

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-01891
COUNSEL: NONE
HEARING DESIRED: YES

APPLICANT REQUESTS THAT:

His Dental Special Pay be converted to the Consolidated Special Pay (CSP) plan effective 1 July 2011.

APPLICANT CONTENDS THAT:

He was deployed in support of Operation ENDURING FREEDOM from 19 January 2011 to 8 September 2011 and did not receive correspondence regarding this change until after the October 2011 deadline for conversion. When he was notified of the CSP program, it was not clear that it was an option to retroactively be awarded CSP in lieu of the current Variable Special Pay/Additional Special Pays (VSP/ACP). This applies to a small group of people (dentists with less than three years in service) because the difference is an additional \$7,000 for converting to CSP. He believes this is a clear failure in communication from leadership, and that he represents a very unusual situation for which an exception to the deadline should be made.

In support of his appeal, the applicant provides copies of documents in his quest to covert his ASP/VSP to CSP.

The applicant's complete submission, with attachments, is at Exhibit A.

STATEMENT OF FACTS:

The applicant is currently serving in the Regular Air Force as a Dental Corps Officer in the grade of captain (O-3).

The remaining relevant facts, extracted from the applicant's master personnel records, are contained in the evaluation by the Air Force office of primary responsibility at Exhibit C.

AIR FORCE EVALUATION:

AFPC/DPAMF1 recommends partial approval. DPAMF1 indicates they agree the applicant should be allowed to convert his special pays to CSP-IP; however, with an effective date of 1 March 2012 rather

than 1 July 2011. DPAMF1 states the applicant is a Dental Corps Officer entitled to special pay. In September 2011, AFPC/DPAMF announced an opportunity to convert the legacy pays (ASP & VSP) to the new consolidated pay authority (CSP-IP). Members could convert their pays effective 1 July 2011, but had to act prior to October 2011. However, the applicant did not take action to convert his pay until April 2012. He claims he wasn't aware of the opportunity.

DPAMF worked extensively to inform the field of the opportunity afforded in the CSP plans. The applicant is not a member of the Air Force Medical Service Knowledge Exchange Medical Special Pays page. If he had been, he would have notified of the changes to special pay authority.

The complete DPAMF1 evaluation, with attachments, is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

In response to the Air Force advisory opinion, the applicant forwarded a letter of support from the Director, Pentagon Tri-Service Dental Clinic.

The Director's letter is 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 an injustice. We note the Air Force office of primary responsibility recommends correcting the record to reflect the applicant converted his special pays to CSP-IP effective 1 March 2012 rather than 1 July 2011. However, based on the applicant's long deployment,, we believe he did not have the opportunity to timely convert his legacy pays to the new consolidated pay authority as others who were similarly situated. Given the circumstances of this case, and the supporting statement, we believe it to be in the interest of equity and justice to correct the record as requested. Accordingly, we recommend 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 he elected to convert his legacy pays (ASP & VSP) to consolidated pay authority (CSP-IP) effective 1 July 2011.

The following members of the Board considered AFBCMR Docket Number BC-2012-01891 in Executive Session on 15 February 2013, 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 AFBCMR Docket Number BC-2012-01891 was considered:

- Exhibit A. DD Form 149, dated 7 May 12, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPAMF1, dated 21 May 12, w/atchs.
- Exhibit D. Letter, SAF/MRBR, dated 24 May 12.
- Exhibit E. Letter, Tricare Dental Director, dated 31 May 12.

Panel Chair