

# AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)		GRADE	AFSN/SSAN		
[REDACTED]		A1C	[REDACTED]		
TYPE GEN	X PERSONAL APPEARANCE		RECORD REVIEW		
COUNSEL		ADDRESS AND OR ORGANIZATION OF COUNSEL			
YES	NO	The American Legion			
X					
MEMBERS SITTING		VOTE OF THE BOARD			
		HON	GEN	UOTHC	OTHER
[REDACTED]					X
[REDACTED]		X**			
[REDACTED]					X
[REDACTED]		X*			
[REDACTED]					X
ISSUES A94.05 A49.00		INDEX NUMBER A67.00		EXHIBITS SUBMITTED TO THE BOARD	
				1	ORDER APPOINTING THE BOARD
				2	APPLICATION FOR REVIEW OF DISCHARGE
				3	LETTER OF NOTIFICATION
HEARING DATE 052203		CASE NUMBER FD2002-0262		4	BRIEF OF PERSONNEL FILE
					COUNSEL'S RELEASE TO THE BOARD
					ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE
					TAPE RECORDING OF PERSONAL APPEARANCE HEARING
APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE.					
REMARKS Case heard at Washington, D.C.  *Change reason for discharge to "Secretarial Authority" ** Change reason to "Unsatisfactory Performance"  Advise the applicant of the Board's decision and the right to submit an application to the Air Force Board for the Correction of Military Records.					
SIGNATURE OF RECORDER [REDACTED]			SIGNATURE OF BOARD PRESIDENT [REDACTED]		
INDORSEMENT				DATE: 060203	
TO: SAF/MIBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742			FROM: SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL AIR FORCE DISCHARGE REVIEW BOARD 1535 COMMAND DR, EE WING, 3 <sup>RD</sup> FLOOR ANDREWS AFB, MD 20762-7002		

**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

FD2002-0262

**GENERAL:** The applicant appeals for upgrade of discharge to Honorable and for a change of the reason for discharge to unsatisfactory performance.

The applicant appeared, with counsel, before the Board on 22 May 2003.

The attached brief contains the available pertinent data on the applicant and the factors leading to the discharge.

**FINDINGS:** Upgrade of discharge and change of reason for discharge are denied.

The Board finds that neither the evidence of record nor that provided by the applicant substantiates an inequity or impropriety which would justify a change of discharge or the reason thereof.

The applicant's issues are listed in the attached brief.

Issue 1. Applicant contends that before she was separated from the Air Force, she was told that if she failed her CDC test, she would be given an honorable discharge. On the other hand, she received a "general under honorable conditions discharge" and the reason stated on her DD Form 214 is "misconduct." The information provided by the applicant and contained in her records was carefully reviewed by the DRB. The misconduct included reporting late to work, reporting to work out of uniform, leaving her place of residence while on quarters, failing to promptly return the shop copy of her CDCs to her supervisor, failing to perform her job properly, and wearing unauthorized hair accouterments. The records indicated the applicant received thirteen forms of administrative/rehabilitative action including seven letters of counseling and three letters of reprimand. The DRB opined that through these administrative actions, the applicant had ample opportunities to change her negative behavior, but apparently chose not to do so. The Board concluded that the misconduct outweighed the otherwise satisfactory performance of this member. The characterization of the discharge received by the applicant was found to be appropriate.

Issue 2. The applicant asserts that had she passed the CDC test, she would not have been discharged, much less receive a "misconduct discharge." Because the Board had no evidence to consider in order to determine the validity of this claim and could not speculate on its relevance, the Board decided this issue against the respondent.

