

RESOLUTION NO. 2021-05

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 Marshall City Council, that:

Section 1. The City of Marshall hereby appropriates a total amount of \$42,000 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 Marshall to provide each worker Premium Pay in the amount of \$13 per hour for eligible work performed; and

Section 3. The City of Marshall shall pay all applicable employer payroll contributions.

Section 4. The City of Marshall 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 of Marshall and any employee of the City of Marshall.

PASSED AND ADOPTED this 8th day of September, 2021.



Kevin Elliott, Mayor

ATTEST:



Misty England, Recorder/Treasurer