (SEA) for 1 non-paid retirement point
- 16 November 2022 - 4-hours of duty performing administrative duties to support the unit as the SEA for 1 non-paid retirement point
- 17 November 2022 - 8-hours of duty performing administrative duties to support the unit as the SEA for 2 non-paid retirement point
- 28 November 2022 - 8-hours of duty performing administrative duties to support the unit as the SEA for 2 non-paid retirement point

(2) the DA Form 1380 was digitally signed by Major (MAJ) R -G-, Executive Officer (XO) on 3 December 2022 as the officer who had knowledge of the duties performed.

f. DA Form 1380 dated 1 January 2023, shows -

(1) the applicant performed duty on:

- 1 through 2 December 2022 – 4-hours of duty each day performing administrative duties to support the unit as the SEA for 1 paid retirement point each day, totaling 2 retirement points
- 5 December 2022 - 8-hours of duty performing administrative duties to support the unit as the SEA for 2 paid retirement points
- 6 December 2022 - 4-hours of duty performing administrative duties to support the unit as the SEA for 1 paid retirement point
- 8 through 9 December 2022 - 4-hours of duty each day performing administrative duties to support the unit as the SEA for 1 paid retirement point each day, totaling two retirement points
- 12 through 13 December 2022 – 4-hours of duty each day performing administrative duties to support the unit as the SEA for 1 paid retirement point each day, totaling two retirement points

(2) the DA Form 1380 was digitally signed by MAJ R- G-, XO on 11 January 2023 as the officer who had knowledge of the duties performed.

g. DA Form 1380 dated 5 February 2023, shows the applicant performed duty on 10 through 12 January 2023 performing 4-hours of duty each day conducting administrative support for the unit as the SEA for 1 paid retirement point for each day of duty, totaling three retirement points. The DA Form 1380 was digitally signed by MAJ R-G-, XO on 5 February 2023 as the officer who had knowledge of the duties performed.

h. The applicant's DA Form 5016 dated 10 February 2023 shows -

(1) the applicant obtained the following retirement points:

- RYE 13 November 2022 – 15 Inactive Duty Training (IDT) points, 13 membership points, and 34 Active Duty Training (IDT) points for a total of 62 creditable points
- RYE 11 January 2023 – 8 IDT points, 2 membership points, and 0 ADT points for a total of 10 creditable points
- Retirement year beginning 12 January 2023 with RYE blank – 8 IDT points, 0 membership points, and 0 ADT points for a total of 8 creditable points

(2) The annual detail supplement shows the applicant was awarded retirement points on:

- 8 December 2022 - 1 IDT point but does not specify paid or non-paid
- 9 December 2022 - 1 IDT point but does not specify paid or non-paid
- 12 December 2022 - 1 IDT point but does not specify paid or non-paid

(3) These conflict with points which the applicant is requesting to be awarded in his application.

i. DA Form 1380 dated 4 March 2023, shows the applicant performed duty on 23 February 2023 performing 4-hours of duty conducting administrative support for the unit as the SEA for 1 paid retirement point. The DA Form 1380 was digitally signed by MAJ W- W-, XO on 2 June 2023.

j. DA Form 1380 dated 31 March 2023, was digitally signed by MAJ R- G-, XO on 31 March 2023 as the officer who had knowledge of the duties performed. This form shows the applicant performed duty on:

- 2 March 2023 – 4-hours of duty performing administrative duties to support the unit as the SEA for 1 paid retirement point
- 9 March 2023 - 4-hours of duty performing administrative duties to support the unit as the SEA for 1 paid retirement point
- 16 March 2023 - 4-hours of duty performing administrative duties to support the unit as the SEA for 1 paid retirement point
- 23 March 2023 - 4-hours of duty performing administrative duties to support the unit as the SEA for 1 paid retirement point
- 27 through 28 March 2023 – 4-hours of duty each day performing administrative duties to support the unit as the SEA for 1 paid retirement point each day, totaling two retirement points
- 29 through 30 March 2023 – 8-hours of duty each day performing administrative duty to support the unit as the SEA for 2 paid retirement points each day, totaling 4 retirement points
- 31 March 2023 – 4-hours of duty performing administrative duties to support the unit as the SEA for 1 paid retirement point

k. The applicant's DA Form 5016 dated 10 February 2024 shows the applicant obtained for:

- RYE 13 November 2022 – 15 IDT points, 13 membership points, and 34 ADT points for a total of 62 creditable points
- RYE 11 January 2023 – 8 IDT points, 2 membership points, and 0 ADT points for a total of 10 creditable points

- RYE 11 January 2024 – 104 IDT points, 15 membership points, and 13 ADT points for a total of 132 creditable points
- Retirement year beginning 12 January 2024 with RYE blank – 4 IDT points, 0 membership points, and 0 ADT points for a total of 4 creditable points