Issue 3. The applicant disputed the reason for her separation—misconduct—and stated that she deserves an honorable discharge. The applicant stated that at no time during the discharge process was she aware that misconduct was a possible reason for her separation. On the other hand, she asserted that the only reason she would have been separated was for failure of her CDC exams. This argument is without merit. The case file is replete with evidence that the respondent knew from the outset of the administrative discharge process that a reason for her proposed separation was misconduct. The notification letter, served on the respondent by her commander on 9 June 1998, accurately states that misconduct is one of the reasons the commander was initiating the involuntary separation action pursuant to AFI 36-3208, *Administrative Separation of Airmen*. In fact, the notification letter annotates misconduct as the "primary reason" for the involuntary administrative discharge action. On 9 June 1998, the respondent signed a memorandum addressed to her commander in which the respondent acknowledged the receipt of the notification letter and her rights pertaining to the discharge action. On 15 June 1998, after receiving an extension to submit matters in her own behalf, the respondent submitted a four-page letter rebutting the reason for the

separation.

During her personal appearance, the respondent admitted, under oath, that although some of the misconduct was "nit-picky," she did deserve the disciplinary actions taken in response to some of the instances of misconduct. The DRB took note of the applicant's duty performance as documented by her performance reports, letters of recommendation, and other information contained in the records. They found the seriousness of the willful misconduct offset any positive aspects of the applicant's duty performance. The Board concluded the discharge was appropriate for misconduct.

Issue 3. The applicant requests that the reason (misconduct) for her discharge be changed to unsatisfactory performance. The applicant concludes that she should not be labeled with "Misconduct." The DRB opined that the primary reason for discharge, misconduct, was appropriate. Although the respondent was also notified that a reason for the involuntary separation action was unsatisfactory duty performance—resulting from her failure of her CDC exams—it was not the primary reason. The Board concluded that even though the respondent unsatisfactorily completed her CDCs, her misconduct had a greater impact on her separation.

**CONCLUSIONS:** The Board concludes that the discharge was processed in substantial compliance with the applicable regulatory guidance, was within the discretion of the discharge authority, and the applicant was provided full administrative due process.

In view of the foregoing findings, the Board further concludes that there exists no legal or equitable basis for upgrade or change of reason for discharge, and thus the applicant's discharge should not be changed.

Attachment:  
Examiner's Brief

DEPARTMENT OF THE AIR FORCE  
AIR FORCE DISCHARGE REVIEW BOARD  
ANDREWS AFB, MD

FD2002-0262

[REDACTED]  
(Former A1C) (REHEARING)

1. MATTER UNDER REVIEW: Appl rec'd a Gen Dish fr USAF 98/06/25 UP AFI 36-3208, para 5.47 & 5.26.3 (Unsatisfactory Duty Performance & Minor Disciplinary Infractions). Appeals for HON Disch.

2. OTHER FACTS:

a. See attached cy of Examiner's Brief dtd 98/12/23.

b. The AFDRB reviewed case on 99/04/09 (non-appearance w/0 counsel) & concluded applicant's discharge should not be changed.

3. BASIS ADVANCED FOR REHEARING: Appl (DD Fm 293) dtd 02/05/05. (Change Discharge to Hon).

ISSUE 1: I was discharged because I failed the required CDC Test given to me. I was told that if I failed the test, I would be given an Honorable Discharge from the Air Force. When I failed the test, I was given a General Under Honorable Discharge and reason stated on my DD214 was MISCONDUCT.

ISSUE 2: If I had passed the CDC test, I would NOT have been discharged at all!! Much less, a misconduct discharge.

ISSUE 3: So I dispute the MISCONDUCT reason of Discharge and believe I deserve the discharge of Honorable that is given to airman who fail the CDC test and are discharged from active duty military.

Atch

1. Personal Written Statement
2. DD Form 214

02/09/24/cr

DEPARTMENT OF THE AIR FORCE  
AIR FORCE DISCHARGE REVIEW BOARD  
ANDREWS AFB, MD

(Former A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 98/06/25 <sup>5 yrs</sup> UP AFI 36-3208, para 5.47 & 5.26.3 (Unsatisfactory Duty Performance & Minor Disciplinary Infractions). Appeals for Honorable Disch.

