

1 **COMMON COUNCIL OF THE CITY OF HOBART, INDIANA**

2 **Ordinance No. 2021- 35**

3
4 **An Ordinance Establishing Essential Employee COVID-19 Premium Pay from the**
5 **American Rescue Plan (ARP) Coronavirus Local Fiscal Recovery Grant Fund and**
6 **Amending the Fiscal Year 2021 Salary Ordinances 2020-14, 2020-15 and 2020-16**
7 **to Allow Premium Pay for Eligible Workers in Accordance with the Grant**
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9 WHEREAS, the City of Hobart (“City”) has received its first allocation of the American
10 Rescue Plan Act of 2021 (ARP) funds, which may be used to pay a premium to essential City
11 employees who performed work in response to the Coronavirus-19 (COVID-19) public health
12 emergency; and
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14 WHEREAS, the U.S. Department of the Treasury Interim Final Rule to implement the
15 Coronavirus Local Fiscal Recovery Fund (“Interim Final Rule”) defines “essential work” as “work
16 involving regular in-person interactions or regular handling of items that were also handled by
17 other”, and therefore, employees who teleworked from a residence did not regularly interact with
18 other persons and are excluded from the definition; and
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20 WHEREAS, the Interim Final Rule further provides that a worker must have been needed
21 to maintain the continuity of operations of essential critical infrastructure sectors, or of sectors the
22 Mayor in his discretion considers critical, and includes those workers critical to protecting the
23 health and well-being of City residents, for the employee to be eligible for essential employee
24 COVID-19 premium pay; and
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26 WHEREAS, each employee who performed in-person work for the City during the period
27 when buildings were shut down during the period of March 24, 2020 through May 1, 2020
28 performed essential work and were needed to maintain continuity of the safe and efficient
29 operation of the City and delivery of essential services to the public, to preserve its critical
30 infrastructure, to preserve its fiscal operation, to protect and operate its utilities, and to protect and
31 promote the public health, safety and welfare under the Interim Final Rule and are eligible for
32 COVID-19 premium pay; and
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34 WHEREAS, the Mayor recommends that each currently active civilian employee who
35 worked in-person during the period of March 24, 2020 through May 1, 2020 receive COVID-19
36 premium pay compensation in the amount of Two Thousand Five Hundred Dollars (\$2,500.00)
37 from the ARP Coronavirus Local Fiscal Recovery Grant Fund, and each currently active full-time
38 sworn Police Officer or Firefighter who worked in person during the period of March 24, 2020
39 through May 1, 2020 receive COVID-19 premium pay compensation in the amount of Four
40 Thousand Five Hundred Dollars (\$4,500.00) from the ARP Coronavirus Local Fiscal Recovery
41 Grant Fund; and
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43 WHEREAS, the Common Council, having reviewed the Interim Final Rule and having
44 been advised by the City Attorney that the parameters of the American Rescue Plan Act of 2021
45 and the Interim Final Rule have been considered and the recommendations of the premium pay
46 compensation by the Mayor is in keeping with the compliance requirements of the grant; and

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WHEREAS, the Common Council did establish the ARP Coronavirus Local Fiscal Recovery Grant Fund under Ordinance 2021-10 in accordance with the requirements of the grant and an additional appropriation for the fund was completed after public hearing was held and the appropriations approved under Ordinance 2021-23, meeting the requirements of the Indiana State Board of Accounts for additional appropriations and in accordance with the laws governing same; and

WHEREAS, the Common Council did adopt Ordinances 2020-14, 2020-15 and 2020-16, fixing the salaries of employees, sworn police officers and sworn firefighters respectively, for the fiscal year 2021 and understands the need to amend those salary ordinances if Essential Employee COVID-19 premium pay is to be distributed in 2021;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF HOBART, INDIANA, THAT:

Section 1: There is established in the City of Hobart a COVID-19 Premium Pay program. Currently active employees who performed in-person work during the period of March 24, 2020 through May 1, 2020 and who are determined to have performed essential work in response to the Coronavirus-10 (COVID-19) public health emergency and are eligible to receive COVID-19 premium pay.

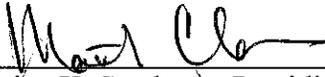
Eligible civilian employees shall be paid a one-time premium of Two Thousand Five Hundred Dollars (\$2,500.00) calculated as 240 hours at Ten and 42/100 Dollars (\$10.42) per hour and eligible sworn Police Officers or Firefighters shall be paid a one-time premium of Four Thousand Five Hundred Dollars (\$4,500.00) calculated as 240 hours at Eighteen and 75/100 Dollars (\$18.75) per hour. Distribution of the premium pay shall specifically comply with any rules set forth by the U.S. Department of the Treasury in its Interim Final Rule to implement the Coronavirus Local Fiscal Recovery Fund designated as 31 C.F.R. Part 35 in the Federal Register, Vol. 86, No. 93, dated May 17, 2021.

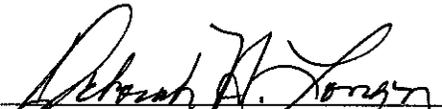
Section 2: Fiscal Year 2021 Salary Ordinances 2020-14, 2020-15 and 2020-16 are each amended to include the provisions of COVID-19 premium pay as set out in this Ordinance and in accordance with the rules set forth by the Interim Final Rule.

Section 3: COVID-19 Premium Pay is to be distributed to eligible employees from the ARP Coronavirus Local Fiscal Recovery Grant Fund as appropriated in Ordinance 2021-23, adopted and hereby reaffirmed by the Common Council of the City of Hobart to be used for the expenditures of the type and kind permitted by law.

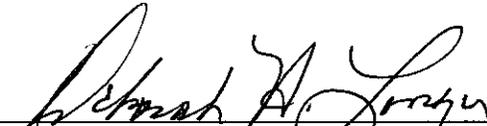
Section 4: This Ordinance shall be in full force and effect from and after its passage and approval.

93 ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of
94 Hobart, Indiana on this 6th day of October, 2021.

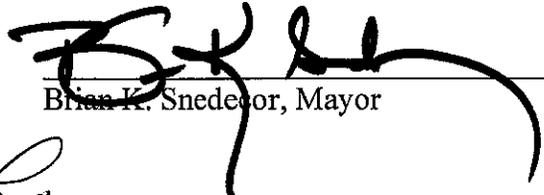
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Brian K. Snedecor, Presiding Officer

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102 ATTEST: 
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104 Deborah A. Longer, Clerk-Treasurer

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106 PRESENTED by me to the Mayor of the City of Hobart on the 7th day of October,
107 2021 at the hour of 8:15 A.M.

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112 Deborah A. Longer, Clerk-Treasurer

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114 APPROVED, EXECUTED and RETURNED by me to the Common Council of the City
115 of Hobart on this 11th day of October, 2021.

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120 Brian K. Snedecor, Mayor

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122 ATTEST: 
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124 Deborah A. Longer, Clerk-Treasurer