

IN THE CASE OF: [REDACTED]

BOARD DATE: 30 October 2024

DOCKET NUMBER: AR20240001322

APPLICANT REQUESTS: retirement point credit for 13 April 2021.

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

- DD Form 149 (Application for Correction of Military Record)
- Military Points Detail Print-out
- DA Form 5016 (Chronological Statement of Retirement Points), 16 February 2023
- DA Form 1380 (Record of Individual Performance of Reserve Duty Training), 16 April 2021

FACTS:

1. The applicant states she was not appropriately awarded retirement point credit for her COVID-19 vaccine and the difference is the one point between a good year. Due to changes in military systems, the correction was submitted multiple times various ways and by the time the correct was identified, it was past the time the correction could be made in the system.

2. The applicant provides:

- a point print-out from the Interactive Web System, which shows the transaction history and points summary
- a retirement points statement, dated 16 February 2023, which shows, in pertinent part, she did not receive a "good year" for the retirement year ending 7 April 2022; earning 49 total creditable points
- a DA Form 1380, dated 16 April 2021, which shows she completed 4 hours on 13 April 2021 for receiving the COVID vaccine – N1 [non-paid – one retirement point]

3. Having prior enlisted service in the U.S. Army Reserve (USAR), the applicant commissioned in the USAR on 15 February 2008.

4. She continues service in the USAR.

5. A chronological statement of retirement points, dated 27 October 2024, shows, in pertinent part, for the retirement year ending 7 April 2022, 49 total creditable points.

6. On 30 August 2024, the Chief, Soldier Programs Branch with the U.S. Army Reserve Command provided an advisory opinion in the processing of this case recommending disapproval of the applicant's request.

a. The applicant's documents were reviewed and it was determined she should not be awarded points based off Army Regulation 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records). The applicant submitted the DA Form 1380 in a timely manner, but units are not allowed to provide retirement points for COVID shots.

b. No administrative relief granted.

7. On 19 September 2024, the applicant was provided with a copy of the advisory opinion and given an opportunity to respond.

8. On 24 September 2024, the applicant responded.

a. She disagreed with the advisory opinion stating she submitted her DA Form 1380 based on guidance outlined. She initially submitted it for pay but was told they were unable to pay the action as it was discovered it was not processed initially. While the vaccine is not covered today, they were at the time.

b. She highlights one retirement point will be awarded for each additional period per AR 140-185 for medical and dental.

BOARD DISCUSSION:

1. 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 and standard review based on law, policy and regulation. Upon review of the applicant's petition, available military records and U.S. Army Reserve Command (USARC)- Soldiers Programs Branch advisory opinion, the Board considered the advising official recommendation for disapproval. However, the Board determined the applicant was informed that her time could not be submitted for pay but could be submitted for retirement points

2. Based on the revised guidance which states Medical Dental Readiness Period Additional Duty Assemblies (MDRP-ADA) or Code 61 funding is authorized for Soldier's time as an incentive in support of this Force Health Protection (FHP) measures. These funds are authorized for community provided and personally procured vaccinations. Furthermore, considering the impact of the COVID-19 vaccine on military readiness, the board grants one (1) retirement point credit for the administration of the vaccine. The Board agreed, the applicant's vaccination status directly contributed to operational effectiveness by maintaining force health protection and ensuring deployability. In recognition of the applicant's compliance with mandatory health directives and their contribution to force resilience, the board grants the award of one (1) retirement point credit.

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 to show the applicant submitted her DA Form 1380's in a timely manner for one (1) retirement point credit on 13 April 2021.

6/20/2025

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:

Army Regulation 140-185 (Training and Retirement Point Credits and Unit Level Strength Accounting Records) contains Army policy for U.S. Army Reserve (USAR) training and retirement point credit. It also prescribes guidance for USAR unit level strength accounting. In pertinent part:

a. Paragraph 1-7 (Service requirement for a satisfactory year of service for non-regular retirement) states a qualifying year of service for non-regular retired pay is a full year during which a Reserve Component member is credited with a minimum of 50 retirement points. Except as otherwise provided by law, an accumulation of 20 such years is one requirement necessary to qualify for non-regular retired pay.

b. Paragraph 2-1 (Criteria for crediting retirement points) states IDT will be either four (4) hours in length for one (1) retirement point or eight (8) hours in length for two (2) retirement points.

c. Paragraph 3-1 states the Army Training Requirements and Resources System training transcript, DD Form 214 (Certificate of Release or Discharge from Active Duty), DD Form 215 (Correction to DD Form 214, Certificate of Release or Discharge from Active Duty), DD Form 220 (Active Duty Report), master military pay account, DFAS Form 702 (Defense Finance and Accounting Service Military Leave and Earnings Statement), DA Form 1379 (U.S. Army Reserve Components Unit Record of Reserve Training), DA Form 1380 (Army Reserve Record of Individual Performance of Reserve Duty Training), DA Form 5016, and the Reserve retirement repository are used to maintain and record the award and entitlement of retirement points described in paragraphs 3-2 through 3-7. Units of assignment are responsible to ensure source documents are uploaded into iPERMS prior to submission of action to adjust a Soldier's retirement points. (See AR 600-8-104 for a sample list of appropriate documentation). This will ensure proper validation of retirement points throughout a Soldier's career.

d. Paragraph 3-3 (DA Form 1380) states the purpose of this form is to record IDT by:

(1) TPU Soldiers performing IDT assemblies when pay is authorized, and the Soldier is not present to sign the IDT attendance roster.

(2) TPU Soldiers attached to another USAR unit for 89 or fewer days. In such cases the unit of attachment will prepare DA Form 1380 and forward to unit of assignment for recording attendance.

(3) Non-unit Soldiers under the jurisdiction of HRC who are attached for retirement points only to USAR TPUs, Army National Guard units, or to another Service

or component for training per AR 140–10. 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. Note: Non-unit Soldiers attached for retirement point credit to IMA detachments are reported on DA Form 1379 for those units.

e. Paragraph 3-3b states a DA Form 1380 will be prepared for a unit Soldier who performs equivalent training or additional training with their unit subsequent to the scheduled Battle Assembly. TPU units will retain one copy of the DA Form 1380 to post the appropriate entry into Automated Drill Attendance Reporting Software (ADARS) for the months report and then place in the appropriate Army records information management system file. 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. DA Form 1380 will be scanned into the Soldiers integrated Personnel Electronic Records Management System by the unit of assignment per AR 600-8-104 (Army Military Human Resource Records Management).

//NOTHING FOLLOWS//