2. **BACKGROUND:**

a. DOB: 73/09/13. Enlmt Age: 20 10/12. Disch Age: 24 9/12. Educ: HS DIPL. AFQT: N/A M-31, A-86, G-46, E-34. PAFSC: 1T131 - Aircrew Life Support Apprentice. DAS: 95/05/30.

b. Prior Sv: AFRes 94/07/29 - 95/02/07 (6 months 9 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enld as AB 95/02/08 for 4 yrs. Svd: 3 Yrs 4 Mo 18 Das, all AMS.

b. Grade Status: A1C - 96/06/08  
AMN - Unknown

c. Time Lost: none.

d. Art 15's: none.

e. CM: none.

f. Record of SV: 95/02/08 96/10/07 McChord AFB 3 (Initial)  
96/10/08 97/08/05 McChord AFB 4 (CRO)  
97/08/06 98/05/15 McChord AFB 2 (Cmdr Dir) REF

(Discharged from McChord AFB)

g. Awards & Decs: AFTR, NDSM, AFOUA W/1 DEV, AFGCM.

h. Stmt of Sv: TMS: (3) Yrs (10) Mos (27) Das  
TAMS: (3) Yrs (4) Mos (18) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 98/08/08.  
(Change Discharge to Honorable)

Issue 1: My letter of rebuttal concerning my discharge should have been included in my discharge package.

ATCHS  
None.

98/12/23/ia



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS 62D AIRLIFT WING (AMC)

FD2002-0262



19 Jun 98

MEMORANDUM FOR 62 AW/CC

FROM: 62 AW/JA

SUBJECT: Legal Review of AFI 36-3208, *Administrative Separation of Airmen*  
Administrative Discharge - A1C [REDACTED]

1. On 9 June 1998, 62 OSS/CC initiated this administrative discharge action against A1C [REDACTED] under the provisions of AFI 36-3208, *Administrative Separation of Airmen*, Chapter 5, Section E, paragraph 5.26.3, for unsatisfactory duty performance – failure to progress in on-the-job training (OJT) and Section H, paragraph 5.49, for minor disciplinary infractions (primary basis). A1C [REDACTED] was properly notified of this action and informed of her right to counsel and her right to submit statements. After consulting with counsel, A1C Shoop submitted statements. 62 OSS/CC recommends that A1C [REDACTED] receive a general discharge without probation and rehabilitation.

2. FACTS: 62 OSS/CC initiated this discharge action based on the following incidents, which occurred during A1C Shoop's current enlistment, which began on 8 February 1995:

a. Paragraph 5.26.3 – unsatisfactory duty performance – failure to progress in on-the-job (OJT) training:

(1) On or about 25 March 1998, A1C [REDACTED] scored a 50 on her 2<sup>nd</sup> Career Development Course (CE) exam thereby failing to meet the minimum passing score of 65. For this failure, Extension Course Institute (ECI) Air University disenrolled A1C [REDACTED] from the Career Development Course, and A1C [REDACTED] supervisor, unit training monitor, and commander personally counseled her. In addition, 62 OSS/CC initiated this involuntary discharge action.

(2) On or about 12 November 1997, A1C [REDACTED] scored a 58 on her 1<sup>st</sup> Career Development Course (CE) exam thereby failing to meet the minimum passing score of 65. For this failure, her supervisor, unit training monitor, and commander personally counseled her. In addition, her unit scheduled her to retake the test.

(3) On or about 23 October 1996, A1C [REDACTED] scored a 52 on her 1<sup>st</sup> Career Development Course (CE) exam thereby failing to meet the minimum passing score of 65. For this failure, Extension Course Institute (ECI) Air University disenrolled A1C [REDACTED] from the Career Development Course because the time allotted (12 months from date of enrollment) to complete her CDCs had expired. Her unit later had her CDC enrollment reactivated.

b. Paragraph 5.49 – minor disciplinary infractions (primary basis):

(1) On or about 18 April 1998, AIC [REDACTED] reported to work out of uniform. For this offense, AIC Shoop received a Letter of Reprimand dated 24 April 1998.

