

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 6 September 2024

DOCKET NUMBER: AR20230015261

APPLICANT REQUESTS: correction of her DA Form 5016 (Retirement Accounting Statement) to reflect in Retirement Year Ending (RYE):

- eight non-paid retirement points in RYE 4 September 2021
- three non-paid retirement points in RYE 4 September 2022

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

- DD Form 149 (Application for Correction of Military Record)
- Troop Program Unit (TPU) Personnel Actions Checklist for Processing DA Form 1380 (Record of Individual Performance of Reserve Duty Training)
- DA Form 1380 for August 2021
- DA Form 1380 for September 2021
- Headquarters (HQs), Joint Special Operations Command Memorandum, Subject: Letter of Lateness for Non-paid Points for Major (MAJ) C-, M- (the applicant)

FACTS:

1. The applicant states she was recently advised her request to be awarded retirement points for August and September 2022 were submitted in August but were returned without action for any duty performed prior to November 2022 which was the time frame for the conversion to the Integrated Personnel and Pay System - Army (IPPS-A). IPPS-A does not allow the processing of personnel actions which should have occurred prior to the conversion. She was also told to have her DA Form 5016 corrected for duty performed prior to November 2022, she must apply to the Army Board for Correction of Military Records.

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

a. On 2 August 2009, having had prior Regular Army commissioned officer service, the applicant executed her oath of office and was appointed a Reserve commissioned officer.

b. On 4 February 2011, Orders Number A-02-102554, issued by the U.S. Army Human Resources Command (AHRC), ordered the applicant to active duty for Contingency Operation for Active Duty Operational Support (CO-ADOS), effective 7 February 2011. She remained on CO-ADOS through the issuance of multiple orders.

c. On 25 November 2013, Orders Number M-11-300406, issued by AHRC, ordered the applicant to active duty in support of Operation Enduring Freedom effective 6 February 2014.

d. On 27 July 2014, the applicant was honorably released from active duty and was transferred to the U.S. Army Reserve (USAR) Control Group (Reinforcement). DD Form 214 (Certificate of Release or Discharge from Active Duty) shows the applicant completed 3 years, 5 months, and 21 days of active service.

e. On 8 August 2014, Orders Number C-08-411039, issued by AHRC, assigned the applicant to a USAR TPU, effective 8 August 2014.

f. On 4 August 2015, Orders Number C-08-511899, issued by AHRC, the applicant was assigned to the USAR Control Group (Individual Mobilization Augmentee), effective 4 August 2015.

g. The applicant's DA Form 5016 dated 4 October 2023 shows the applicant earned in RYE:

- 4 September 2021 – 47 Inactive Duty Training (IDT) points, 15 membership points, and zero Active Duty Training (ADT) points for a total of 62 creditable points
- 4 September 2022 – 21 IDT points, 15 membership points, and 14 ADT points for a total of 50 creditable points

On the Annual Detail Supplement page of the DA Form 5016, it does not reflect the applicant was awarded retirement points for his requested dates.

h. The applicant's Soldier Management Services - WEB Portal retirement points detail shows she earned retirement points for:

- 4 August 2021 – performance of IDT for one point
- 5 August 2021 – performance of IDT for one point
- 15 August 2021 – performance of IDT for one point
- 18 August 2021 – performance of IDT for one point
- 9 September 2021 – performance of IDT for one point

3. The applicant provides:

a. DA Form 1380, dated 25 August 2022 which shows the applicant performed assigned administrative duties for the USAR Element for non-paid retirement points:

- 4 August 2021 performed 4-hours of duty for one non-paid retirement point
- 5 August 2021 performed 4-hours of duty for one non-paid retirement point
- 15 August 2021 performed 4-hours of duty for one non-paid retirement point
- 18 August 2021 performed 4-hours of duty for one non-paid retirement point
- 19 August 2021 performed 8-hours of duty for two non-paid retirement points
- 23 August 2021 performed 8-hours of duty for two non-paid retirement points

The DA Form 1380 was digitally signed by Lieutenant Colonel (LTC) S- S-, Detachment Officer in Charge who had knowledge of the duties performed.

b. DA Form 1380 dated 25 August 2022 which shows the applicant performed assigned administrative duties for the USAR Element for non-paid retirement points:

- 9 September 2021 performed 4-hours of duty for one non-paid retirement point
- 10 September 2021 performed 8-hours of duty for two non-paid retirement points

The DA Form 1380 was digitally signed by LTC S- S-, Detachment Officer in Charge who had knowledge of the duties performed.

c. HQs, Joint Special Operations Command Memorandum, Subject: Letter of Lateness for Non-paid Points for the applicant which states the applicant performed assigned duties in August and September 2022. Her DA Forms 1380 were processed in the Regional-Level Application System (RLAS); however, she exceeded her unit training assembly limit for the year. The DA Forms 1380 were then submitted to be processed for non-paid retirement points on 26 August 2022 through the Electronic Personnel Actions Tracking (ePAT). The personnel action was in ePAT without action until 8 May 2023 due to the IPPS-A conversion and subsequently due to the restrictions of the new system personnel actions which occurred prior to 12 November 2022 could not be processed due to no fault of the service member.

4. On 18 June 2024, in the processing of this case, HQs, U.S. Army Reserve Command, provided an advisory opinion regarding the applicant's request for the correction of her DA Form 5016. The advisory official recommended full administrative relief. A review of her documents determined she should be awarded 11 points as she submitted her DA Forms 1380 during the IPPS-A conversion, and the Readiness Divisions were not able to process the personnel action in a timely manner.

5. On 26 June 2024, the Army Review Boards, Agency Case Management Division, provided the applicant the advisory opinion for review and comment. The applicant has not responded.

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 and concurred with the U.S. Army Reserve Command's advising official and determined the evidence supports the applicant should be awarded 11 additional retirement points as she properly submitted the DA Forms 1380 and due to no fault of her own, they were unable to be processed in a timely manner.

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 awarding the applicant qualifying retirement points on the dates indicated below, provided all other criteria is met:

- eight non-paid retirement points in RYE 4 September 2021
- three non-paid retirement points in RYE 4 September 2022

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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).

a. Paragraph 3-11 (Equivalent Training (ET)), ET is performed in lieu of scheduled training (either Rescheduled Training (RST) or, Unit Training Assembly (UTA) or Multiple Unit Training Assembly (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.

b. Paragraph 3-14 (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. Maximum-365 (366 during leap year) 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.

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.

b. 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

c. 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.

d. 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.

e. 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//