

6 FAH-5 H-460 ICASS INVOICING

(CT:ICASS-16; 10-15-2010)
(Office of Origin: RM/ICASS)

6 FAH-5 H-461 UNASSIGNED

(CT:ICASS-16; 10-15-2010)
(Applies to participating ICASS agencies)
(Guidance on “Direct Hire American Salary Costs” has moved to 6 FAH-5 H-491.)

6 FAH-5 H-462 DISPUTE PROCESS

(CT:ICASS-16; 10-15-2010)
(Applies to participating ICASS agencies)
(Guidance on “Post Assignment Travel (PAT) Costs” has moved to 6 FAH-5 H-492)

6 FAH-5 H-462.1 Disputes Regarding Workload Counts

(CT:ICASS-16; 10-15-2010)
(Applies to participating ICASS agencies)

- a. The annual May 1 collection of workload counts is a critical first step in the ICASS calendar. The service provider gathers agencies' workload counts which will be used for calculating invoices in the upcoming fiscal year. The counts, and any approved modifications, are presented to customer agencies not later than June 1. Beginning from the date the counts are provided, customer agencies have 30 calendar days to review and approve their respective workload counts and modifications. Problems should be discussed and resolved as early as possible with the service provider or brought to the post budget committee (BC) (or in the absence of a BC, the Council) and resolved prior to the end of the 30-day review period. The approved workload counts and modifications should be finalized by July 1.

NOTE: The post BC, customer agency, or service provider may refer technical questions on workload counts or modification issues to the

ICASS Service Center (ISC) at ICASSServiceCenter@state.gov and title the message “Workload Inquiry.”

- b. The finalized data is submitted to Washington in the “Workload and Time Allocation Data Call Plan” and compiled in a series of reports which are provided to the headquarters agencies for use in projecting upcoming fiscal year ICASS costs. These workload counts and modifications, unless in dispute, may not be changed except in certain circumstances as outlined in 6 FAH-5 H-333.3, and will be used as the basis for calculating the agency’s upcoming year post ICASS invoice. These workload counts and modifications, once approved by the authorized customer agency representative at post, may not be disputed at the final invoice stage.
- c. During the 30-day workload review period (June 1- July 1), if an agency and service provider are unable to resolve an issue regarding their workload counts and/or modifications, the agency must notify the service provider of their intent to file a formal dispute for review by the post BC. The disputing agency must prepare a memorandum to the BC outlining the issue(s) and their position; the service provider must also provide a written justification for its position and provide appropriate policy references from the ICASS Handbook (6 FAH-5).
- d. If either party to the dispute does not accept the BC’s recommendation, the service provider forwards the dispute to the ISC (at ICASSServiceCenter@state.gov) for resolution. The ISC will review the dispute and supporting policy, make a determination, and notify post of the results. If necessary, the ISC will engage the headquarters agency to assist in resolving the dispute.
- e. The service provider must submit the post’s “Workload and Time Allocation Data Call Plan” to the ISC by the established due date. In a separate email sent to RMICASSWorkloadData@state.gov, post must confirm that all agencies have signed their workload counts or submitted a dispute. If all agencies have approved and signed their workload counts and time allocations, the email should be entitled, “POST NAME: May 1 Workload Count Approval Confirmation – COMPLETE;” no text is necessary. If a dispute is not resolved by the deadline for submission, the email should be entitled, “POST NAME: May 1 Workload Count Approval Confirmation – INCOMPLETE.” If the status is “incomplete,” the text of the email must provide a list of the outstanding agencies and note the following: agency code, agency name, agency representative name, and the reason for the dispute.
 - (1) The ISC will grant post additional time to resolve any outstanding disputes and will serve as a consultant with the agency’s ICASS Working Group (IWG) representative, as appropriate. All workload and/or modification disputes must be resolved by August 1.

- (2) For the rare dispute that is not resolved by August 1, any workload and/or modification changes that may result will be incorporated in the initial invoice and post will not be required to resubmit its “Workload and Time Allocation Data Call Plan.”
- (3) In cases where a dispute results in changes to the workload counts or modifications, the service provider will prepare a new “Workload Detail” report with the revised workload counts for signature by the disputing agency representative. These counts are the agency’s official workload counts for the upcoming fiscal year and may no longer be disputed (see 6 FAH-5 H 462.1 b).

6 FAH-5 H-462.2 Disputes Regarding Post Invoices

(CT:ICASS-16; 10-15-2010)

(Applies to participating ICASS agencies)

- a. Upon completion of the initial budget and approval by the post BC and ICASS council (IC), customer agencies will receive their initial invoice (in November/ December). The invoice is based on the approved workload counts and modifications signed in June/July and is updated as outlined in 6 FAH-5 H-333.2 or for any workload counts that were changed as a result of the dispute process but were not incorporated in the submitted budget plan. Agencies are given ten business days, from the date of issuance of the invoices, to review and approve their invoices. Because any change to one agency’s invoice will mean a change to all invoices, all issues should be brought to the immediate attention of the service provider for resolution.