(2) On or about 13 February 1998, AIC [REDACTED] was 60 days delinquent on her AAFES DPP account. For this offense, her unit verbally counseled her.

(3) On or about 9 January 1998, AIC [REDACTED] was late for duty. For this offense, AIC Shoop received a Letter of Reprimand dated 13 January 1998.

(4) On or about 5 January 1998, AIC [REDACTED] failed to return to work after her one-hour lunch break. Specifically, AIC [REDACTED] left for lunch at 0345 hours and did not return until 0630 hours. For this offense, AIC [REDACTED] supervisor verbally counseled her, as documented in a Memo for Record.

(5) On or about 2 October 1997, AIC [REDACTED] was given the day off to prepare for her Career Development Course exam (CE). On or about 3 October 1997, AIC [REDACTED] failed to take the CDC test. For this offense, AIC [REDACTED] received a Letter of Reprimand dated 8 October 1997.

(6) On or about 25 August 1997, AIC [REDACTED] failed to remain at her place of residence while on quarters. For this offense, AIC [REDACTED] received a Letter of Counseling dated 25 August 1997.

(7) On or about 24 April 1997, AIC [REDACTED] left for lunch 15 minutes early and returned from lunch 15 minutes late. Specifically, AIC [REDACTED] left for lunch at 0945 hours when her authorized expanded lunch hour started at 1000 hours and she returned from lunch at 1215 hours when her lunch hour ended at 1200 hours. For this offense, AIC [REDACTED] received a Letter of Counseling dated 28 April 1997.

(8) On or about 28 January 1997, AIC [REDACTED] disobeyed an order from her supervisor, in that she failed to return the shop copy of the CDCs to her supervisor after being ordered to do so. For this infraction, AIC [REDACTED] received a Letter of Counseling dated 28 January 1997.

(9) On or about 13 December 1996, AIC [REDACTED] was derelict in the performance of her duties by using improper lifting practices, failing to perform her job as briefed to her upon her initial assignment to the float section, and her lack of initiative when loading the truck. AIC [REDACTED] received a Letter of Counseling on 19 December 1996.

(10) On or about 26 November 1996, AIC [REDACTED] left work at 1215 hours to take her child to Madigan Army Medical Center (MAMC). On or about 27 November 1996, AIC [REDACTED] told her NCOIC that she had taken her child to MAMC on 26 November 1996, when, in fact, she did not. For this offense, AIC [REDACTED] received a Letter of Counseling dated 20 December 1996.

(11) On or about 18 January 1996, A1C [REDACTED] wore an unauthorized hair tie. For this offense, A1C Shoop received a Letter of Counseling dated 18 January 1996.

(12) On or about 11 December 1995, A1C [REDACTED] wore an unauthorized hair tie. For this offense, A1C Shoop received a Letter of Counseling dated 11 December 1995.

(13) On or about 12 July 1995, A1C [REDACTED] wrote a check to AAFES in the amount of \$3.39 and thereafter failed to maintain sufficient funds to cover the check upon its presentment. For this offense, the unit took no action.

### 3. LEGAL ANALYSIS:

a. The case file is legally sufficient to support the proposed action under AFI 36-3208, Chapter 5, Section E, paragraph 5.26.3, for unsatisfactory duty performance - failure in on-the-job training (OJT) and Section H, paragraph 5.49, for minor disciplinary infractions (primary basis).

b. AFI 36-3208, paragraph 5.26, provides that airmen are subject to discharge for unsatisfactory performance (including failures in on-the-job training) "based on documented failures to meet Air Force standards." A1C [REDACTED] failures in her CE exams equate to a failure to meet Air Force standards. Career Development Courses are required training for all airmen and passing the CE exam is a prerequisite for completing upgrade training. Airmen are expected to take the responsibility to perform their assigned duties and complete required training. Despite her unit's efforts to assist her through counselings and improvement opportunities, A1C [REDACTED] failed to take the responsibility to dedicate herself to successful completion of her CDCs and thereby failed to meet Air Force training standards. A1C [REDACTED] failure to pass a required training program constitutes unsatisfactory performance and a failure in on-the-job training and forms a basis for discharge under AFI 36-3208, paragraph 5.26.3.

