

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 98-01615

COUNSEL: NONE

HEARING DESIRED: NO

DEC 11 1998

APPLICANT REQUESTS THAT:

The Enlisted Performance Report (EPR) rendered for the period 12 November 1993 through 11 July 1995 be declared void.

APPLICANT CONTENDS THAT:

The report is inconsistent with the feedbacks dated 19 September 1994 and 24 April 1995, which indicated that little or no improvement was necessary to achieve a 5 rating. Supporting documents, such as the two quality control reports and numerous letters of appreciation include positive comments from her supervisor, SSgt W---, the indorsers of the EPR, and the previous commander. In addition, these documents prove that her superior performance was consistent throughout the rating period. She would like to add that she never received a letter of counseling or other action that would degrade the rating to a 3.

In support of the appeal, applicant submits copies of performance feedback worksheets (PFWs), copies of AF Forms 2419, Routing and Review of Quality Control Reports, a copy of the contested report, and several letters of appreciation.

Applicant's complete submission is attached at Exhibit A.

STATEMENT OF FACTS:

The applicant is currently serving in the Regular Air Force in the grade of senior airman.

The applicant appealed the contested report under the provisions of AFI 36-2401, Correcting Officer and Enlisted Evaluation Reports on 28 October 1996. The appeal was considered and denied by the Evaluation Reports Appeal Board (ERAB).

EPR profile since 1995 reflects the following:

<u>PERIOD ENDING</u>	<u>EVALUATION OF POTENTIAL</u>
*11 Jul 95	3
11 Jul 96	4
11 Jul 97	4
30 Mar 98	5

* Contested report.

AIR FORCE EVALUATION:

The Chief, BCMR and SSB Branch, AFPC/DPPPAB, reviewed this application and states that applicant submits nothing from the rating chain. They state, while the applicant appears to believe she was guaranteed higher markings on her initial EPR based on her PFWs, comments or markings on a PFW do not necessarily correlate to EPR ratings. AFI 36-2401, paragraph 2-7, states, "The PFW represents a private discussion between the rater and ratee. While it is not an official record of performance, it helps supervisors provide helpful comments so that ratees can improve as needed." They believe the applicant is attempting to relate the ratings on the EPR to the markings on the PFW. Accordingly, this is an inappropriate comparison and is inconsistent with the Enlisted Evaluation System. They further state: (1) The purpose of the feedback session is to give the ratee direction and to define performance expectations for the rating period in question. Feedback also provides the ratee the opportunity to improve performance, if necessary, before the EPR is written. (2) The PFW acts as a scale on where the ratee stands in relation to the performance expectations of the rater. They point out that a PFW with all items marked "needs little or no improvement" means the ratee is meeting the rater's standards. It does not guarantee a firewalled EPR. (3) Every exceptional performer does not possess outstanding promotion potential. They state it appears the applicant's evaluators took their rating responsibilities seriously, and rated her appropriately in not only their evaluation of her performance but in their promotion recommendation when they compared her with others of the same grade and Air Force specialty. They also point out that the majority of the letters of appreciation provided by the applicant are for extra-curricular events. Therefore, based on the evidence provided, they recommend denial of applicant's request.

A complete copy of the evaluation is attached at Exhibit C.

The Chief, Inquiries/AFBCMR Section, AFPC/DPPPWB, also reviewed this application and states that should the Board void the contested report in its entirety, upgrade the overall rating, or make any other significant change, providing the applicant is otherwise eligible, the applicant will be entitled to supplemental promotion consideration commencing with cycle 9835.

A complete copy of their evaluation is attached at Exhibit D.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

On 3 August 1998, copies of the Air Force evaluations were forwarded to applicant for review and response within 30 days. As of this date, no response has been received by this office.

