RESOLUTION NO.

A RESOLUTION ADOPTING PREMIUM PAY FOR CERTAIN MUNICIPAL EMPLOYEES
FROM 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 governments in responding to the impact of COVID-19 and in their efforts to contain COVID-19 out of their communities, residents, and businesses; 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 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 telework 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 City Council of the City of Tontitown, AR, that:

Section 1. The City of Tontitown hereby appropriates a total amount of not to exceed $150,000.00, to provide Premium Pay 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. It is the intention of the City of Tontitown to provide each worker Premium Pay in the amount of $2,500.00 for eligible work performed from January 1, 2021- September 30, 2021; and

Section 3. The amount of premium pay shall be $10.00 per hour not to exceed 250 hours.

Section 4. The City of Tontitown shall pay all applicable employers payroll contributions out of ARPA funds.

Section 5. The City of Tontitown City Council adopts, ratifies, and enacts Premium Pay from *Section 603* of the ARPA.

Section 6. 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 Tontitown and any employee of the City of Tontitown.

PASSED AND APPROVED this _____ day of _____, 2021.

APPROVED:

_____
Paul Colvin, Jr., Mayor

ATTEST:

_____
Rhonda Ardemagni, City Clerk-Treasurer