

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

OCT 27 1998

IN THE MATTER OF:

DOCKET NUMBER: 98-00057

COUNSEL: None

HEARING DESIRED: No

APPLICANT REQUESTS THAT:

He receive supplemental promotion consideration for promotion to the grade of senior master sergeant for cycles 9638 and 97E8.

APPLICANT CONTENDS THAT:

His Meritorious Service Medal (MSM), First Oak Leaf Cluster (1OLC), covering the period 14 Sep 92 to 14 Sep 95, should be considered in the promotion process for cycles 96E8 and 97E8 due to an oversight by his superiors. The decoration was not submitted until sometime in Feb 96. After submission, there was a long delay until the decoration was finally approved. The delay was primarily due to a grievance initiated by a subordinate which was resolved in Oct 96. Also, contributing to the delay was a total change in senior leadership. He does not know the specific reasons for their delay but as a result, it was not part of his promotion folder for the cycles indicated.

In support of his appeal, the applicant provided a statement from his former commander.

Applicant's complete submission is attached at Exhibit A.

STATEMENT OF FACTS:

Promotion selections for the cycle 9638 were made on 23 Feb 96. The total weighted promotion score required for selection in the applicant's Air Force Specialty Code (AFSC) was 687.01. The applicant's total weighted promotion score was 667.25. Promotion

selections for the cycle 97E8 were made on 6 Mar 97. His total promotion score for the 9738 cycle was 662.59 with a cutoff score of 672.89.

On 18 Sep 97, a Recommendation for Decoration Printout (RDP) was prepared on the applicant for the purpose of recommending him for the MSM, 10LC.

Applicant was awarded the MSM, 10LC, for the period 14 Sep 92 to 14 Sep 95. The MSM, 10LC, is worth 5 points in the computation of a member's total promotion score.

For a decoration to be eligible for consideration in a promotion cycle, the close-out date of the decoration must be on or before the Promotion Eligibility Cutoff Date (PECD), and the date of the RDP must be before the date of selections for the cycles in question.

Since the RDP was prepared after selections for the cycles were announced, the decoration was not considered in the promotion process for cycles 96E8 and 9738.

On 31 Jan 98, the applicant was relieved from active duty and retired, effective 1 Feb 98, in the grade of master sergeant. He was credited with 23 years, 10 months, and 3 days of active service.

AIR FORCE EVALUATION:

The Chief, Inquiries/BCMR Section, AFPC/DPPPWB, reviewed this application and indicated that the applicant's total promotion score for the 96E8 cycle was 667.25 and the score required for selection in his Control AFSC (CAFSC) was 687.01. He missed promotion selection by 19.76 points. Promotions for the 96E8 cycle were made on 23 Feb 96 and announced on 13 Mar 96. His total promotion score for the 97E8 cycle was 662.59 with a cutoff score of 672.89. He missed promotion by 10.30 points. Promotions for the 97E8 cycle were made on 6 Mar 97 and announced on 19 Mar 97. An MSM is worth 5 weighted promotion points.

DPPPWB further states that the policies regarding the approval of a decoration and the credit of a decoration for promotion purposes are two separate and distinct policies. Current Air Force promotion policy (AFI 36-2502, Table 2.2, Rule 5, Note 2) dictates that before a decoration is credited for a specific promotion cycle, the close-out date of the decoration must be on or before the promotion eligibility cutoff date (PECD), and the date of the DECOR-6, RDP, must be before the date of selections for the cycle in question. Each promotion cycle has an established PECD which is used to determine in which AFSC or Chief Enlisted Manager (CEM) code the member will be considered,

as well as which performance reports and decorations will be used in the promotion consideration. The PECD for the 9638 cycle was 30 Sep 95 and the PECD for the 9738 cycle was 30 Sep 96. In addition, a decoration that a member claims was lost, downgraded, etc., must be verified and fully documented that it was placed into official channels prior to the selection date. This also includes decorations that were disapproved initially but subsequently resubmitted and approved. The decoration in question does not meet the criteria for promotion credit during the 9638 and 97E8 cycles because the DECOR 6 was not signed by the indorsing official until 18 Sep 97, after selections were made for both cycles. This policy was initiated on 28 Feb 79 specifically to preclude personnel from subsequently (after promotion selections) submitting someone for a decoration with a retroactive decoration effective date (close-out) so as to put them over the selection cutoff score. Exceptions to the above policy are only considered when the airman can support a previous submission with documentation or statements including conclusive evidence that the recommendation was officially placed in military channels within the prescribed time limit and conclusive evidence the recommendation was not acted upon through loss or inadvertence. In accordance with AFI 36-2803, paragraph 3-1, a decoration is considered to have been placed in official channels when the decoration recommendation is signed by the initiating official and indorsed by a higher official in the chain of command.

