

STATE OF ALABAMA )

COUNTY OF BALDWIN )

**RESOLUTION #2022-029  
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 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) There is hereby established the Baldwin County Temporary Premium Pay Program (the "TPP Program") 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 periods").
- 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 in paragraphs 6, 7, and 8 of this Resolution, eligible full-time employees will receive an additional TPP compensation in the amount of \$12.50 per hour up to a maximum total amount of \$1,000.00. Eligible part-time employees will receive an additional TPP compensation in the amount of \$12.50 per hour up to a maximum total amount of \$725.00.
- 4) Eligible employees employed with the Baldwin County Commission and Baldwin County's Sheriff's Office, between December 7, 2021 through December 19, 2021, shall qualify for the TPP. Should a full-time employee not reach the \$1,000.00 threshold during pay period ending December 19, 2021, he or she will be eligible for the remaining TPP compensation during the three (3) subsequent payrolls ending January 30, 2022. Should a part-time employee not reach the \$725.00 threshold during pay period ending December 19, 2021, he or she will be eligible for the remaining TPP compensation during the three (3) subsequent payrolls ending January 30, 2022.

- 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.
- 7) Additional compensation attributable to the TPP Program, including additional compensation for overtime pay attributable to the payment of TPP, shall not exceed \$1,000.00 for each eligible full-time employee and shall not exceed \$725.00 for each eligible part-time employee during the TPP Program.
- 8) In accordance with the provisions of the American Rescue Plan Act and rules adopted thereunder, TPP shall not be provided for work performed while an employee is teleworking from a residence or other non-job-related location.
- 9) The Baldwin County Commission hereby authorizes to expend 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. Shall not be provided to the extent that it would increase an eligible employee's total wages and remuneration, including additional compensation for overtime pay attributable to the payment of TPP, above \$70,260 or another amount equal to 150 percent of the higher of Alabama's or the County's annual average wage for all occupations as defined by the most recent the Bureau of Labor Statistics' Occupational Employment and Wage Statistics.
  - b. County employees above the threshold identified above, shall participate and be paid from other County funds.
- 10) Payment of TPP, as authorized by this Resolution, shall be contingent on the 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 7<sup>th</sup> day of December, 2021.



ATTEST:

Wayne Dyess, County Administrator

Commissioner James E. Ball, Chairman