

RESOLUTION NUMBER 2021-04

**RESOLUTION ADOPTING PREMIUM PAY FOR ELIGIBLE
CITY WORKERS PURSUANT TO THE AMERICAN RESCUE PLAN ACT**

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;

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 out of their communities, residents, and businesses;

WHEREAS, 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:

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

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

WHEREAS, the IFR 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”;

WHEREAS, Treasury recognized essential critical infrastructure sectors as “healthcare, public health and safety, childcare, education, sanitation, transportation, food production and services” and also permits each city’s chief executive to add additional sectors to the list if they are “deemed critical to protect the health and well-being of its residents”;

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;

WHEREAS, the IFR emphasizes the need for recipients to prioritize Premium Pay for lower income workers most impacted by the pandemic; and

NOW, THEREFORE, be it resolved by the Tyronza City Council:

Section 1. That the City of Tyronza hereby appropriates a total amount up to \$6,500.00 to provide Premium Pay and related taxes to eligible workers who meet the following ARPA eligibility criteria;

- 1) An eligible worker means workers necessary to maintain the continuity of operations of essential critical infrastructures.
- 2) Including any additional sectors added by the city's chief executive.
- 3) An eligible worker performing eligible work which means regular in-person interaction or regular physical handling of items that were handled by others.

Section 2. All City employees and firefighters are deemed eligible under the above criteria and essential workers that are critical to protect the health and well-being of City residents.

Section 3. That the City of Tyronza shall provide Premium Pay in an amount not to exceed \$500.00 for all City employees and \$200.00 for firefighters for work performed during the time period of 01/01/2021 through 09/01/2021.

Section 4. That the amount of Premium Pay for employees shall be \$5.00 per hour for hours not to exceed 100 hours, and for firefighters, \$5.00 per hour for hours not to exceed 40 hours.

Section 5. The City of Tyronza shall pay all applicable employer payroll contributions from the Rescue Grant funds.

Section 6. The Tyronza City Council adopts, ratifies and enacts Premium Pay from *Section 603* of the ARPA.

Section 7. 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 and any employee of the City.

PASSED AND ADOPTED THIS 21st DAY OF OCTOBER, 2021.

CITY OF TYRONZA

BY: Charles Bloua

Mayor

ATTEST:

Donna DeWald

Recorder/Treasurer
(SEAL)