

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 23 April 2025

DOCKET NUMBER: AR20240000043

APPLICANT REQUESTS: retirement points for duty performed

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

- DD Form 149 (Application for Correction of Military Record)
- Fiscal Year (FY) 2022 Battle Assembly Dates
- DA Form 67-10-1 (Officer Evaluation Report (OER))
- DA Forms 1380 (Record of Individual Performance of Reserve Duty Training)
- Letter of Lateness
- Department of Defense Civilian Performance Plan
- Exception to Policy Late Submission
- Denial

FACTS:

1. The applicant states, in pertinent part:

- She completed duty with the 400th Military Police (MP) Battalion (BN) in 2022
- She was not provided DA Forms 1380
- She was assured she would receive credit for the duty performed
- She was not awarded retirement points from October 2021 through April 2022

2. The applicant provides and her service record shows:

- On 1 January 2009, she took the oath of office in the Regular Army
- On 1 August 2020, she was honorably transferred from the Regular Army to the 400th MP BN
- On 25 June 2021, the 400th MP BN published the battle assembly dates from October 2021 through September 2022
- On 1 August 2021, she received an OER as a member of the 400th MP BN from 2 August 2020 through 1 August 2021

- DA Forms 1380 shows the dates she performed duty; 8 hours of duty is equivalent to 2 retirement points; the DA Forms 1380 show she performed duty equivalent to 38 retirement points
- On 9 May 2022, she completed a letter of lateness for points submission
- On 6 July 2023, the Individual Mobilization Coordinator requested an exception to policy for the applicant's retirement points
- On 6 July 2023, the Personnel Action Request was denied
- Her Retirement Accounting Statement, 2 November 2004, shows from 3 October 2020 through 2 October 2021 she received 23 inactive duty point, 15 membership points, and 10 active duty points; from 3 October 2021 through 17 August 2022 she received 13 membership points and 15 active duty points

3. On 9 August 2024, the Chief, Personnel Services Division, U.S. Army Human Resources Command (AHRC), provided an advisory opinion, which states in pertinent part:

- The applicant submitted the DA Forms 1380 after the prescribed submission timeframe
- DA Forms 1380 must be submitted no later than the end of each duty month
- The DA Forms 1380 were signed by the applicant's Individual Mobilization Augmentee unit, which did not have the authority to sign for duty performed prior to 17 August 2022
- The DA Forms 1380 were not prepared or submitted in accordance with regulation
- AHRC cannot award retirement points without direction from the Board

4. On 26 September 2024, the advisory opinion was provided to the applicant to allow her the opportunity to respond. On the same day, the applicant responded stating, in pertinent part:

- During her service with the 400th MP BN, she was on duty as prescribed
- She was advised to refrain from signing the duty logs and DA Forms 1380 would be submitted on her behalf
- She was not receiving pay in lieu of repayment of separation entitlements
- In August 2022, she was selected to become an Individual Mobilization Augmentee and it was discovered that her retirement points were not up to date

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive and standard review based on law, policy and

regulation. Upon review of the applicant's petition, available military records and Human Resource Command - Personnel Services Division advisory opinion, the Board concurred with the advising official recommendation for disapproval finding the applicant submitted the DA Forms 1380 after the prescribed submission timeframe. The opine noted the applicant's DA Forms 1380 must be submitted no later than the end of each duty month. The Board determined the applicant's DA Forms 1380 were signed by the applicant's Individual Mobilization Augmentee unit, which did not have the authority to sign for duty performed prior to 17 August 2022. Based on this, the Board denied relief.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

: : : GRANT FULL RELIEF

: : : GRANT PARTIAL RELIEF

: : : GRANT FORMAL HEARING

██████████ DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.

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:

Army Regulation 140-185 prescribes the types of training and activities for which retirement points are authorized and the procedures for recording retirement point credits and training for U.S. Army Reserve (USAR) Soldiers.

a. Paragraph 2–2, states retirement points may be earned by USAR Soldiers for active duty (AD), or while in an active Reserve status, for active duty for training (ADT), initial active duty for training (IADT), involuntary active duty for training (involuntary ADT), annual training (AT), and IDT. Types of IDT are:

- regularly scheduled unit training includes Unit Training Assemblies (UTA), and Multiple Unit Training Assemblies (MUTA)
- Regularly Scheduled Training (RST) other than UTA/MUTA
- make up assemblies for missed UTA/MUTA due to AT
- Equivalent Training (ET) in lieu of scheduled UTA/MUTA or RST
- additional training assemblies (ATA)
- two-hour unit training assemblies
- training of individual Soldiers in non-pay status

b. Paragraph 2–4 states, 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. Most types of IDT are covered by one of the following rules on required duration of IDT and calendar day limitations on points:

- one point for each scheduled 4-hour period of IDT at UTA, RST, ET, ATA, or make up assembly maximum of 2 points in 1 calendar day
- one point for each 2 hour or greater period
- two-hour aggregates of shorter periods may be used, except in the case of 2-hour unit training assembly's maximum of 1 point in 1 calendar day
- one point for each 2 hour or greater period
- two-hour aggregates of shorter periods may be used except in the case of 2-hour unit training assemblies
- award of a second point in the same day requires additional hours to bring the day's total to a minimum of 8, maximum of 2 points in 1 calendar day
- points may not be awarded under more than one of the rules above during any single calendar day

c. Paragraph 3-3(b) provides that a DA Form 1380 will be prepared for a unit Soldier who performs equivalent training or additional training. The code "P" or "N" will be entered in item 9c before the retirement point credit. The code "P" indicates the Soldier is entitled to inactive duty pay for the duties performed; the code "N" indicates the

Soldier is entitled to retirement point credit only. 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 Form 1380s 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. The DA Form 1380 will be scanned into the Soldiers Integrated Personnel Electronic Records Management System record by the unit of assignment.

//NOTHING FOLLOWS//