

ORDINANCE NO. 3877

AN ORDINANCE AUTHORIZING THE EXPENDITURE OF CORONAVIRUS LOCAL
FISCAL RECOVERY FUNDS FOR PREMIUM PAY

WHEREAS, the American Rescue Plan Act of 2021 (“ARP”), was enacted on March 11, 2021; and

WHEREAS, ARP, among other things, established a Coronavirus Local Fiscal Recovery Fund, which provides for the disbursement of revenue from the United States Treasury to local governmental units to assist local governmental units in remedying the negative fiscal impacts stemming from the COVID 19 Public Health Emergency; and

WHEREAS, the Coronavirus Local Fiscal Recovery Fund, established under 42 U.S.C. § 803, provides for distribution of revenue to “non-entitlement units of local government,” such as the City of New Castle, Indiana.; and

WHEREAS, revenue received from the Coronavirus Local Fiscal Recovery Fund may only be utilized for the specified purposes set forth in 42 U.S.C. § 803 (c); and

WHEREAS, one of the permitted uses of funds received is to “respond to workers performing essential work during the COVID 19 Public Health Emergency by providing premium pay to eligible workers of the ... non-entitlement unit of local government”; and

WHEREAS, the City of New Castle wishes to provide "premium pay" to a number of its employees who are “eligible workers” as that term is defined in 42 U.S.C § 803 (g) (2); and

WHEREAS, prior to expending revenue received from the Coronavirus Local Fiscal Recovery Fund, the City of New Castle must develop a written plan for the expenditure.

NOW THEREFORE, BE IT ORDAIANED, by the Common Council of the City of New Castle, Indiana, as follows:

1. Any current full- time employee of the City working in the Emergency Medical Service Department, Fire Department, or as a sworn officer in the Police Department, who worked at least five hundred (500) hours between March 1, 2021, and December 1, 2021, shall receive a one- time payment of three hundred eighty- five (385) hours of premium pay at the rate of thirteen dollars (\$ 13.00) per hour.

2. Any other current full-time employee of the City, who worked at least five hundred (500) hours between March 1, 2021, and December 1, 2021, shall receive a one-time payment of one hundred thirty-five (135) hours of premium pay at the rate of thirteen dollars (\$ 13.00) per hour.

3. Elected officials and any employee who primarily worked remotely during the period of March 1, 2021 to December 1, 2021, shall not be eligible to receive premium pay.

4. The employees that are receiving premium pay pursuant to this Ordinance are determined to be "eligible workers" as that term is defined by 42 U.S. C. § 803 (g) (2).

5. The Clerk-Treasurer is hereby authorized to make payment to the "eligible workers" in the amounts described in this Ordinance in a lump sum (less any applicable withholdings).

6. This Ordinance shall be the City of New Castle's written plan for expenditure of revenue received from the Coronavirus Local Fiscal Recovery Fund. The remaining sums received by the City of New Castle through the Coronavirus Local Fiscal Recovery Fund may be utilized for any of the purposes set forth in 42 U.S.C. § 803 (c). The written plan for expenditure will be amended from time to time as determined by the Common Council in advance of any other expenditures.

REPEALER: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SEVERABILITY: Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation of law shall be inapplicable, shall be deemed omitted but the rest and remainder of this ordinance, to the extent feasible, shall remain in full force and effect.

EFFECTIVE DATE: This Ordinance shall become effective immediately upon passage.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS
____ DAY OF _____, 2021/2022.

Greg York, Presiding Officer,
Common Council, City
of New Castle, Indiana

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NAY

ATTEST:

Brenda Grider, Clerk-Treasurer

APPROVED BY ME THIS ____ DAY OF _____, 2021/2022.

Greg York, Mayor of the City
of New Castle, Indiana