c. Minor disciplinary infractions are violations of nonpunitive regulations or minor offenses under the Uniform Code of Military Justice, and are evidenced by counselings, letters of reprimand, or nonjudicial punishment. A1C [REDACTED] behavior, as outlined in paragraph 2, constitutes a pattern of minor disciplinary infractions. When an airman engages in such infractions, discharge under AFI 36-3208, *Administrative Separation of Airmen*, paragraph 5.49, is appropriate.

d. Under AFI 36-3208, paragraph 6.44, when the basis of a discharge recommendation consists of two or more reasons, the commander should apply the guidance on service characterization that allows the most latitude. Thus, when a recommendation for discharge is approved for both unsatisfactory duty performance and minor disciplinary infractions, the criteria for characterization of discharge for misconduct should be applied. A general discharge is appropriate because significant negative aspects of A1C [REDACTED] conduct outweigh positive aspects of her military record. The range and consistency of infractions demonstrate a disregard for acceptable Air Force standards. A1C [REDACTED] conduct is not, however, so egregious that it constitutes a "significant departure" from the conduct expected of airmen, thus warranting an



under other than honorable conditions discharge. Likewise, A1C [REDACTED] service has not been so meritorious that only an honorable discharge is appropriate.

e. The member's response (see tab 5):

1. A1C [REDACTED] responded primarily to the evidence supporting the primary basis for discharge, minor disciplinary infractions. She did not discuss evidence regarding her CDC failures. In her response, A1C [REDACTED] explains that she was not instructed how to respond to many of the letters she received. She implies that because she did not know about the services offered by the ADC, she did not know how to respond to some of the letters. Because A1C [REDACTED] submitted a response to a letter of counseling in January 1996, she was aware that she could respond and has had the opportunity to ask questions about formatting an effective response.

2. In the eighth paragraph of her response, A1C [REDACTED] disputes some of the letters that support this discharge action:

a. In subparagraph a, she responds to a Letter of Reprimand dated 24 April 1998. On 25 April 1998, she acknowledged the LOR and did not attach statements. A1C [REDACTED] had the opportunity to respond but chose not to do so at that time.

b. Subparagraph b supplements her response to a Letter of Reprimand dated 13 January 1998. Her main substantive complaint is that the unit found her reporting late for duty based on the work of another airman, her supervisor. As you know, rarely does an incident produce tangible evidence (such as a video of the event); often commanders base their disciplinary decisions on the reports of an airman's supervisor. Furthermore, her commander reviewed her initial response to the Letter of Reprimand and chose not to withdraw the LOR.

c. In subparagraphs c and e, A1C [REDACTED] responds to Letters of Counseling dated 8 October 1997 and 20 December 1996, respectively. Although both LOCs noted that submitted comments would become part of the action, she chose not to respond and raise these issues at that time.

d. Her responses in subparagraphs d and f reiterate her original responses to the Letters of Counseling dated 19 December 1996 and 18 January 1996, respectively. Her response in subparagraph f calls the 18 January 1996 LOC "nit picky." Note, however, that discharge packages generally contain all properly administered LOCs and LORs.

Although A1C [REDACTED] responses to her self-described "adverse letters of harassment" offer her another chance to tell her side of the story, they also demonstrate her unwillingness to be accountable for her actions. As such, the weight and credibility of her responses do not materially affect our recommendation.

