

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-00588  
COUNSEL: NONE  
HEARING DESIRED: YES

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APPLICANT REQUESTS THAT:

He be promoted to the ranks of staff sergeant (SSgt, E-5) and technical sergeant (TSgt, E-6).

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APPLICANT CONTENDS THAT:

He should have been promoted and is owed back pay.

He was a jet engine mechanic and was supervised by civilians who called him inappropriate names.

He worked on UH1N Helicopters and volunteered for Vietnam in 1970. He flew every day, but was not on flying status.

He expected to be promoted, but was told his evaluations were bad. He was never told his work was not up to par.

While stationed in Thailand, he went to Social Actions to complain. The major in charge of Social Actions felt he had been discriminated against and asked him to transfer to his group and the major was going to put him in for a promotion. His plane was shot down before he had the chance.

The applicant did not submit any documents in support of his request. His complete submission is at Exhibit A.

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STATEMENT OF FACTS:

The relevant facts pertaining to this application, extracted from the applicant's available military records, are contained in the letter prepared by the appropriate office of the Air Force Office of Primary Responsibility (OPR). Accordingly, there is no need to recite these facts in this Record of Proceedings.

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THE AIR FORCE EVALUATION:

HQ AFPC/DPSOE recommends denial. DPSOE states the applicant's delay regarding a matter now dating back almost 40 years has greatly complicated the ability to determine the merits of his position. DPSOE recommends the request be time barred. Should the Board choose to decide the case, recommend it be denied based on lack of official documentation.

Until 1970, promotions were made at the Major Command, unless delegated by the Major Command to the Wing, Group, or Squadron levels. HQ USAF distributed promotion quotas to the Major Commands based on projected vacancies within each Career Field Subdivision. Promotion boards selected individuals and the quotas received determined the number that could be promoted. Some career fields received more promotions than others based on vacancies and the needs of the Air Force. To be considered for promotion to E-5 an individual must have had a minimum of 18 months time-in-grade (TIG), a skill level commensurate with their Air Force Specialty Code (AFSC), and be recommended by the commander. Based on his date of rank (DOR) to E-4 (1 May 1969) he would not have had 18 months TIG before the inception of the Weighted Airman Performance System (WAPS).

Beginning in 1970, airmen were considered for promotion under WAPS. To be considered for promotion to SSgt, an individual must at a minimum have 12 months TIG, possess a skill level commensurate with their AFSC, have a current Promotion Fitness Examination (PFE) and Specialty Knowledge Test (SKT) score, and be recommended by the promotion authority. To be considered for promotion to TSgt, an individual must have 18 months TIG as a SSgt, possess a 7-skill level, have a current PFE and SKT score, and be recommended by the promotion authority. The six factors used in WAPS, include the SKT, PFE, time in service (TIS), TIG, decorations, and Enlisted Performance Reports (EPR). The combined score of these weighted factors must be at or above the cutoff score required for each individual's AFSC in order to be selected for promotion.

A review of the applicant's record reveals no orders promoting him to the grade of SSgt. His AF Form 7, *Airman Military Record* reflects no entry in the grade data section promoting him to the grade of SSgt. DPSOE is unable to verify whether the applicant was considered for promotion to SSgt under WAPS as promotion history files are only maintained for a period of 10 years as outlined in AFR 4-20, *Records Disposition Schedule*. Ten years is generally considered an adequate period to resolve any promotion inquiries or concerns.

The complete DPSOE evaluation is at Exhibit C.

APPLICANT'S REVIEW OF THE AIR FORCE EVALUATION:

On 27 Apr 2012, a copy of the Air Force evaluation was forwarded to the applicant for review and comment within 30 days. As of this date, no response has been received by this office (Exhibit D).

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FINDINGS AND CONCLUSIONS OF THE BOARD:

1. After careful consideration of applicant's request and the evidence of record, we find the application untimely. The applicant did not file within three years after the alleged error or injustice was discovered as required by Title 10, United States Code, Section 1552 and Air Force Instruction 36-2603. The applicant has not shown a sufficient reason for the delay in filing on a matter now dating back almost 40 years, which has greatly complicated the ability to determine the merits of his position. We are also not persuaded the record raises issues of error or injustice which require resolution on the merits based on the lack of official documentation to support his request. Thus, we cannot conclude it would be in the interest of justice to excuse applicant's failure to file in a timely manner.

2. The applicant's case is adequately documented and it has not been shown that a personal appearance with or without counsel will materially add to our understanding of the issue(s) involved. Therefore, the request for a hearing is not favorably considered.

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DECISION OF THE BOARD:

The application was not timely filed and it would not be in the interest of justice to waive the untimeliness. It is the decision of the Board, therefore, to reject the application as untimely.

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The following members of the Board considered this application in Executive Session on 2 Aug 2012, under the provisions of AFI 36-2603:

Panel Chair  
Member  
Member

The following documentary evidence was considered in AFBCMR BC-2012-00588:

- Exhibit A. DD Form 149, dated 29 Nov 2011.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, HQ AFPC/DPSOE, dated 18 Apr 2012.
- Exhibit D. Letter, SAF/MRBR, dated 27 Apr 2012.

Panel Chair