3. The applicant provides:

a. DA Form 1380 dated 22 September 2022 which shows:

(1) the applicant performed duty conducting administrative duties to support his unit as the SEA for non-paid retirement points:

- 12 September 2022 – 8-hours for 2 non-paid retirement points
- 19 September 2022 – 4-hours for 1 non-paid retirement point
- 22 through 23 September 2022 – 4-hours each day for 1 non-paid retirement point each day, totaling two retirement points

(2) The DA Form 1380 was digitally signed on 15 May 2022 by MAJ R- G-, Commander as the officer who had knowledge of the duties performed.

b. DA Form 1380 dated 6 October 2022 which shows:

(1) the applicant performed 4-hours of duty each day conducting administrative duties to support his unit as the SEA for 1 non-paid retirement point each day:

- 3 October 2022
- 6 through 7 October 2022
- 10 October 2022
- 13 through 14 October 2022
- 24 October 2022
- 27 through 28 October 2022
- 31 October 2022

(2) the DA Form 1380 was digitally signed on 15 May 2022 by MAJ R- G-, Commander as the officer who had knowledge of the duties performed.

c. DA Form 1380 dated 16 November 2022 which shows:

(1) the applicant performed administrative duties to support his unit as the SEA:

- 7 November 2022 – 4-hours for 1 non-paid retirement point
- 16 November 2022 – 4-hours for 1 non-paid retirement point
- 17 November 2022 – 8-hours for 2 non-paid retirement points

- 28 November 2022 – 8-hours for 2 non-paid retirement points

(2) the DA Form 1380 was digitally signed on 3 December 2022 by MAJ R- G-, XO as the officer who had knowledge of the duties performed.

d. DA Form 1380 dated 1 January 2023 which shows:

(1) the applicant performed administrative duties to support his unit as the SEA:

- 1 through 2 December 2022 – 4-hours each day for 1 non-paid retirement point each day, totaling two retirement points
- 5 December 2022 – 8-hours for 2 non-paid retirement points
- 6 December 2022 – 4-hours for 1 non-paid retirement point
- 8 through 9 December 2022 – 4-hours each day for 1 non-paid retirement point each day, totaling two retirement points
- 12 through 13 December 2022 – 4-hours each day for 1 non-paid retirement point each day, totaling two retirement points

(2) the DA Form 1380 was digitally signed on 11 January 2023 by MAJ R- G-, XO as the officer who had knowledge of the duties performed.

e. Applicant's e-mail dated 12 January 2023 to his unit requesting assistance in obtaining retirement points for duty performed, some of which he received his base pay but not the retirement points and others he was not paid, nor did he receive the retirement points. He inquired about the next steps to get the issue corrected.

f. Applicant's e-mail dated 2 February 2023 to his unit where he provided information and documents he had previously submitted to his unit to be credited for the duty he performed, and he understood that a letter of lateness may be required for processing.

g. DA Form 1380 dated 5 February 2023 which shows the applicant performed 4-hours each day conducting administrative duties to support his unit as the SEA during the period of 10 through 12 January 2023 for 1 non-paid retirement point each day, totaling three retirement points. The DA Form 1380 was digitally signed on 5 February 2023 by MAJ R- G-, XO as the officer who had knowledge of the duties performed.

h. Applicant's e-mail dated 16 February 2023 to his unit inquiring on the status of his request for assistance in getting his retirement points corrected that were missing from his record. He also stated on the newly issued DA Form 5016 he noticed in an unspecified RYE had shown he was credited for 72 retirement points where it should

have been 76 and that he was still missing 30 retirement points for a total of 34 missing retirement points.

i. Applicant's e-mail dated 23 February 2023; the applicant conducted an inquiry to his e-mail dated 16 February 2023.

j. DA Form 1380 dated 4 March 2023 which shows the applicant performed 4-hours of duty conducting administrative duties to support his unit as the SEA for 1 non-paid retirement point. The DA Form 1380 was digitally signed on 2 June 2023 by MAJ W- W-, XO, as the officer who had knowledge of the duties performed.

k. Applicant's e-mail dated 6 March 2023 to his unit which shows the applicant provided documents which needed to be forwarded and since IPPS-A was on-line he inquired if a personnel action was required for the action.

l. E-mail dated 16 March 2023 from the HRC, Retirement Points Team which stated effective 1 April 2022, the processing of DA Form 1380 for Soldiers assigned to the USAR TPU were managed by the RD and instructed the applicant's unit to submit the request to the Soldier's servicing RD. This e-mail was in response to the applicant's unit submission of the applicant's DA Forms 1380 on 15 March 2023.

m. DA Form 1380 dated 31 March 2023 which shows:

(1) the applicant performed administrative duties to support his unit as the SEA:

- 2 March 2023 – 4-hours for 1 non-paid retirement point
- 9 March 2023 – 4-hours for 1 non-paid retirement point
- 16 March 2023 – 4-hours for 1 non-paid retirement point
- 23 March 2023 – 4-hours for 1 non-paid retirement point
- 27 through 28 March 2023 – 4-hours for 1 non-paid retirement point, totaling two retirement points
- 29 through 30 March 2023 – 8-hours each day for 2 non-paid retirement points each day, totaling 4 retirement points
- 31 March 2023 – 4-hours for 1 non-paid retirement point

(2) The DA Form 1380 was digitally signed on 31 March 2023 by MAJ R- G-, XO as the officer who had knowledge of the duties performed.

n. Applicant's e-mail dated 2 April 2023 to his unit shows he inquired about the status of the submission of his missing retirement points.

o. Applicant's e-mail dated 17 April 2023 to the 88th RD, retirement points section which shows he inquired about the status of his missing retirement points from his DA Form 5016, and he provided the supporting documents to his request.

p. Applicant's e-mail dated 17 April 2023 to the 88th RD, Finance Inquiries Section stated he was attempting to have retirement points added to his DA Form 5016 which were previously submitted for pay and retirement points which was submitted previously to an e-mail address which no longer existed.

q. Applicant's e-mail dated 27 April 2023 to his unit where the applicant inquired if someone could contact the point of contact at the 88th RD to request the processing of his DA Forms 1380.

r. E-mail from the applicant's unit dated 7 May 2023 which provided instructions for a request for retirement points to be awarded.

s. DA Form 5016 (Draft Only), dated 9 June 2023, shows -

(1) page 1 of 2 shows:

- RYE 13 November 2022 – 15 IDT points, 13 membership points, and 34 ADT points for a total of 62 creditable points
- RYE 11 January 2023 – 8 IDT points, 2 membership points, and 0 ADT points for a total of 10 creditable points
- Retirement year beginning 12 January 2023 with RYE blank – 26 IDT points, 0 membership points, and 0 ADT points for a total of 26 creditable points

(2) Page 2 of 2 (The Annual Detail Supplement -draft only) shows:

- 8 December 2022 – 1 paid IDT point
- 9 December 2022 – 1 paid IDT point
- 12 December 2022 – 1 paid IDT point

t. IPPS-A retirement points detail shows the applicant was awarded:

- 8 December 2022 – 1 IDT point
- 9 December 2022 – 1 IDT point
- 12 December 2022 – 1 IDT point

u. SMS Web Retirement Point Details does not reflect the applicant was awarded retirement points for the duty he requested in the application and does not reflect any retirement points awarded after 4 October 2022.



4. On 28 December 2023, in the processing of this case, Headquarters, U. S. Army Reserve Command provided an advisory opinion regarding the applicant's request to be awarded retirement points. The advisory official stated after the review of the applicant's documents it was determined he should be awarded 45 retirement points. The applicant submitted DA Forms 1380 for points for the duty he performed outside of the scheduled unit training assemblies. Due to the unit's administrative error and the improper completion of the DA Forms 1380, they were not processed in a timely manner. A favorable decision will allow the RDs to process the DA Forms 1380 for retirement points.
5. On 5 January 2024, the Army Review Boards Agency, Case Management Division provided the applicant the advisory opinion for review and comment. On 30 January 2024, the applicant responded via e-mail stating he agreed with the determination and had no additional comments.

#### BOARD DISCUSSION:

1. The applicant's contentions, the military record, and regulatory guidance were carefully considered. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted.
2. Headquarters, U. S. Army Reserve Command provided an advisory opinion regarding the applicant's request to be awarded retirement points. The Board concurs with the advisory official who stated, after reviewing the applicant's documents it was determined he should be awarded 45 retirement points.
3. The evidence of record shows the applicant submitted DA Forms 1380 for points for the duty he performed outside of the scheduled unit training assemblies. Due to the unit's administrative error and the improper completion of the DA Forms 1380, they were not processed in a timely manner.
  - a. Headquarters, U. S. Army Reserve Command provided a favorable advisory opinion regarding the applicant's request to be awarded an additional 45 retirement points.
  - b. The Board concurs with the advisory opinion.

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 by:

a. correcting the following DA Forms 1380 (Record of Individual Performance of Reserve Duty Training) to show they were properly completed, timely received, approved, timely processed by the Army Human Resources Command, and that the applicant was credited with a total of 45 additional (non-paid) retirement points:

- 22 September 2022 (5 retirement points)
- 6 October 2022 (10 retirement points)
- 16 November 2022 (6 retirement points)
- 1 January 2023 (9 retirement points)
- 5 February 2023 (3 retirement points)
- 4 March 2023 (1 retirement point)
- 31 March 2023 (11 retirement points)

b. issuing a new DA Form 5016 (Retirement Accounting Statement) to reflect 45 additional non-paid retirement points based on the above corrections.