3. In addition, because A1C [REDACTED] has not received any Article 15 punishments and has no criminal history, she feels she deserves an honorable discharge. A mere lack of criminal history and Article 15 punishment does not entitle a member to an honorable discharge. Minor

disciplinary infractions are just that—they are infractions that do not rise to the level of criminality or merit Article 15 punishment but that still warrant some disciplinary action. A1C [REDACTED] also explains that she intends to pursue a career with the Washington State Patrol and that a general discharge will keep her from doing so. The indirect impact of the type of discharge on her future employment should not be a factor in determining how A1C [REDACTED] served in the Air Force.

f. 62 OSS/CC does not recommend an offer of probation and rehabilitation. We concur. A1C [REDACTED] has been given several opportunities to correct her behavior, but she continues to fail to show that she can adopt and consistently demonstrate acceptable standards of behavior. Her most recent EPR notes her lack of motivation and professionalism and indicates her need for constant supervision. A1C [REDACTED] has given us every reason to believe that if she were to remain in the Air Force, she would continue her misconduct. A1C [REDACTED] commander and first sergeant have counseled her and agree that it would be in the best interests of the Air Force and A1C [REDACTED] to separate her as soon as possible.

#### 4. ERRORS AND IRREGULARITIES:

a. Paragraph 2.b.2 of the Notification Memorandum dated 9 June 1998 indicates that A1C [REDACTED] was verbally counseled for delinquency on her DPP account (atch 3). The first sergeant's memorandum, dated 2 March 1998, indicates that the unit accomplished a Memorandum for Record and not verbal counseling as corrective action. A Memorandum for Record is not included for this action. However, it appears that the unit mistakenly marked this box. The body of the letter asked OSS/IN to provide instructions to the member on what she should do, and the comments under "mitigating circumstances" suggest that the member verbally responded. Therefore, it appears to be a clerical error. In addition, the comments state "see attached receipt" and no such receipt is contained in the package. MSgt [REDACTED], who signed the memorandum from OSS/CCF on 20 March 98, has since PSC'd to England. Although the unit took no disciplinary action beyond the alleged verbal counseling, the clerical error and lack of proof of payment does not materially affect the legal sufficiency of this discharge action.

b. The Letter of Reprimand dated 13 January 1998 (atch 4) does not indicate whether or not the member submitted statements. Because the member did submit a response, this administrative error does not affect the legal sufficiency of this discharge action.

c. A copy of the member's physical exam must be included in this discharge package prior to final discharge.

#### 5. OPTIONS:

a. Direct that this action be discontinued and retain A1C [REDACTED] in the United States Air Force.

b. Direct that A1C [REDACTED] be discharged from the United States Air Force with a general discharge, with or without probation and rehabilitation.

c. Direct that A1C [REDACTED] be retained for processing under Chapter 6, Section C (Board Hearing), if you determine she should be separated with an under other than honorable conditions discharge.

d. Forward this case file to 15 AF/CC if you believe that A1C [REDACTED] should be separated from the United States Air Force with an honorable discharge.

6. RECOMMENDATION: Discharge A1C [REDACTED] from the United States Air Force under the provisions of AFI 36-3208, Chapter 5, Section E, paragraph 5.26.3, for unsatisfactory duty performance - failure in on-the-job training (OJT) and Section H, paragraph 5.49, for minor disciplinary infractions (primary basis) with a general characterization of service without probation and rehabilitation. We do not believe A1C [REDACTED] represents a threat to the personnel and/or property of McChord AFB. Therefore, we do not recommend that you bar her from base. If you concur with our recommendations, please sign the letter attached in Tab 2.

[REDACTED]  
[REDACTED] Lt Col, USAF  
Staff Judge Advocate

Attachment:  
Case File (A1C Shoop)

DEPARTMENT OF THE AIR FORCE  
62D AIRLIFT WING (AMC)  
MCCHORD AIR FORCE BASE, WASHINGTON 98438

9 JUNE 98

MEMORANDUM FOR AIC [REDACTED] 62 OSS

FROM: 62 OSS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for unsatisfactory duty performance – failure in on-the-job training (OJT) and minor disciplinary infractions. The authority for this action is AFPD 36-32, *Military Retirements and Separations*, and AFI 36-3208, *Administrative Separation of Airmen*, paragraphs 5.26.3 and 5.49 (primary basis). If my recommendation is approved, your service will be characterized as honorable or general. I am recommending that your service be characterized as general. I have informed 62 OG/CC of this recommendation for discharge.

