

IN THE CASE OF: ██████████

BOARD DATE: 6 June 2024

DOCKET NUMBER: AR20230010599

APPLICANT REQUESTS: correction of her DA Form 5016 (Retirement Accounting Statement) by adding three non-paid retirement points.

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)

FACTS:

1. The applicant states in effect, she needs to add three non-paid retirement points in RYE 13 June 2023 for the completion of her medical examinations past the normal deadlines of submission. The initial submission for pay and retirement points was rejected due to the lack of funds which she forgot to resubmit for non-paid retirement points until this time.

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

a. With prior enlisted service, the applicant executed her oath of office on 14 June 2009 and was appointed as a Reserve commissioned officer.

b. On 22 September 2009, Orders Number 265-16-A-2660, issued by Headquarters, U.S. Army Cadet Command, ordered the applicant to active duty for a 4-year active duty commitment, effective 9 November 2009.

c. On 27 February 2017, the applicant was honorably released from active duty and assigned to a U.S. Army Reserve Troop Program Unit. DD Form 214 (Certificate of Release or Discharge from Active Duty) shows the applicant completed 7-years, 3-months, and 19-days of active service.

d. The applicant's DA Form 5016 dated 30 January 2024 shows she obtained in RYE:

- 13 November 2022, 12 Inactive Duty (IDT) points and 6 membership points for a total of 18 creditable points
- 13 June 2023, 32 IDT points and 9 membership points for a total of 41 creditable points

(The applicant's RYE was split due to the transition from the legacy system to the Integrated Personnel and Pay System – Army (IPPS-A) for the Human Resources system of records.)

3. The applicant provides a DA Form 1380 dated 1 August 2023 which shows the applicant performed 4-hours of duty each day for one non-paid retirement point on:

- 7 September 2022, received her Influenza vaccination at the CVS Pharmacy, her documentation was submitted to Leading Health Indicators
- 5 November 2022, dental examination at the Davis Dental Clinic at Fort Bragg (Liberty), NC, no documentation was provided, it was updated in Medical Protection System
- 18 November 2022, Periodic Health Assessment (PHA) and hearing examination at the Scotland Memorial Hospital

4. On 25 January 2024, in the processing of this case, the U.S. Army Reserve Command provided an advisory opinion regarding the applicant's request to be awarded the additional three non-paid retirement points in RYE 13 June 2023. The advisory official stated it was recommended the applicant be granted three non-paid retirement points for full relief. Soldiers are authorized a maximum of one medical and one dental PHA assessment for 4-hour periods per fiscal year. The applicant's unit should have paid at least one of the medical events.

5. On 26 January 2024, the Army Review Boards Agency, Case Management Division, provided the applicant the advisory opinion for review and comment. She did not respond.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found relief is warranted.

2. The Board concurred with the conclusion of the advisory official and determined the applicant should be credited with the 3 non-paid retirement points documented on the DA Form 1380 she provided in support of her application.

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 processing the DA Form 1380 she provided in support of her application and updating her retirement points accordingly.

11/1/2024

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CHAIRPERSON

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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 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. 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 USAR Soldiers for active duty or duty in an active status for 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. Soldiers are authorized a maximum of one medical and one dental physical health assessment for 4 hour periods per fiscal year unless follow-ups are authorized at the need of the Army due to further medical screening per AR 40-501.

- Four-hour rule; Soldiers earn one point for each scheduled 4-hour period of IDT at Battle Assembly, Rescheduled Training (RST), ET, 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.

2. Department of Defense Instruction 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//