

IN THE CASE OF: [REDACTED]

BOARD DATE: 27 June 2024

DOCKET NUMBER: AR20230011516

APPLICANT REQUESTS: correction of his record to show he was paid Assignment Incentive Pay (AIP) in the amount of \$4,800.00.

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

- DD Form 149 (Application for Correction of Military Record)
- Memorandum, Subject: Fiscal Year 2023 AIP Pilot Program for Officers and Noncommissioned Officers (NCO) Assigned to the National Training Center and Fort Irwin California
- U.S. Army Human Resources Command (HRC) Assignment Instructions
- Assignment Interactive Module (AIM) Screenshots
- Email correspondence

FACTS:

1. The applicant states in pertinent part:

a. He arrived at Fort Irwin, CA, on 12 January 2023. Upon completion of installation in-processing, he in-processed the Operations Group and the S-1 assisted him in submitting the bonus paperwork on or about 24 January 2023. After several pay cycles in which he did not receive the bonus payment, he inquired with the S-1 and was forwarded email traffic stating he was not eligible for the bonus due to not being assigned to Fort Irwin through the AIM. Timeline of events:

- 6 April 2022 - 11 May 2022: AIM Cycle 23-01 occurs (see screenshot of 23-01 showing he was slotted against that requisition FCCI046988, see Request for Orders (RFO) dated 2 November 2022)
- 3 October 2022 - 14 November 2022: AIM Cycle 23-02 occurs (see screenshot showing two requisitions showing the need for the slot he ended up filling)
- 12 October 2022: Contacted Branch Manager requesting movement in 23-02 Cycle

- 25 October 2022: e-mails between his Branch Manager and Commander at the time, discussing moving him to Fort Irwin, CA as a first choice
- 2 November 2022: Received RFO for Fort Irwin assignment; requisition FCCI046988, matching requisition from 23-01
- 12 January 2023: Arrived at Fort Irwin
- 24 January 2023: Submitted Incentive Bonus Request with S-1
- 26 April 2023: Inquired with S-1 on the status of the Incentive Bonus
- 3 May 2023: Received e-mail from NTC G-1 Human Resources Specialist stating he was ineligible for the bonus

b. He meets all the requirements for the AIP, except for the stipulation the assignment must be his first choice through the AIM. The policy memo also references exceptions to this policy. Paragraph 3.a.(2) states the Department of the Army Deputy Chief of Staff, G-1, Plans and Resources Directorate will: "approve exceptions to the eligibility requirements listed in paragraph 4." Paragraph 4.c lists the AIM requirement; therefore, an exception to policy may be granted for the AIM stipulation based on this memo stating exceptions are available. His request should have continued to be processed and referred to the aforementioned office to approve or deny an exception to policy. The action stopped with a NTC, G-1 Human Resources Specialist (who sent the e-mail stating he was ineligible for the bonus); this individual does not have the authority to stop his AIP action from continuing processing. This action should have been routed to the Army Deputy Chief of Staff, G-1, Plans and Resources Directorate for exception to policy action in accordance with the policy memo.

c. The email from NTC G-1 states an exception to policy cannot be requested because "the position he is filling did not appear in the market and go unfilled." In his case, this is exactly what happened: a requisition that was unfilled in Cycle 23-01 is the requisition he was slotted in for movement to Fort Irwin (see RFO matching AIM screenshot of 23-01 requisition).

d. His assignment was an out-of-cycle move; the timeline of which was concurrent with Cycle 23-02 (See attached screen shot of the vacancies in 23-02 for essentially the same position used for his requisition, which demonstrates the position needed during 23-01 was still needed in 23-02). He requested to enter the marketplace and his assignments manager opted to assign him outside of the marketplace; had he competed in the marketplace, he likely would have been matched with the Fort Irwin requisition.

e. Due to the out-of-cycle move, he arrived at Fort Irwin about three months sooner than he would have if his move was completed in the 23-02 marketplace. This is beneficial to Fort Irwin and he should not be punished for this; if the positions are needed, he should be given the benefit of the doubt in the interpretation of the bonus

policy and the ETP process. Refer to e-mail between his branch manager and former battalion commander, dated 25 October 2022.

f. An exception is made in the policy memo for "Soldiers in the Military Occupational Specialties (MOS) 17, 18, 27, 37, 38, 56, Inspector General, and Equal Opportunity Advisors" (Paragraph. 2b). Although he is not in any of the career fields mentioned, it shows that assignment through AIM is not required; it demonstrates the intent of the policy is to fill positions at Fort Irwin. If a requisition in AIM were truly required for AIP eligibility, the exception he referenced in this paragraph would not exist and render Soldiers in these MOSs ineligible for the bonus.