Documentation included in the applicant's case file reflects the decoration was not officially placed into military channels until after selections for the 96E8 and 9738 cycles were accomplished. The orders are dated 2 Oct 97, with an official signature of 18 Sep 97, which was after promotions for the cycles in question were completed and announced. While DPPPWB is acutely aware of the impact this recommendation has on the applicant's career, there is no tangible evidence the decoration was placed into official channels before selections for the cycles were made. To approve his request would not be fair or equitable to many others in the same situation who also miss promotion selection by a narrow margin and are not permitted to have an "after the fact" decoration count in the promotion process. Based on the rationale provide, DPPPWB recommends denial of applicant's request.

A complete copy of the Air Force evaluation, with attachment, is attached at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

Applicant reviewed the Air Force evaluation and provided a three-page rebuttal statement, with attachments, which is attached at Exhibit E.

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was timely filed.
3. Sufficient relevant evidence has been presented to demonstrate the existence of probable error or injustice. After reviewing the evidence of record and applicant's submission, we believe that circumstances beyond the applicant's control prevented the award of the MSM, 10LC, from being awarded in time to meet the 9638 and 97E8 promotion cycles for promotion to the grade of senior master sergeant. While we are aware of the Air Force policies regarding approval of a decoration and credit of a decoration for promotion purposes, we feel that the award of the MSM, 10LC, was delayed for an inordinate amount of time. In this respect, we note the applicant's commander states that the contested decoration was placed in official channels in Feb 96; however, the wing commander put a hold on the award pending the outcome of a social actions grievance filed against applicant by a subordinate. This grievance was finally resolved in Oct 96. In view of these unusual circumstances, and with no reason to question the commander's veracity regarding when the award was placed in official channels, we believe this situation should be resolved in favor of the applicant. Therefore, we recommend that the RDP date be changed in order for the award to be considered by the 96E8 promotion cycle. It is further recommended that he be provided supplemental promotion consideration to the grade of senior master sergeant, for all cycles commencing with cycle 9638.

THE BOARD RECOMMENDS THAT:

The pertinent military records of the Department of the Air Force relating to APPLICANT, be corrected to show that the RDP for award of the MSM, 10LC, for the period 14 Sep 92 to 14 Sep 95, was prepared on 22 Feb 96.

It is further recommended that he be provided supplemental consideration for promotion to the grade of senior master sergeant for all appropriate cycles beginning with cycle 9638.

If AFPC discovers any adverse factors during or subsequent to supplemental consideration that are separate and apart, and unrelated to the issues involved in this application, that would have rendered the applicant ineligible for the promotion, such information will be documented and presented to the Board for a final determination on the individual's qualification for the promotion.

If supplemental promotion consideration results in the selection for promotion to the higher grade, immediately after such promotion the records shall be corrected to show that he was promoted to the higher grade effective and with a date of rank as established by the supplemental promotion and that he is entitled to all pay, allowances, and benefits of such grade as of that date.

The following members of the Board considered this application in Executive Session on 17 September 1998, under the provisions of AFI 36-2603:

Ms. Martha Maust, Panel Chair
 Mr. Loren S. Perlstein, Member
 Ms. Ann L. Heidig, Member
 Mrs. Joyce Earley, Examiner (without vote)

All members voted to correct the records, as recommended. The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 2 Jan 98, w/atch.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPPPWB, dated 16 Jan 98, w/atch.
- Exhibit D. Letter, AFBCMR, dated 27 Jan 98.
- Exhibit E. Letter fr applicant, dated 30 Jan 98, w/atchs.


 MARTHA MAUST
 Panel Chair



DEPARTMENT OF THE AIR FORCE
WASHINGTON, DC

OCT 27 1998

Office of the Assistant Secretary
AFBCMR 98-00057

MEMORANDUM FOR THE CHIEF OF STAFF

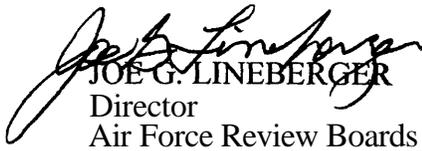
Having received and considered the recommendation of the Air Force Board for Correction of Military Records and under the authority of Section 1552, Title 10, United States Code (70A Stat 116), it is directed that:

The pertinent military records of the Department of the Air Force relating to [REDACTED] be corrected to show that the Recommendation for Decoration Printout (RDP) for award of the Meritorious Service Medal (MSM), First Oak Leaf Cluster (IOLC), for the period 14 September 1992 to 14 September 1995, was prepared on 22 February 1996.

It is further directed that he be provided supplemental consideration for promotion to the grade of senior master sergeant for all appropriate cycles beginning with cycle 96E8.

If AFPC discovers any adverse factors during or subsequent to supplemental consideration that are separate and apart, and unrelated to the issues involved in this application, that would have rendered the applicant ineligible for the promotion, such information will be documented and presented to the Board for a final determination on the individual's qualification for the promotion.

If supplemental promotion consideration results in the selection for promotion to the higher grade, immediately after such promotion the records shall be corrected to show that he was promoted to the higher grade effective and with a date of rank as established by the supplemental promotion and that he is entitled to all pay, allowances, and benefits of such grade as of that date.


JOE G. LINEBERGER
Director
Air Force Review Boards Agency