

## RESOLUTION NO. 2022-E

### A RESOLUTION ADOPTING PREMIUM PAY FOR CERTAIN MUNICIPAL EMPLOYEES FROM THE AMERICAN RESCUE PLAN ACT GRANT

WHEREAS, the American Rescue Plan Act "ARPA," which was signed into law on March 11, 2021, provides fiscal relief funds to state and local governments and other program areas aimed at mitigating the continuing effects of the pandemic; and

WHEREAS, ARPA is intended to provide support to local governments in responding to the impact of COVID-19 and in their efforts to contain COVID-19; and

WHEREAS, the ARPA provides stimulus grant funds permitting cities and towns the option to provide Premium Pay for eligible employees in order to provide additional support to those who have and will bear the greatest health risks because of their service in critical infrastructure sectors; and

WHEREAS, the United States Department of Treasury (hereinafter Treasury), has issued guidance and a Final Rule (hereinafter FR) regarding the use of ARPA funds; and

WHEREAS, Premium Pay is defined by the FR as additional compensation for "eligible workers performing essential work during the COVID-19 public health emergency;" and

WHEREAS, the FR provides that eligible workers are those "who have been and continue to be relied on to maintain continuity of operations of essential critical infrastructure sectors, including those who are critical to protecting the health and wellbeing of their communities;" and

WHEREAS, Treasury recognized essential critical infrastructure sectors as including all local government workers; and

WHEREAS, essential work involves regular in-person interactions or regular physical handling of items that were also handled by others; however, it does not include telework from a household; and

WHEREAS, the FR emphasizes the need for recipients to prioritize Premium Pay for lower income workers most impacted by the pandemic.

NOW, THEREFORE, be it resolved by the Hardy City Council, that:

Section 1. The City/Town of <sup>Hardy</sup> hereby appropriates a total amount of up to \$30,000.00 to provide Premium Pay to eligible workers who meet the following ARPA eligibility criteria:

- 1) Workers necessary to maintain the continuity of operations of essential critical infrastructures, and

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2) Workers performing eligible work which means regular in-person interaction or regular physical handling of items that were handled by others.

Section 2. The City shall provide to each eligible worker who is currently employed by the City on the date of enactment, February 1, 2022, Premium Pay for eligible work performed in an amount not to exceed \$1,500 per employee. The amount shall be determined based on eligible hours worked at the rate of \$3.00 an hour, for up to 36 hours a week, for the time period of February 4, 2020 until January 31, 2022.

Section 3. The City shall pay all applicable employer payroll contributions including FICA, Medicare, and SUTA from the Rescue Grant. As required by law, employees must pay their own taxes and contribution requirements.

Section 4. The City Council adopts, ratifies and enacts Premium Pay from *Section 603* of the ARPA.

Section 5. Nothing in this resolution shall be construed as constituting an employment contract or as altering, modifying or affecting the "at-will" employment relationship between the City or Town and any employee of the city.

Passed and approved this 1<sup>st</sup> day of February, 2022.

APPROVED:

  
Ernie Rose, Mayor

ATTEST:

  
Darlene Wilson, Recorder/Treasurer

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