

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 24 May 2024

DOCKET NUMBER: AR20230011201

APPLICANT REQUESTS: correction of her DA Form 5016 (Retirement Accounting Statement) to add additional four non-paid retirement points for Retirement Year Ending (RYE) 26 May 2021.

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)
- Integrated Personnel and Pay System – Army (IPPS-A) screenshot

FACTS:

1. The applicant states in effect, when she was reviewing her DA Form 5016, she noticed the four non-paid points were not awarded for duty performed.
2. A review of the applicant's service record shows:
 - a. With prior enlisted service, the applicant executed her oath of office on 19 May 2012 and was appointed as a Reserve commissioned officer.
 - b. On 24 May 2012, Orders Number C-05-207744, issued by the U.S. Army Human Resources Command (HRC), the applicant was assigned to a U.S. Army Reserve Troop Program Unit, effective 19 May 2012.
 - c. DA Form 5016 (Retirement Accounting Statement) dated 30 October 2023, shows for the RYE ending 26 May 2021 the applicant obtained 88 Inactive Duty Training (IDT) points, 15 memberships points, and 51 Active Duty Training (ADT) points for a total of 154 creditable retirement points.
 - d. The applicant continues service in the USAR.
3. The applicant provides:

a. DA Form 1380 dated 30 July 2020 which shows the applicant performed 4-hours of duty each day for 1 non-paid retirement point each day on:

- 14 July 2020, performed Battalion (BN) command, staff teleconference, and administrative work
- 22 July 2020, performed BN Sexual Harassment and Assault Response Program (SHARP) training with the BN commander; Judge Advocate General brief and driving under the influence Staff Judge Advocate interface
- 24 July 2020, performed notice of separation packets; administrative work and annual training concept of operations
- 30 July 2020, performed annual training preparation; unsatisfactory participant calls and SHARP follow-up

The DA Form 1380 was digitally signed on 30 July 2020 by Captain J- A-, BN S3 as the officer having knowledge of the duties performed.

b. IPPS-A screenshot which in effect states on 1 August 2023, the applicant was notified that duty executed 60-days from the date of signature and 1-year prior in IPPS-A must be submitted to the Army Review Boards Agency for adjudication.

4. On 21 December 2023, in the processing of this case, the U.S. Army Reserve Command, provided an advisory opinion regarding the applicant 's request to be awarded four additional non-paid retirement points for RYE ending 26 May 2021. The advisory official stated after the review of the documents the applicant provided, she should be awarded four retirement points. The DA Form 1380 for non-paid points for duty performed outside the scheduled unit training assembly were not properly processed due to the unit's administrative errors. A favorable decision will allow the Readiness Divisions to process the DA Form 1380 for non-paid retirement points.

5. On 30 December 2023, the Army Review Boards Agency, Case Management Division, provided the applicant the advisory opinion for review and comment.

6. On 9 January 2024, the applicant responded via e-mail stating she agreed with the advisory opinion and did not have any further comment.

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 applicant's contentions, the military record, and regulatory guidance were carefully considered. The applicant contends that her DA Form 5016 should be corrected to add additional four non-paid retirement points for Retirement Year Ending 26 May 2021. The Board's reviewed and agreed with the USARC advisory official's finding she should be awarded

four retirement points. The DA Form 1380 for non-paid points for duty performed outside the scheduled unit training assembly were not properly processed due to the unit's administrative errors. The Board agreed that relief is warranted.

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:

- Showing the applicant timely submitted the referenced DA Form 1380 (for points only) through and/or to the appropriate office for processing
- Showing the appropriate office timely received and processed the submitted DA Form 1380 (for points only), provided all other criteria is met

■ [REDACTED]

■ [REDACTED]

[REDACTED]

[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.

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).

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 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.

- 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.

3. 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//