

STATE OF ALABAMA)
COUNTY OF BALDWIN)

**RESOLUTION #2022-102
OF THE
BALDWIN COUNTY COMMISSION**

**EXPENDITURE OF AMERICAN RESCUE PLAN ACT FUNDS FOR TEMPORARY PREMIUM PAY
PROGRAM**

WHEREAS, Baldwin, Alabama (the "County") has received American Rescue Plan Act fiscal recovery funds ("ARPA funds") and is charged with ensuring that such funds are expended in accordance with state and federal law; and

WHEREAS, providing temporary premium pay to eligible County Commission and Baldwin County Sheriff's Office employees is an authorized use of ARPA funds; and

WHEREAS, the Baldwin County Commission (the "Commission") has determined that appropriating ARPA funds to provide premium pay to eligible County Commission and Baldwin County Sheriff's Office employees in response to their performing essential work during the COVID-19 pandemic is a necessary and reasonable use of these funds; and

WHEREAS, the Commission desires to establish a temporary premium pay program to provide premium pay to eligible County Commission and Baldwin County Sheriff's Office employees as additional compensation during certain designated pay periods.

BE IT RESOLVED BY THE BALDWIN COUNTY COMMISSION, IN REGULAR SESSION ASSEMBLED, as follows:

- 1) The Baldwin County Temporary Premium Pay Program (the "TPP Program") authorized by Resolution 2022-029 to provide temporary premium pay ("TPP") as additional compensation to eligible County Commission and Baldwin County Sheriff's Office employees during designated pay periods ("TPP pay period") shall be extended in accordance with the provisions of this resolution.
- 2) Except as otherwise provided herein, eligible County Commission and Baldwin County Sheriff's Office employees are employees whose assigned work duties require them to regularly interact in person with the public or their co-workers, or to regularly physically handle items that were handled by the public or their co-workers. Elected County officials, supplemental Court employees, supplemental Law Library employees, and supplemental Board of Registrars employees, are not eligible employees for the purposes of the TPP Program.
- 3) Except as otherwise provided herein, eligible full-time employees will receive additional TPP compensation in the amount of \$8.66 per regular hour and \$12.99 per overtime hour, up to a maximum total amount of \$700.00. Eligible part-time employees will receive an additional TPP compensation in the amount of \$8.66 per regular hour and \$12.99 per overtime hour, up to a maximum total amount of \$500.00.
- 4) Eligible employees employed with the Baldwin County Commission and Baldwin County's Sheriff's Office, during the first full pay period of each month (i.e., TPP pay period), shall qualify for the TPP. Should an employee not reach the maximum threshold during the TPP pay period, he or she will not be eligible for the remaining TPP compensation in subsequent payrolls.

- 5) TPP shall be in addition to an eligible employee's regular rate of wages and other compensation, with no reduction, substitution, offset, or other diminishment of the employee's current and prospective wages or other compensation.
- 6) TPP payments shall be included in the calculation of an employee's overtime pay, as well as other remuneration to include all paid leave (inclusive of annual, sick and FMLA).
- 7) Additional compensation attributable to the TPP Program, including additional compensation for overtime pay attributable to the payment of TPP, shall not exceed \$25,000.00 for each eligible full-time employee and part-time employee during the TPP Program.
- 8) The Baldwin County Commission hereby authorizes the expenditure of ARPA Funds in accordance with the provisions of this Resolution for any and all additional compensation and additional covered benefits provided to employees as a result of the TPP payments authorized herein.
- a. ARPA funds shall not be used to provide TPP to the extent that it would increase an eligible exempt employee's total wages and remuneration, above \$72,165 or a future amount equal to 150 percent of the higher of Alabama's or the County's current annual average wage for all occupations as defined by the most recent the Bureau of Labor Statistics' Occupational Employment and Wage Statistics.
- b. Eligible exempt County employees for whom annual wages currently exceed the threshold identified above or for those who would otherwise exceed this threshold with TPP considered, shall participate in the TPP program, and be paid from other County funds.
- 9) Payment of TPP, as authorized by this Resolution, shall be contingent on the continued need to perform essential work during the COVID-19 public health emergency and continued appropriation and availability of ARPA funds for this purpose.

IN WITNESS WHEREOF, the Baldwin County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on the 7th day of June, 2022.

Commissioner James E. Ball, Chairman

ATTEST:

Ronald J. Cink, Budget Director