NOTE: Charges shown in the initial “informational” invoice, signed and approved by the authorized customer agency representative, may not be disputed in the final invoice. Disputes on a final invoice may only relate to charges that were not reflected on the initial invoice.

- b. If the issue cannot be resolved with the service provider and the agency elects not to sign its invoice and initiate a dispute, it must be formally presented to the post BC for review and resolution before the end of the ten-day review period. The disputing agency must submit a written explanation of the dispute to the BC and service provider; the service provider must also provide a written explanation for its position regarding the correctness of the invoice. Insufficient time to review the invoice is not considered a valid reason for a dispute. In the event an agency has not signed its invoice but has not filed a dispute within the ten-day period, the agency may no longer dispute the invoice.

NOTE: Within the ten-day period, if an agency representative at post fails to respond to the request for signature and is not filing a dispute, the

service provider should submit the budget and contact the ISC for assistance in notifying the headquarters agency. Unsigned invoices do not preclude the submission of the post budget to Washington.

- (1) If the dispute is not resolved by the deadline for budget submission, the post must submit its budget and document any disputes in the "Summary of Signed Invoices." In the summary, post must note any pending disputes and their current status. Post will be granted 30 calendar days beyond the post's budget due date to resolve any disputes.
 - (2) If initial invoices remain unsigned and disputes are not documented, the post will be subject to the late submission penalty (i.e., a one percent reduction of the traditional bureau portion of its initial ICASS target and ineligibility to receive an increase in the traditional bureau final target).
- c. During the dispute review period, if the post BC is unable to reach a resolution of the dispute that is acceptable to all parties, the dispute is referred to the IC for review and resolution. If the IC is unable to reach a resolution that is acceptable to all parties, the issue is referred to the Chief of Mission (COM) for a determination. If any party to the dispute is not satisfied with the COM decision, that party has the right to appeal the decision to the ICASS Executive Board (IEB) in Washington.
- d. If the dispute is resolved at the post level, post must take action to submit a revised budget, if necessary, and submit a revised summary of signed invoices. If post is unable to resolve the dispute, the service provider must advise the ISC by formal cable that the post has exhausted its options to resolve the dispute at the post, including the fact that the COM has made a determination and the agency is appealing that decision to the IEB. The IEB will only accept such appeals if they are submitted to the ISC in a front-channel cable and they reflect the views of all parties to the dispute, including that of the COM. The disputing agency and service provider, coordinating with their respective headquarters agency, may submit additional information, as appropriate. The cable must be slugged "For ICASS Service Center" and have the TAGS "AFIN, KICA, AMGT."
- NOTE: If the post does not submit a new budget and summary of signed invoices by the end of the dispute review period, and no dispute has been submitted to Washington, the post will be assessed the one percent penalty (see 6 FAH-5 H-433.3 b).
- e. Only the IEB can review and adjudicate a COM determination. Upon receipt of the formal cable appealing the COM's determination, the ISC will review the documentation and request any additional information needed for the appeal. The ISC will prepare a memo summarizing the

dispute and outline options for IEB review; copies of the memo will be provided to:

- (1) All IEB members;
- (2) The IWG member representing the disputing agency;
- (3) The Department of State service provider representative; and
- (4) The executive director of the affected Department of State bureau.

NOTE: The appealing headquarters agency can decide, at any time prior to formal decision by the IEB, to rescind its appeal as submitted by its post representative by agreeing in writing to pay the invoiced amount.

- f. If the IEB rules in favor of the service provider and deems the invoice correct, the agency must sign the invoice thereby authorizing payment . The ISC will notify post of the IEB's decision and no changes will be made to the budget.
- g. If the IEB rules in favor of the disputing agency, the post council and service provider will be informed and one of the following actions will take place:
 - (1) If the dispute concerns an initial invoice, post will work with the ISC to determine if there is time to resubmit the budget before the Washington consolidated "informational" invoices are prepared.
 - (a) If a new budget and invoice summary is submitted, post will incorporate the approved changes and distribute new "informational" invoices to the customer agencies; no signatures will be required.
 - (b) If there is not time to resubmit the budget, post will incorporate the approved changes in the final budget. In order to document the impact of the dispute resolution on the other agencies, post should prepare a "What If" budget incorporating the changes and distribute new "informational" invoices to the agencies; no signatures will be required.
 - (2) If the dispute concerns a final invoice, post will work with the ISC to determine if there is time to resubmit the budget and new summary of signed invoices before the Washington consolidated invoices are prepared.
 - (a) If a new budget and invoice summary is submitted, post will incorporate the approved changes and distribute new final invoices to the customer agencies; no signatures will be required.
 - (b) If there is not time to resubmit the budget, the ISC will use available ICASS global database information (GDB) to

calculate invoice adjustments for agencies which were present at post in the year the dispute took place. These adjustments will appear the next fiscal year as a separate line item in the initial and final consolidated invoices transmitted to customer agencies.

