

RESOLUTION 2021-18 a

A RESOLUTION ADOPTING PREMIUM PAY FOR DESIGNATED MUNICIPAL EMPLOYEES ACCORDING TO THE AMERICAN RESCUE PLAN

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, the American Rescue Plan Act (ARPA) is intended to provide support to local government in responding to the impact of COVID-19 and in their efforts to contain COVID-19 plus remove it from their communities, residents, and businesses; and

WHEREAS, the (ARPA) provides stimulus grant funds permitting cities and towns the option of providing 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 an Interim Final Rule (hereinafter IFR) regarding the use of (ARPA) funds; and

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

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;” and

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;” 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 virtual work from a household; and

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 CHEROKEE VILLAGE CITY COUNCIL WITH CONCURRENCE OF THE MAYOR, THAT:

Section 1. The City of Cherokee Village hereby appropriates a total amount of \$223,000 to provide Premium Pay to eligible workers employed by the city during the period of March 1, 2020 through May 31, 2021, 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 city workers 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. It is the intention of the City of Cherokee Village to provide each worker Premium Pay on a pay schedule corresponding to the risk involved as an eligible worker and in-person interaction applicable to the work performed.

Section 3. The City of Cherokee Village shall pay all applicable employee payroll contributions from the (ARPA) funds.

Section 4. The City Council of Cherokee Village 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 of Cherokee Village and any employee of the city.

PASSED AND APPROVED BY THE CITY COUNCIL OF CHEROKEE VILLAGE

Date: 11/19/2021

Approved: Russell Stokes, Jr.
Russell Stokes, Jr., Mayor

Attest: Penny Trumpy
Penny Trumpy, City Clerk