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was timely filed.
3. Insufficient relevant evidence has been presented to demonstrate the existence of probable error or injustice. The applicant has not submitted any supporting documentation from the rating chain, nor has she provided sufficient evidence to cause us to believe that the report was not an accurate assessment as rendered. In view of the above findings, we agree with the comments and recommendations of the Air Force and adopt their rationale as the basis for the conclusion that the applicant has not been the victim of an error or injustice. Therefore, in the absence of evidence to the contrary, we find no compelling basis to recommend granting the relief sought.

THE BOARD DETERMINES THAT:

The applicant be notified that the evidence presented did not demonstrate the existence of probable material error or injustice; that the application was denied without a personal appearance; and that the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

The following members of the Board considered this application in Executive Session on 29 October 1998, under the provisions of AFI 36-2603:

Mr. Vaughn E. Schlunz, Panel Chair
Mr. Loren S. Perlstein, Member
Mr. Terry A. Yonkers, Member
Ms. Phyllis L. Spence, Examiner (without vote)

The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 7 Jun 98.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPPPAB, dated 14 Jul 98.
- Exhibit D. Letter, AFPC/DPPPWB, dated 29 Jun 98.
- Exhibit E. Letter, AFBCMR, dated 3 Aug 98.


VAUGHN E. SCHLUNZ
Panel Chair



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE PERSONNEL CENTER
RANDOLPH AIR FORCE BASE TEXAS

29 JUN 1998

MEMORANDUM FOR AFPC/DPPPAB
AFBCMR

FROM: HQ AFPC/DPPPWB
550 C Street West, Ste 9
Randolph AFB TX 78150-4711

SUBJECT: Application for Correction of Military Records [REDACTED]

Requested Action. The applicant is requesting the AFBCMR remove her Enlisted Performance Report (EPR) closing 11 July 95. We will address the supplemental promotion consideration issue should the request be approved.

Reason for Request. The applicant believes the report is inconsistent with feedbacks and attached documents prove superior performance was consistent throughout her rating period.

Facts. See AFPC/DPPPAB Ltr.

Discussion. The first time the report will be considered in the promotion process is cycle 98E5 to staff sergeant (promotions effective Sep 98 - Aug 99). Should the AFBCMR void the report in its entirety, or upgrade the overall rating, providing she is otherwise eligible, the applicant will be entitled to supplemental promotion consideration beginning with cycle 98E5 providing she is not selected during the initial 98E5 cycle. Promotions for this cycle will be accomplished during the Aug 98 time frame.

Recommendation. We defer to the recommendation of AFPC/DPPPAB.

[REDACTED]
Enlisted Promotion & Mil Testing Br

[REDACTED]

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DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE PERSONNEL CENTER
RANDOLPH AIR FORCE BASE TEXAS

14 JUL 1998

MEMORANDUM FOR AFBCMR

FROM: HQ AFPC/DPPPAB
550 C Street West Ste 08
Randolph AFB TX 78150-4710

SUBJECT: [REDACTED]

Requested Action. Applicant requests the enlisted performance report (EPR) closing 11 Jul 95 be voided from her records.

Basis for Request. Applicant states the contested report is inconsistent With performance feedback she received during the period covered by the report.

Recommendation. Deny.

Facts and Comments:

a. The application is timely. The applicant first appealed the contested report under AFI 36-2401, Correcting Officer and Enlisted Evaluation Reports, on 28 Oct 96. The Evaluation Reports Appeal Board (ERAB) denied her request. A copy of the memorandum announcing the ERAB's decision is attached for the AFBCMR's review.

b. AFI 36-2403, The Enlisted Evaluation System (EES), 15 July 1994, is the governing directive.

c. In support of her appeal, the applicant includes copies of performance feedback worksheets (PFWs); copies of AF Forms 2419, Routing and Review of Quality Control Reports; a copy of the contested EPR; and several letters of appreciation.

d. Air Force policy is that an evaluation report is accurate as written when it becomes a matter of record. To effectively challenge an EPR, it is necessary to hear from all the members of the rating chain—not only for support, but for clarification and explanation as well. Noticeably absent from this package are letters of either support or clarification and explanation from anyone in the rating chain of the contested report.

e. While the applicant appears to believe she was guaranteed higher markings on her initial EPR based on her PFWs, comments or markings on a PFW do not necessarily correlate to EPR ratings. AFI 36-2401, para 2-7, states, "The PFW (Performance Feedback Worksheet)

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represents a private discussion between the rater and ratee. While *it is not an official record of performance* (emphasis added), it helps supervisors provide helpful comments so that ratees can improve **as** needed."

f. We believe the applicant is attempting to relate the ratings on the EPR to the markings on the PFW. This is an inappropriate comparison and is inconsistent with the EES.