6 FAH-5 H-462.3 Procedures for Disputes Concerning Centrally Budgeted Costs

(CT:ICASS-16; 10-15-2010)

(Applies to participating ICASS agencies)

- a. Only headquarters agencies may dispute centrally budgeted costs.

NOTE: The only exception is for a post invoice that was signed by an unauthorized individual; such cases may be disputed by the headquarters agency.

- b. Headquarters agencies must file invoice disputes with the ISC within 30 days of transmission of the invoice to be considered a valid dispute. The disputing agency must submit a written explanation of the dispute to the ISC.

NOTE: Initial invoices are for informational purposes and headquarters agencies must review all charges for accuracy. Issues and problems should be raised immediately with the ISC. An agency may not dispute a charge in the final invoice that was included in and not disputed in the initial invoice.

- c. The ISC will collect all disputes filed by agencies and submit them to the Washington BC for review and resolution as soon as possible following the expiration of the 30-day period. This submission will also include the ISC's written justification for its position regarding the disputed charges. The Washington BC, representing the ICASS Working Group (IWG), will act in the same capacity as the post BC, ruling on the validity of the agency's dispute of centrally budgeted costs in an agency's consolidated invoice. The ISC will inform the IWG of all Washington BC decisions regarding agencies' billing disputes.
- d. Where the Washington BC rules in favor of the ISC-produced invoice, no further action is required on an initial invoice. If it is for a final invoice, the agency will sign its invoice.
- e. Where the Washington BC rules in favor of the agency, all agencies will be informed and revised initial informational invoices will be prepared showing only the changes in the cost element involved. These changes will be reflected in the final consolidated invoices.

- f. If the dispute relates to a final invoice, the amount in dispute will be distributed among ICASS customer agencies in the following fiscal year and will appear as a separate line item on the consolidated invoice. The ISC will redistribute the adjusted amount to ICASS customer agencies according to the appropriate methodology for the disputed cost element.
- g. Should either party disagree with the Washington BC's determination, it may appeal that decision to the IEB, which will adjudicate the dispute. The ISC will prepare a memorandum summarizing the nature of the dispute and outline options for resolution. Any resulting adjustments to the invoice amounts will be redistributed as described in 6 FAH-5 H-462.3 paragraph f.

6 FAH-5 H-462.4 Procedures for Disputes Regarding Service Quality

(CT:ICASS-16; 10-15-2010)

(Applies to participating ICASS agencies)

- a. While disputes related to service quality do not necessarily relate to the post budget and invoices, there may be linkages if resolution of the dispute requires additional funding and/or positions. Disputes regarding the quality or timeliness of services are handled at the post level. Because each post presents unique challenges, the service provider and customer agencies are best positioned to address issues related to service quality. As outlined in 6FAH-5 H-022, each customer agency is responsible for bringing issues related to service quality to the attention of the service provider, either verbally or in writing. As outlined in 6FAH-5 H-032, the service provider is responsible for addressing any complaints regarding service quality with the agency representative and seeking appropriate resolution.
- b. If such discussions do not resolve the issue, it should be presented in writing to the post Council for review and discussion. Post should ensure that the uniform service standards are used as the basis for any discussion on service quality or timeliness.
 - (1) The Council may decide to form a special working group to explore the issue or may work directly with the service provider to examine ways to improve service. The Council may consider conducting targeted surveys of all customers using the service in question to solicit ideas for improving service.
 - (2) The goal is to establish an open dialogue to address the issues being raised and identify viable options for service improvement.
- c. The Council, working with the service provider, will review the issue and

discuss options for addressing service improvement and set milestones for implementation.

- d. Posts should ensure that all available tools for evaluating services (i.e., ICASS Customer Satisfaction Survey, local surveys, eServices etc.) are used to review and assess service quality. Posts should also ensure that the Council performs the annual evaluation of the service provider as outlined in 6FAH-5 H-012.6 b. This will ensure that all parties are aware of the issues and appropriate action can be taken.
- e. If post actions to improve quality of services do not bring tangible results, post may wish to consult with the ISC and the regional bureau to solicit additional ideas for improving post operations.

6 FAH-5 H-462.5 Dispute Process for Alternate-Service Providers (asps)

(CT:ICASS-16; 10-15-2010)

(Applies to participating ICASS agencies)

- a. The alternate-service provider (ASP) must follow the same procedures as the State service provider *as outlined in this chapter*. in documenting and resolving disputes between the ICASS service provider and ICASS council. Dispute documentation sent with budgets to the ICASS service center (ISC) should bear the signature of the ICASS council chair and the highest-ranking management official for the alternate service provider.
- b. The ISC *serves* as the secretariat for recording ICASS service provider and customer adherence to deadlines specified for giving notice of disputes. It also *serves* as the secretariat to the ICASS Executive Board (IEB) in notifying members that a dispute has arisen and requires IEB action to determine a *resolution*.

6 FAH-5 H-463 THROUGH H-469 UNASSIGNED