

**RESOLUTION NO 2021-4**

**AN 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, 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, 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 well-being of their communities;" and

WHEREAS, Treasury recognized essential critical infrastructure sectors as "healthcare, public health and safety, childcare, education, sanitations, 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 Caraway City Council, that:

Section 1. The City of Caraway hereby appropriates a total amount up to \$ 160,000 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 Caraway to provide each worker Premium Pay in an amount not to exceed \$1,500.00 for eligible employees hired prior to March 3, 2021, up to \$750.00 for eligible employees hired after March 3, 2021, an up to \$375.00 for employees designated as seasonal employees for work performed during the time period of September 1, 2020 through August 31, 2021;

Section 3. In the amount Premium Pay of \$5.00 per hour for hours not to exceed 300 hours; and

Section 4. The City of Caraway shall pay all applicable employer payroll contributions from the Rescue Grant funds.

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

Section 6. Nothing in the resolution shall be construed as constituting an employment contract or as altering, modifying or affecting the "at-will" employment relationship between the City of Caraway and any employee of the City Caraway.

PASSED AND ADOPTED this 11 day of NOVEMBER, 2021.



RICK STEVENS, RECORDER/TREASURER



BO JAMES, MAYOR

The undersigned, Rick Stevens, Clerk/Recorder for the City of Caraway, Arkansas, hereby certifies that the foregoing 2 pages are a true and perfect copy of Resolution No 2021-4, adopted at a regular session of the City Council of Caraway, Arkansas held at the regular meeting place in said city at 6 o'clock p.m., on the 11th day of November, 2021, and that the resolution is now of record in the official records of the city maintained in my office.

GIVEN under my hand and seal on this 11 day of November, 2021.



Clerk/Recorder