2. My reasons for this action are:

a. Paragraph 5.26.3 – unsatisfactory duty performance – failure to progress in on-the-job (OJT) training:

(1) On or about 25 March 1998, you scored a 50 on your 2<sup>nd</sup> Career Development Course (CE) exam thereby failing to meet the minimum passing score of 65. For this failure, Extension Course Institute (ECI) Air University disenrolled you from the Career Development Course, and your supervisor, unit training monitor, and I personally counseled you. In addition, I initiated this involuntary discharge action. (atch 1)

(2) On or about 12 November 1997, you scored a 58 on your 1<sup>st</sup> Career Development Course (CE) exam thereby failing to meet the minimum passing score of 65. For this failure, your supervisor, unit training monitor, and I personally counseled you. In addition, we scheduled you to retake the test. (atch 1)

(3) On or about 23 October 1996, you scored a 52 on your 1<sup>st</sup> Career Development Course (CE) exam thereby failing to meet the minimum passing score of 65. For this failure, Extension Course Institute (ECI) Air University disenrolled you from the Career Development Course because the time allotted (12 months from date of enrollment) to complete your CDCs had expired. Therefore, we had your CDC enrollment reactivated. (atch 1)

b. Paragraph 5.49 – minor disciplinary infractions (primary basis):

(1) On or about 18 April 1998, you reported to work out of uniform. For this offense, you received a Letter of Reprimand dated 24 April 1998. (atch 2)

(2) On or about 13 February 1998, you were 60 days delinquent on your AAFES DPP account. For this offense, we verbally counseled you. (atch 3)

(3) On or about 9 January 1998, you were late for duty. For this offense, you received a Letter of Reprimand dated 13 January 1998. (atch 4)

(4) On or about 5 January 1998, you failed to return to work after your 1 hour lunch break. Specifically, you left for lunch at 0345 hours and did not return until 0630 hours. For this offense, your supervisor verbally counseled you, as documented in a Memo for Record. (atch 5)

(5) On or about 2 October 1997, you were given the day off to prepare for your Career Development Course exam (CE). On or about 3 October 1997, you failed to take the CDC test. For this offense, you received a Letter of Reprimand dated 8 October 1997. (atch 6)

(6) On or about 25 August 1997, you failed to remain at your place of residence while on quarters. For this offense, you received a Letter of Counseling dated 25 August 1997. (atch 7)

(7) On or about 24 April 1997, you left for lunch 15 minutes early and returned from lunch 15 minutes late. Specifically, you left for lunch at 0945 hours when your authorized expanded lunch hour started at 1000 hours and you returned from lunch at 1215 hours when your lunch hour ended at 1200 hours. For this offense, you received a Letter of Counseling dated 28 April 1997. (atch 8)

(8) On or about 28 January 1997, you disobeyed an order from your supervisor, in that you failed to return the shop copy of the CDCs to your supervisor after being ordered to do so. (atch 9)

(9) On or about 13 December 1996, you were derelict in the performance of your duties by using improper lifting practices, failing to perform your job as briefed to you upon your initial assignment to the float section, and your lack of initiative when loading the truck. This is documented in a Letter of Counseling dated 19 December 1996. (atch 10)

(10) On or about 26 November 1996, you left work at 1215 hours to take your child to Madigan Army Medical Center (MAMC). On or about 27 November 1996, you told your NCOIC that you had taken your child to MAMC on 26 November 1996, when, in fact, you did not. For this offense, you received a Letter of Counseling dated 20 December 1996. (atch 11)

(11) On or about 18 January 1996, you wore an unauthorized hair tie. For this offense, you received a Letter of Counseling dated 18 January 1996. (atch 12)

(12) On or about 11 December 1995, you wore an unauthorized hair tie. For this offense, you received a Letter of Counseling dated 11 December 1995. (atch 13)

**Attachments:** listed on next page