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

a. On 31 July 2008, having had prior enlisted service in the Regular Army, the applicant was appointed as Reserve commissioned officer.

b. On 2 March 2023, Orders Number 4118684.00 issued by the Department of the Army, the applicant was assigned to the National Training Center, effective 12 January 2023, as a human resources officer.

c. On 5 March 2023, Orders Number 4118684.01 issued by the Department of the Army, revoked Orders Number 4118684 pertaining to the applicant's assignment to the National Training Center.

d. On 9 March 2023, Orders Number 4137580.02 issued by the Department of the Army amended Orders Number 4137580 pertaining to the applicant's permanent change of station to the National Training Center. These orders state his reporting date was 12 January 2023. Several amendments to his orders were issued changing his reporting date to 20 March 2023 and 22 March 2023.

3. The applicant provides:

a. Memorandum, Subject: Fiscal Year 2023 Assignment Incentive Pay Pilot Program for Officers and NCO Assigned to the National Training Center and Fort Irwin California dated 28 September 2022, showing AIP was approved for low density and special branch MOS Soldiers denied an opportunity to select Fort Irwin as their first choice due to the inability to access AIM. The list included the MOSs mentioned by the applicant in his opening statement to the Board. It provides the G-1 the ability to process exceptions to policy for the AIP.

b. HRC Assignment Instructions showing the applicant was on assignment to Fort Irwin with requisition identification number FCC1046988.

c. AIM screenshots showing the applicant filled requisition identification number FCC1046988.

d. Email correspondence wherein the National Training Center G-1 Human Resources Specialist states the applicant's request for AIP could not be processed because the applicant did not qualify as he did not compete in the market. Additionally, an exception to policy could not be processed because the position he was filling did not appear in the market and go unfilled. On page 24 of the PDF the applicant's branch manager states he coordinated an out of market move for the applicant to Fort Irwin to serve as the S-1.

4. On 16 February 2024, in the processing of this case, the Office of the Deputy Chief of Staff, G-1, provided an advisory opinion recommending disapproval stating, the records provided do not support the applicant's request for AIP. He was not in the marketplace as required to receive AIP. He fell into a category of being matched that was not part of a previous marketplace; he was an out of market move.

5. On 16 February 2024, the applicant was provided with a copy of the advisory opinion for comment or rebuttal.

6. On 5 March 2024, the applicant responded to the advisory opinion and stated the policy office made their recommendation based solely on the letter of the policy, not the spirit of the policy and does not account for legitimate reasons to seek an exception to policy. His case has a legitimate reason to seek an exception to policy and should not have been stopped by a National Training Center G-1 staff member who does not have the authority to prevent his action request from reaching someone with the authority to deny it.

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. Notwithstanding the recommendation of the advisory official to deny relief in this case, the Board found the applicant's argument compelling that an exception to policy would be appropriate in his case. Based on a preponderance of the evidence, the Board determined the applicant's record should be corrected to show an exception to policy was approved authorizing him AIP for his assignment to the National Training Center that began on or about 12 January 2023.

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 an exception to policy was approved authorizing him to receive Assignment Incentive Pay for his assignment to the National Training Center that began on or about 12 January 2023. He should be paid any monies he is due as a result of this correction.

X

CHAIRPERSON

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. Department of Defense Instruction 1340.26 (Assignment and Special Duty Pays) states, assignment incentive pay is designed to encourage Service members to volunteer for difficult-to-fill or less desirable assignments, locations, or units designated by, and under the conditions of service specified by the Secretary of the Military Department concerned.
2. Memorandum, Subject: Fiscal Year 2023 Assignment Incentive Pay Pilot Program for Officers and NCO Assigned to the National Training Center and Fort Irwin California states:

a. Effective 1 October 2022, AIP was approved for Officers and NCOs with a preference for Fort Irwin as their first choice in the AIM and Assignment Satisfaction Key-Enlisted Module (ASK-EM) marketplace.

b. a. The Headquarters, Department of the Army Deputy Chief of Staff, G-1, Plans and Resources Directorate will approve exceptions to the eligibility requirements listed in paragraph 4 (grade O-6 and below, permanently assigned to the National Training Center and Fort Irwin as their first choice in AIM marketplace and must be within the first 90 days of arrival to the duty station).

c. Payment will be in the lump sum amount of \$4,800.00, to be paid upon inprocessing at Fort Irwin for any officer or NCO that preferences the National Training Center and Fort Irwin as their first choice of duty assignment in AIM.

//NOTHING FOLLOWS//