



**DEPARTMENT OF DEFENSE  
EDUCATION ACTIVITY**  
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ARLINGTON, VIRGINIA 22203-1635

Procurement Division

DoDEA Administrative Instruction 8000.3  
March 29, 2005

**DEPARTMENT OF DEFENSE EDUCATION ACTIVITY  
ADMINISTRATIVE INSTRUCTION**

**SUBJECT:** Procedures for Payment of Costs Associated with Arbitration Fees

**References:** (a) Department of Defense Financial Management Regulation (DoDFMR), Volume 10, Chapter 12, Paragraph 120217, current edition  
(b) DoDEA Collective Bargaining Agreement(s), current edition  
(c) Federal Acquisition Regulation, Part 1 of the FAR, "Federal Acquisition Regulations System," current edition

**1. PURPOSE**

This Administrative Instruction establishes policy and assigns responsibilities under references (a), (b), and (c) regarding the Department of Defense Education Activity (DoDEA) procedures for processing arbitration fees associated with employee grievances.

**2. APPLICABILITY**

This Administration Instruction applies to the Office of the Director, Department of Defense Education Activity; the Director, Domestic Dependent Elementary and Secondary Schools, and Department of Defense Dependent Schools, Cuba (DDESS/DoDDS-Cuba); the Director, Department of Defense Dependents Schools, Europe (DoDDS-E); the Director, Department of Defense Dependents Schools, Pacific, and Domestic Dependent Elementary and Secondary Schools, Guam (DoDDS-P/DDESS-Guam); and all DoDEA District Superintendents, School Principals, Teachers, and Support Staff.

**3. DEFINITIONS**

3.1. Federal Mediation and Conciliation Service (FMCS). An independent agency established by statute whose mission is to preserve and promote labor-management peace and cooperation.

3.2. Contracting Officer (CO). A person with the authority (warrant) to enter into and obligate funds on behalf of the Government, administer, and/or terminate contracts and make related determinations and findings.

#### 4. POLICY

It is DoDEA policy that:

4.1. The Department of Defense Education Activity, as a Department of Defense Field Activity, has a responsibility to review and respond to employee grievances. As such, the FMCS is required to refer grievances to arbitrators.

4.2. In accordance with references (a) and (b), arbitrator services under negotiated grievance procedures are to be acquired by the issuance of a contract through the local procurement office.

#### 5. RESPONSIBILITIES

5.1. The Director, Department of Defense Education Activity, as the Head of the Contracting Activity, shall exercise authority, direction, and control over the Chief, Procurement Division, Department of Defense Education Activity.

5.2. The Chief, Procurement Division, Department of Defense Education Activity, shall:

5.2.1. Develop the overall Program Policy.

5.2.2. Ensure effective management controls are in place.

5.3. The Director, Human Resources Division, Department of Defense Education Activity or the General Counsel, Department of Defense Education Activity, shall:

5.3.1. Notify the appropriate CO of all actions concerning arbitration proceedings so that he or she can issue a verbal order to acquire arbitration services.

5.3.2. Submit a copy of the request for arbitration services from FMCS to the appropriate CO along with a certified funding document before obtaining arbitration services.

5.3.3. Certify that services have been received when an invoice is received for arbitration services. The certification of the invoice will serve as documentation for payments in lieu of a receiving report.

5.3.4. Forward the certified invoice to the appropriate DoDEA Procurement Office for payment of services rendered.

5.4. The Chief, Procurement Policy and Compliance, Department of Defense Education Activity shall:

5.4.1. Provide coordination between the Director, Human Resources Division, DoDEA, or General Counsel, DoDEA, and the DoDEA Contracting Officer to ensure oversight and management controls are in place.

5.4.2. Manage, oversee, log, issue control numbers, and track the arbitration services program.

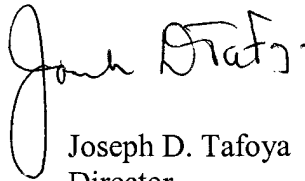
5.5. The DoDEA Contracting Officer shall:

5.5.1. Obtain a control number from the appropriate DoDEA Procurement Analyst and issue either a verbal or written notice to proceed to the Director, Human Resources Division, DoDEA, or General Counsel, DoDEA, as soon as a “Instructions to FMCS” letter is received.

5.5.2. Issue the written contract to the designated arbitrator upon receipt of the requisition and certified invoice.

## 6. EFFECTIVE DATE

This Administrative Instruction is effective immediately.



Joseph D. Tafoya  
Director