(1) The purpose of the feedback session is to give the ratee direction and to define performance expectations for the rating period in question. Feedback also provides the ratee the opportunity to improve performance, if necessary, before the EPR is written. The rater who prepares the PFW may use the PFW as an aid in preparing the EPR and, if applicable, subsequent feedback sessions. Ratings on the PFW are not an absolute indicator of EPR ratings or potential for serving in a higher grade.

(2) The PFW acts as a scale on where the ratee stands in relation to the performance expectations of the rater. A PFW with all items marked "needs little or no improvement" means the ratee is meeting the rater's standards. It does not guarantee a firewalled EPR. Also, a ratee who performs current duties in an exceptional manner could demonstrate only limited potential for the next higher grade. Or, a ratee who still needs to improve in the performance of current duties could demonstrate great potential for the next higher grade. There is not a direct correlation between the markings on the PFW and the ratings on an EPR.

(3) Every exceptional performer does not possess outstanding promotion potential and evaluators need to make that clear on the EPRs they write. It appears the applicant's evaluators took their rating responsibilities seriously, and rated her appropriately in not only their evaluation of her performance but in their promotion recommendation when they compared her with others of the same grade and Air Force specialty.

g. We believe it is important to point out that the majority of the letters of appreciation the applicant provided are for extra-curricular events. Those which are duty related are appropriately documented in the contested report.

Summary. The applicant has not provided proof that she was rated unfairly. Our recommendation of denial is appropriate.


Chief, BCMR and SSB Branch
Directorate of Pers Program Mgt

Attachment:
HQ AFPC/DPPPAE Memo, 14 Nov 96



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14 November 1996

MEMORANDUM FOR 1MSS/DPMPE

FROM: HQ AFPC/DPPPAE
550 C Street West, Ste 8
Randolph AFB, TX 78150-4710

SUBJECT: AFI 36-2401 Decision: [REDACTED]
EPR Closing: 11 Jul 95

The Evaluation Reports Appeal Board (ERAB) denied the attached appeal application. The Board considers an evaluation report to be an accurate assessment when rendered; therefore, substantial evidence is required to challenge a report's accuracy. As you are aware, the Military Personnel Flight is responsible for providing members counseling on their application submitted under AFI 36-2401. As such, to assist you in counseling the applicant, this letter provides our assessment of the application. We believe the Board wasn't convinced by [REDACTED] documentation. The Board did not find the contested report to be flawed or inconsistent. We must point out that feedback is designed to provide the ratee a snapshot of how he or she is doing; what progress has been made since the last feedback and what still needs work. The EPR, however, must assess performance over the entire period covered by the report. The authors of the supporting statements are entitled to their opinion of [REDACTED] performance; however, there's no reason to believe their judgment is superior to that of the evaluators. Statements from members of the rating chain which provide clear evidence of error or injustice may strengthen this case.

After counseling, please provide this letter announcing the Board's decision to [REDACTED]. She may gather new material evidence and reapply under AFI 36-2401, but the original documentation submitted with this appeal should be included with the new application. While we cannot guarantee a favorable decision will result from the additional evidence submitted by the member, we will ensure the case is processed as fast as possible. Another avenue available to the applicant is to appeal under AFI 36-2603 to the Air Force Board for Correction of Military Records.

SIGNED

[REDACTED]
Chief, Evaluation Reports Appeals Section
Directorate of Pers Prgm Mgt

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