

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 23 August 2024

DOCKET NUMBER: AR20240000062

APPLICANT REQUESTS: in effect, correction of her DA Form 5016 (Retirement Accounting Statement) to reflect additional non-paid retirement points in her Retirement Year Ending (RYE): 17 September 2023 – 36 non-paid retirement points.

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

- DD Form 149 (Application for Correction of Military Record)
- 2nd Battalion (BN), 323rd Regiment Memorandum, Subject: Bravo Company, 2nd BN, 323rd Regiment Observer Controller/Trainers BN – Battle Assembly/Annual Training Dates Fiscal Year 2023 (FY23)
- DA Form 1380 (Record of Individual Performance of Reserve Duty Training), 6 November 2022
- DA Form 1380, 4 December 2022
- DA Form 1380, 29 January 2023
- DA Form 5016
- Headquarters (HQs) and HQs Company (HHC), U.S. Army Civil Affairs and Psychological Operations Command (USACAPOC) (Airborne) Memorandum, Subject: Letter of Lateness
- Reserve Component Manpower System (RCMS) Timesheet
- Retirement Points Only Personnel Actions Checklist

FACTS:

1. The applicant states she attended her unit's unit training assemblies for points only and the information of her attendance was inputted into the Regional-Level Application System but was not annotated on a DA Form 1380 and submitted to the Readiness Division (RD) for processing. She requests her DA Form 5016 be corrected to reflect the additional points for duty performed due to no fault of her own.

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

a. On 18 September 2000, the applicant enlisted in the U.S. Army Reserve and had continuous service through reenlistments.

b. DA Form 5016 dated 19 October 2023 shows for RYE:

- 13 November 2022, the applicant earned 6 Inactive Duty Training (IDT) points, 2 membership points, and zero Active Duty Training (ADT) points for a total of 8 creditable points
- 17 September 2023, the applicant earned zero IDT points, 13 membership points, and 15 ADT points for a total of 28 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.

The applicant's RYE was split due to the transition from the legacy system to IPPS-A for the Human Resources system of records.

3. The applicant provides:

a. 2nd BN, 323rd Regiment Memorandum, Subject: Bravo Company, 2nd BN, 323rd Regiment Observer Controller/Trainers BN – Battle Assembly/Annual Training Dates FY23 which shows the dates for mandatory training for personnel assigned to the unit.

b. DA Form 1380 dated 6 November 2022 which shows the applicant performed 8-hours of duty each day on 5 and 6 November 2022 for two non-paid retirement points each day completing administrative duties and diagnostic Army Combat Fitness Test (ACFT). The DA Form 1380 was digitally signed on 6 November 2022 by the Detachment Commander, Captain (CPT) G- P- as the officer who had knowledge of the duty performed.

c. DA Form 1380 dated 4 December 2022 which shows the applicant performed 8-hours of duty each day for 2 non-paid retirement points each day performing:

- 3 December 2022 – administrative duties and drivers training
- 4 December 2022 – administrative duties and holiday event
- 28 through 29 January 2023 – administrative duties and land navigation
- 24 through 26 March 2023 – administrative duties and individual weapons qualification
- 15 through 16 April 2023 – administrative duties and drivers training
- 5 through 6 May 2023 – administrative duties, ACFT and annual training preparation

The DA Form 1380 was digitally signed on 8 November 2023 by the Detachment Commander, Captain (CPT) G- P- as the officer who had knowledge of the duty performed.

d. DA Form 1380 dated 29 January 2023 which shows the applicant performed 8-hours of duty each day for 2 non-paid retirement points each day performing:

- 23 June 2023 – administrative duties
- 24 through 25 June 2023 – administrative duties and annual training preparation
- 12 through 13 August 2023 – administrative duties and annual training recovery

The DA Form 1380 was digitally signed on 8 November 2023 by the Detachment Commander, Captain (CPT) G- P- as the officer who had knowledge of the duty performed.

e. HHC, USACAPOC (Airborne) Memorandum, Subject: Letter of Lateness which stated the applicant's DA Forms 1380 were submitted late for FY23 and this was the first year she performed duty for non-paid retirement points due to her Department of Veterans Affairs disability rating and the Human Resources staff was unaware of the proper procedure for submitting such DA Forms 1380. The staff has been properly training and this issue will not occur in the future.

f. RCMS Timesheet which shows the applicant's attendance was entered into Automated Drill Attendance Reporting System (ADARS) (Army) as points only for the dates listed on her DA Forms 1380 which she submitted requesting the correction of her DA Form 5016 with the exception of 5 May 2023 is missing; however, 7 May 2023 was entered instead.

4. On 4 June 2024, in the processing of this case, Headquarters, 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 for the applicant's request. A review of the documents provided it was determined the applicant should be awarded 36 retirement points. She performed duty during her unit training assemblies for points only and the RLAS was properly updated; however, the unit Human Resources section did not complete the DA Forms 1380 and submit them to the RD for processing. A favorable outcome from the Army Review Boards Agency (ARBA) will allow the RD to update her DA Form 5016.

5. On 6 June 2024, the ARBA, Case Management Division, provided the applicant the advisory opinion for review and comment. She 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 and concurred with the U.S. Army Reserve Command's advising official and determined the evidence supports the applicant completed the duty requirement for points only and the system of record was updated properly; however, the administrative office did not also complete the appropriate DA Forms 1380 and submit them to the designated readiness division for further processing. The Board concluded the applicant should be awarded 36 non-paid retirement points for the retirement year ending 17 September 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 awarding the applicant qualifying retirement points for the retirement year ending 17 September 2023 on the dates indicated below, provided all other criteria is met:

- 2 non-paid retirement points for 5 November 2022 (8 hours)
- 2 non-paid retirement points for 6 November 2022 (8 hours)
- 2 non-paid retirement points for 3 December 2022 (8 hours)
- 2 non-paid retirement points for 4 December 2022 (8 hours)
- 2 non-paid retirement points for 28 January 2023 (8 hours)
- 2 non-paid retirement points for 29 January 2023 (8 hours)
- 2 non-paid retirement points for 24 March 2023 (8 hours)
- 2 non-paid retirement points for 25 March 2023 (8 hours)
- 2 non-paid retirement points for 26 March 2023 (8 hours)
- 2 non-paid retirement points for 15 April 2023 (8 hours)
- 2 non-paid retirement points for 16 April 2023 (8 hours)

- 2 non-paid retirement points for 5 May 2023 (8 hours)
- 2 non-paid retirement points for 6 May 2023 (8 hours)
- 2 non-paid retirement points for 23 June 2023 (8 hours)
- 2 non-paid retirement points for 24 June 2023 (8 hours)
- 2 non-paid retirement points for 25 June 2023 (8 hours)
- 2 non-paid retirement points for 12 August 2023 (8 hours)
- 2 non-paid retirement points for 13 August 2023 (8 hours)

[REDACTED]

[REDACTED] [REDACTED]

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[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 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. 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 (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.

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. 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

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.

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//