

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-00425
COUNSEL: NONE
HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

His Fitness Assessment dated 30 Nov 11 be removed from the Air Force Fitness Management System (AFFMS).

APPLICANT CONTENDS THAT:

He injured himself during the fitness assessment in question. After the run portion of the FA was completed, the fitness monitor told him that his commander could invalidate the FA if he was, in fact, injured. He went to the clinic the same day as the FA and was diagnosed with a hernia. However, the next day he was informed that his commander could not invalidate the test.

In support of his request, the applicant provides a letter of support from his commander, a copy of his AF Form 469, *Duty Limiting Condition Report*, a copy of his AF Form 422, *Notification of Air Force Member's Qualification Status*, and excerpts from his medical records.

His complete submission, with attachments, is at Exhibit A.

STATEMENT OF FACTS:

The applicant is currently serving in the Regular Air Force in the grade of master sergeant (E-7). The applicant's last five FA scores are as follows:

<u>DATE</u>	<u>SCORE</u>
6 May 10	GOOD
30 Nov 10	SATISFACTORY
31 May 11	SATISFACTORY
* 30 Nov 11	UNSATISFACTORY
23 Feb 12	SATISFACTORY

*Contested FA score.

AIR FORCE EVALUATION:

AFPC/DPSIM recommends denial stating that a memorandum was sent to the applicant requesting additional documentation; specifically, his AF Form 108, *Physical Fitness Education and Intervention Processing*, which would indicate he had a pre-existing condition that contributed to his FA failure. As of this date, no additional information was received.

The complete DPSIM evaluation is at Exhibit B.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 20 Aug 12 for review and comment within 30 days. As of this date, this office has received no response.

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 error or injustice. After a review of the evidence of record and the applicant's submission we believe that full relief is warranted. In this respect, the Board notes the Air Force office of primary responsibility recommends denial stating that the applicant was asked to provide additional information which shows that he had a pre-existing condition that contributed to his failure. However, based on the fact that the applicant clearly injured himself during the test and required surgery, which was validated by his commander, we believe reasonable doubt has been established that his test score is not an accurate fitness assessment. Accordingly, we believe any doubt should be resolved in the applicant's favor. Therefore, we recommend that the applicant's record be corrected as indicated below.

THE BOARD RECOMMENDS THAT:

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show that the Fitness Assessment (FA) score dated 30 November 2011 be removed from the Air Force Fitness Management System.

The following members of the Board considered AFBCMR Docket Number BC-2012-00425 in Executive Session on 2 Oct 12, under the provisions of AFI 36-2603:

Panel Chair
Member
Member

All members voted to correct the records, as recommended. The following documentary evidence for Docket Number BC-2012-00425 was considered:

- Exhibit A. DD Form 149, dated 31 Jan 12, w/atchs.
- Exhibit B. Letter, AFPC/DPSIM, dated 10 May 12.
- Exhibit C. Letter, SAF/MRBR, dated 20 Aug 12.

Panel Chair