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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.

REFERENCES:

1. Army Regulation (AR) 140-1 (Mission, Organization, and Training), provides policy guidance on the mission, organization, and training of the U.S. Army Reserve (USAR). It does not contain guidance on preparation for order to active duty under a mobilization situation.

a. Paragraph 3-11 (Equivalent training (ET)), ET is performed in lieu of scheduled training (either RST or, UTA or MUTA). Pay or retirement point credit, or both is authorized. ET must be accomplished within 60-days after the training for which it is substituted, or by the end of the training year (fiscal year) if within 60-days of that date. An explanation of the circumstances will be included, with a statement that the ET, if granted, will not cause the Soldier to exceed the 48 paid unit assemblies for the fiscal year. a. ET is limited to Soldiers who have missed a UTA, MUTA, or RST due to unforeseen personal emergencies and desire to make it up. No more than 4 UTAs may be made up during a fiscal year. b. ET given will be the same type and quality as the training missed. It will be appropriate to, and enhance the ability of, Soldiers to carry out their assigned duties. For staff or support personnel, this may include duty which enhances unit training, management, or readiness. c. ET must be at least as long as the training missed. d. ET will not be granted for assemblies missed due to ADT.

b. Paragraph 3-14.2 (Additional training assemblies (ATAs)), ATAs may be used to conduct additional wartime or assigned mission training. An ATA will be a minimum of 4-hours. No more than 12 ATAs will be performed by any one individual per year.

2. AR 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records), prescribes policy for U.S. Army Reserve (USAR) training and retirement point credit.

a. Paragraph 2-1 (Criteria for crediting retirement points), the limitations on the number of points which may be credited to a Soldier during a retirement year area. Maximum-365 (366 during leap year) points. Maximum for inactive duty training (IDT) 60 points for IDT and membership points. However, Annual or Terminal Statement of Retirement Points will report all points earned. Retirement points credited for activities other than active service or funeral honors may not exceed 130 retirement points for anniversary years closing on or after 30 October 2007. Inactive duty training (IDT) will be either 4 hours in length for one retirement point or 8 hours in length for two retirement points, with the exception of the 2 hour IDT funeral honors duty.

b. Paragraph 2-2 (Criteria for earning retirement points) states retirement points may be earned by U.S. Army Reserve Soldiers for active duty or duty in an active status for active duty for training (ADT), initial active duty for training (IADT), involuntary active

duty for training (involuntary ADT), voluntary IDT, annual training (AT), IDT, membership points, and for other training of individual Soldier in a non-pay status.

c. Paragraph 2-4 (Criteria for awarding retirement points), 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. Table 2-1 provides criteria for award of retirement points for IDT performed in accordance with AR 140-1 (unless another reference is cited). Most types of IDT are covered by one of the following rules on required duration of IDT and calendar day limitations on points.

- Four-hour rule; Soldiers earn one point for each scheduled 4-hour period of IDT at Battle Assembly, Rescheduled Training (RST), Equivalent Training, or Additional Training Assemblies
- Four/eight-hour rule; Soldiers earn one point for each 4 hour or greater period, award of a second point in the same day requires additional hours to bring the day's total to a minimum of 8 hours for a maximum of two points in 1 calendar day

d. Table 2-1 (Award of IDT retirement points) rule 10; performs staff and administrative duties as additional training for points only in support of Troop Program Unit activities as a Selected Reserve Soldier may be awarded points under the 4-hour/8-hour rule except for UTA/MUTA, RST, ET, make up assemblies or ATA.

e. Paragraph 3-3 (DA Form 1380), DA Form 1380 will be prepared for a unit Soldier who performs ET or additional training with their unit subsequent to the scheduled BA. TPU units will retain one copy of the DA Form 1380 to post the appropriate entry into ADARS for the month's report and then place in the appropriate Army records information management system file. Non-paid 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.

f. Table 3-1 provides that the code "N" will be entered for RST. The code "N" indicates the Soldier is entitled to retirement point credit only. The code "P" indicated the Soldier is entitled to retirement point credit and pay.

3. Department of Defense Instruction (DoDI) 1215.07 (Service Credit for Non-Regular Retirement) states inactive duty may be credited for each attendance at an inactive duty training period. A maximum of 2 retirement points for attendance at inactive duty training periods or equivalent training, in any 1 calendar day. The Service member's participation is without payment other than the pay to which the Service member is

entitled as a Reserve Component member. Credit no more than one retirement point for fewer than 8 hours.

//NOTHING FOLLOWS//