

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 16 August 2024

DOCKET NUMBER: AR20230014052

APPLICANT REQUESTS: correction of his retirement points to reflect inclusion of service for points only performed for the following retirement periods:

- May 2022 for the retirement year ending (RYE) 31 August 2022
- September 2022 for the RYE 13 November 2022

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

- DD Form 149 (Application for Correction of Military Record)
- Advanced Technician Training Course Certificate
- Advanced Planner Course Certificate
- DA Forms 1380 (Record of Individual Performance of Reserve Duty Training), dated 12 September 2022
- Orders Number 0005595386.00, 4 August 2023

FACTS:

1. The applicant states he attended the Advanced Technicians Course, for 120 hours, from 2 to 20 May 2022, and the Advanced Planners Course, for 120 hours, from 12 to 30 September 2022. The training was government related and he received an Additional Skill Identifier (ASI) for completion. The United States Army Reserve Element Central Command submitted four DA Forms 1380 late and received a message from the Integrated Personnel and Pay System – Army, advising him to send a request to the Army Review Boards Agency.

2. A review of the applicant's service records show:

a. Having prior enlisted service in the Regular Army and the Army National Guard, on 1 September 2021, he enlisted in the U.S. Army Reserve (USAR).

b. DA Form 5016 (Retirement Accounting Statement), dated 30 September 2023 shows:

(1) For the RYE 31 August 2022 the applicant earned the applicant earned 31

Inactive Duty Training (IDT) points, 15 membership points, and 14 Active Duty Training (ADT) points, totaling 60 total points creditable.

(2) For the RYE 13 November 2022 the applicant earned 16 IDT points and 3 membership points, totaling 19 total points creditable.

c. He continues service with the USAR.

3. The applicant provides the following:

a. Advanced Technician Training Course Certificate showing he completed training from 2-20 May 2022 for 120 classroom hours.

b. Advanced Planner Course Certificate showing he completed training from 12-30 September 2022 for 120 classroom hours.

c. DA Forms 1380, dated 12 September 2022 showing the applicant completed training on the following days:

(1) On 2, 3, 4, 5, 6, 9, 10, and 11 May 2022, for 8 hours each, totaling 16 retirement points.

(2) On 12, 13, 16, 17, 18, 19, and 20 May 2022, for 8 hours each, totaling 14 retirement points.

(3) On 12, 13, 14, 15, 16, 19, 20, and 21 September 2022, for 8 hours each, totaling 16 retirement points.

(4) On 22, 23, 26, 27, 28, 29, and 30 September 2022, for 8 hours each, totaling 14 retirement points.

(5) All DA Forms 1380 were endorsed by Lieutenant Colonel S- G- as the officer having knowledge of the duties performed.

d. Orders Number 0005595386.00 dated 4 August 2023 awarding him a change in ASI, for completion of formal training, effective 30 September 2022.

4. On 24 May 2024, the United States Army Reserve Command, Military Services Office, provided an advisory opinion recommending disapproval of the applicant's request stating, in effect, Army Regulation (AR) 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records), paragraph 2-2, states that retirement points may be earned by a USAR Soldier for active duty or while in an active Reserve status, for active duty training, inactive duty training, involuntary active duty

training, and other activities specified in this regulation. There is no provision providing for compensation for retirement points for attending courses in a civilian capacity whereby those courses are considered Equivalent Training (ET), when the individual was not ordered to attend those courses by military authority, regardless of whether the Department of Defense teaching points/goals or training taught in these courses directly mirror the training or job skills the Soldier uses every day in their Army Reserve position. No administrative relief granted.

5. On 12 June 2024, the applicant was provided with a copy of the advisory opinion to provide a response. As of 26 June 2024, he did not respond.

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 review based on law, policy, and regulation. The Board reviewed the U.S. Army Reserve Command's advisory opinion recommending no administrative relief be granted and determined although the evidence does not show the applicant was ordered by military authority to attend the courses completed, he did so to the betterment of himself and his organization and should be awarded as such. Therefore, the Board concluded he should receive non-paid retirement points for attending the Advanced Technicians Course in May 2022 and the Advanced Planner's Course in September 2022.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	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. awarding the applicant qualifying retirement points for the retirement year ending 31 August 2022 on the dates indicated below, provided all other criteria is met:

- 2 non-paid retirement points for 2 May 2022, 8 hours
- 2 non-paid retirement points for 3 May 2022, 8 hours
- 2 non-paid retirement points for 4 May 2022, 8 hours
- 2 non-paid retirement points for 5 May 2022, 8 hours
- 2 non-paid retirement points for 6 May 2022, 8 hours
- 2 non-paid retirement points for 9 May 2022, 8 hours
- 2 non-paid retirement points for 10 May 2022, 8 hours
- 2 non-paid retirement points for 11 May 2022, 8 hours
- 2 non-paid retirement points for 12 May 2022, 8 hours
- 2 non-paid retirement points for 13 May 2022, 8 hours
- 2 non-paid retirement points for 16 May 2022, 8 hours
- 2 non-paid retirement points for 17 May 2022, 8 hours
- 2 non-paid retirement points for 18 May 2022, 8 hours
- 2 non-paid retirement points for 19 May 2022, 8 hours
- 2 non-paid retirement points for 20 May 2022, 8 hours

b. awarding the applicant qualifying retirement points for the retirement year ending 13 November 2022 on the dates indicated below, provided all other criteria is met:

- 2 non-paid retirement points for 12 September 2022, 8 hours
- 2 non-paid retirement points for 13 September 2022, 8 hours
- 2 non-paid retirement points for 14 September 2022, 8 hours
- 2 non-paid retirement points for 15 September 2022, 8 hours
- 2 non-paid retirement points for 16 September 2022, 8 hours
- 2 non-paid retirement points for 19 September 2022, 8 hours
- 2 non-paid retirement points for 20 September 2022, 8 hours
- 2 non-paid retirement points for 21 September 2022, 8 hours
- 2 non-paid retirement points for 22 September 2022, 8 hours
- 2 non-paid retirement points for 23 September 2022, 8 hours
- 2 non-paid retirement points for 26 September 2022, 8 hours
- 2 non-paid retirement points for 27 September 2022, 8 hours
- 2 non-paid retirement points for 28 September 2022, 8 hours
- 2 non-paid retirement points for 29 September 2022, 8 hours

- 2 non-paid retirement points for 30 September 2022, 8 hours

[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:

AR 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records), paragraph 3-3 (DA Form 1380) provides that the DA Form 1380 is utilized to record IDT performed by non-unit Soldiers under the jurisdiction of the U.S. Army Human Resources Command (HRC) who are attached for retirement points only to USAR Troop Program Units, Army National Guard units, or to another service or component for training. Only attached Soldiers are authorized to perform IDT with the exception of one annual physical health assessment each for medical and dental readiness when authorized by the command prior to the event.

a. 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.

b. With regard to awarding of retirement points for IDT (Four-Hour Rule), Service Members will be awarded one point for each 4-hour period of IDT duty performed. Maximum of two points per calendar day applies to IDT duty. Duty must be 8 hours in duration to receive two points per day.

//NOTHING FOLLOWS//