

EMERGENCY

City of Cincinnati

AWG/EESW

CMZ

An Ordinance No. _____

- 2021

AUTHORIZING the transfer and return to source of the sum of \$1,000,000 from American Rescue Plan grant project account no. 469x101xARP052, “FY 2021 Restricted Funds Revenue Replacement,” to the unappropriated surplus of Local Fiscal Recovery Fund 469; **AUTHORIZING** the appropriation of the sum of \$1,000,000 from the unappropriated surplus of Local Fiscal Recovery Fund 469 to existing American Rescue Plan grant project account no. 469x101xARP053, “Hazard Pay,” for the purpose of providing additional compensation to eligible City employees during the COVID-19 pandemic; **DECLARING** expenditures from American Rescue Plan grant project account no. 469x101xARP053, “Hazard Pay,” to be for a public purpose; **AUTHORIZING** a one-time payment to represented City employees who qualify for “Hazard Pay” as set forth in the American Rescue Plan guidance promulgated by the United States Department of the Treasury, subject to negotiation with each bargaining unit but excluding City employees in the American Federation of State, County, and Municipal Employees bargaining unit, who have already negotiated for Hazard Pay; and **AUTHORIZING** a one-time payment to non-represented City employees, at an amount established by the City Manager, who qualify for “Hazard Pay” as set forth in the American Rescue Plan guidance promulgated by the United States Department of the Treasury.

WHEREAS, the City received funding from the United States Department of the Treasury pursuant to the American Rescue Plan Act (“ARP”) as part of the Coronavirus Local Fiscal Recovery Fund Act; and

WHEREAS, City employees have been negatively impacted by the COVID-19 pandemic, including by exposure to the risk of COVID-19 by virtue of doing their jobs; and

WHEREAS, ARP funds will be used to provide additional compensation to eligible City employees who were negatively impacted by the COVID-19 pandemic; and

WHEREAS, City employees in the American Federation of State, County, and Municipal Employees (“AFSCME”) bargaining unit already have collectively bargained for a one-time Hazard Pay payment and are not included in the Hazard Pay authorized by this ordinance; and

WHEREAS, the City Manager will use ARP guidance from the United States Department of the Treasury to determine which represented City employees, excluding AFSCME employees, are eligible for Hazard Pay under the ARP; and

WHEREAS, the provision of one-time Hazard Pay to represented City employees will be subject to negotiation with each bargaining unit; and

WHEREAS, the City Manager will be the final decisionmaker as to an employee’s eligibility for Hazard Pay, subject to the terms of negotiation with each bargaining unit; and

WHEREAS, the City Manager will establish the amount of the one-time Hazard Pay payment for non-represented City employees and represented City employees who do not negotiate for a specific Hazard Pay amount; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the transfer and return to source of the sum of \$1,000,000 from American Rescue Plan grant project account no. 469x101xARP052, "FY 2021 Restricted Funds Revenue Replacement," to the unappropriated surplus of Local Fiscal Recovery Fund 469 is hereby authorized.

Section 2. That the sum of \$1,000,000 is hereby appropriated to existing American Rescue Plan grant project account no. 469x101xARP053, "Hazard Pay," for the purpose of providing additional compensation to City employees who qualify for such payment under the terms of the United States Department of Treasury Guidance for the expenditure of American Rescue Plan funds because of their in-person work during the COVID-19 pandemic.

Section 3. That expenditures from American Rescue Plan grant project account no. 469x101xARP053, "Hazard Pay," are hereby declared to be for a public purpose because providing funds for additional compensation to City employees improves the economic and general well-being of the employees of the City, which is necessary due to the impacts of the COVID-19 pandemic.

Section 4. That a one-time payment to represented City employees who qualify for "Hazard Pay" as set forth in the American Rescue Plan ("ARP") guidance promulgated by the United States Department of the Treasury, excluding City employees in the American Federation of State, County, and Municipal Employees (AFSCME) bargaining unit, is hereby authorized, subject to negotiation with each bargaining unit.

Section 5. That a one-time payment to non-represented City employees who qualify for “Hazard Pay” as set forth in the ARP guidance promulgated by the United States Department of the Treasury is hereby authorized with the amount of the one-time Hazard Pay to be established by the City Manager.

Section 6. That the City Manager shall be solely responsible for determining an employee’s eligibility for Hazard Pay paid for by the ARP funds and authorized by this ordinance unless the eligibility is dictated by the terms of negotiation with a City bargaining unit.

Section 7. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Sections 1 through 6 hereof.

Section 8. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to implement authorized American Rescue Plan-related payments to compensate eligible City employees for their work during the Covid-19 pandemic which increased their potential exposure to Covid-19.

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk