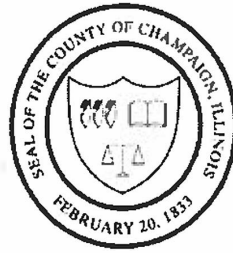


Susan W. McGrath
Champaign County Circuit Clerk



Champaign County Courthouse
101 East Main Street
Urbana, IL 61801
Phone (217) 384-3725
Fax (217) 384-3879

TO: Darlene Kloeppe, County Administrator
Kyle Patterson, County Board Chair
Stephanie Fortado, Chair, Finance Committee

FROM: Susan W. McGrath, Champaign County Circuit Clerk *Susan W. McGrath*
Michael B. Williams, Director, Probation and Court Services *Michael B. Williams*

RE: Supplemental ARA Request

DATE: June 3, 2021

Both Mike and I have previously contacted you regarding a request for premium pay for our employees who have been working in person during the pandemic. Since that time, we have put together some additional information on this issue for your consideration, which you will find attached to this memo.

All of the employees who worked at the courthouse and not at home were exposed to the same amount of risk, and that is why we are not making any distinction between supervisors and employees. Moreover, in the Circuit Clerk's office, supervisors are also union members.

During the pandemic, certain offices had to be open and fully staffed in order for the courthouse and the Youth Detention Center to be able to continue to operate. The Youth Detention Center was never closed during the pandemic. And, although the Courthouse was closed to most of the public for the period March 17, 2020 to June 1, 2020, it had to be open for arraignment court, detention hearings, order of protection hearings, certain juvenile court abuse and neglect proceedings, involuntary commitment hearings, and other types of emergency and mandatory proceedings.

Because the fund is available for premium pay for our employees going back to January 27, 2020, we would respectfully request consideration for this expenditure starting March 17, 2020 (the date the County began its official response to the COVID-19 health emergency), and continuing through March 1, 2021, which is when the COVID-19 vaccine first became available to the majority of our employees. We are asking for consideration of premium pay for these employees at \$10 per hour for that time period.

Please do not hesitate to contact us if you have any questions in this regard. Thank you for your consideration of this request.

U.S. TREASURY DEPARTMENT'S FISCAL RECOVERY FUND
INTERIM FINAL RULE AND REGULATIONS
AMERICAN RESCUE PLAN ACT
Effective May 17, 2021

From the Federal Register, Vol. 86, No. 93/Rules and Regulations

Sections 602(c)(1) and 603(c)(1) provide that funds may be used:

- (b) To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers;
- (c) For the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the emergency;

Payments from the Fiscal Recovery Funds may also be used by recipients to provide support for costs incurred in addressing public health and economic challenges resulting from the pandemic, including resources to offer premium pay to essential workers, in recognition of their sacrifices over the last year.

Fiscal Recovery Funds payments may be used by recipients to provide premium pay to eligible workers performing essential work during the COVID-19 public health emergency or to provide grants to third-party employers with eligible workers performing essential work. These are workers who have been and continue to be relied on to maintain continuity of operations of essential critical infrastructure sectors, including those who are critical to protecting the health and wellbeing of their communities.

Since the start of the COVID-19 public health emergency in January 2020, essential workers have put their physical wellbeing at risk to meet the daily needs of their communities and to provide care for others.

During the public health emergency, employers' policies on COVID-19 related hazard pay have varied widely, with many essential workers not yet compensated for the heightened risks they have faced and continue to face.

The Fiscal Recovery Funds will help respond to the needs of essential workers by allowing recipients to remunerate essential workers for the elevated health risks they have faced and continue to face during the public health emergency. To ensure that premium pay is targeted to workers that faced or face heightened risks

due to the character of their work, the interim final rule defines essential work as work involving regular in-person interactions or regular physical handling of items that were also handled by others. A worker would to be engaged in essential work and, accordingly may not receive premium pay, for telework performed from a residence.

Sections 602(g)(2) and 603(g)(2) define eligible worker to mean ‘those workers needed to maintain continuity of operations of essential critical sectors and additional sectors as each Governor of a State or territory, or each Tribal government, may designate as critical to protect the health and well-being of the residents of their State, territory, or Tribal government.

The ARPA [defines] premium pay to mean an amount up to \$13 per hour in addition to wages or remuneration the worker otherwise receives and in an aggregate amount not to exceed \$25,000 per eligible worker.

It must be entirely additive to a worker’s regular rate of wages and other remuneration and may not be used to reduce or substitute for a worker’s normal earnings. The definition of premium pay also clarifies that premium pay may be provided retrospectively for work performed at any time since the start of the COVID-19 public health emergency.

Essential work means work that (1) Is not performed while teleworking from a residence; and (2) Involves: (i) Regular in-person interactions with patients, the public, or coworkers of the individual that is performing the work; or (ii) Regular physical handling of items that were handled by, or are to be handled by patients, the public, or coworkers of the individual that is performing the work.

From the Federal Register, Vol. 86, No. 93, Subpart A:

35.3. Definitions.

Eligible workers mean workers needed to maintain continuity of operations of essential critical infrastructure sectors, including...any work performed by an employee of a State, local or Tribal government...

Essential work means work that (1) Is not performed while teleworking from a residence; and (2) Involves: (i) Regular in-person interactions with patients, the public, or coworkers of the individual that is performing the work; or (ii) Regular

physical handling of items that were handled by, or are to be handled by patients, the public, or coworkers of the individual that is performing the work.

35.6 Eligible Uses.

(b)(1) Covid-19 response and prevention. Expenditures for the mitigation and prevention of COVID-19, including: (iii) COVID-19 related in expenses in congregate living facilities, including...incarceration settings...(XIII) Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions



OFFICE OF THE CHAMPAIGN COUNTY EXECUTIVE

1776 East Washington Street, Urbana, Illinois 61802-4581

Darlene A. Kloeppe, County Executive

MEMORANDUM

TO: County Board Members
FROM: Darlene Kloeppe, County Executive
DATE: June 17, 2021
RE: Recommendation on ARPA county staff premium pay

The American Rescue Plan Act provides that it is allowable to use ARPA funds to respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay in recognition of their sacrifices over the last year, and that maintaining continuity of local government services may be considered essential.

Eligibility for ARPA premium pay up to a limit of \$13/hour and not to exceed \$25,000 is restricted to workers making an annual wage of 150% of the state or county median wage, whichever is higher. Champaign County's average wage at \$20.33 is lower than the state average wage of \$21.01, so 150% of the state average is used, equaling \$31.52/hour. To estimate the potential eligibility of staff, in June 2021, a search of payroll records using the following criteria was done:

- Employed full-time
- Employed as of 12/31/20
- Current employees
- No elected officials

It was determined that there are 291 general county employees and 231 CCRPC employees who would meet the ARPA wage criteria.

Eligible work is defined in the *Federal Register*, Vol. 86, No. 93, Subpart A, 35.3 Definitions as work that involves regular in-person interactions with the public or coworkers or physical handling of items that were handled by others. Throughout 2020, county business continued, including our 24/7 operation of the jail, JDC, Coroner, Animal Control. We held elections. The offices of the Supervisor of Assessments, Circuit Clerk and Treasurer were unable to work remotely and alternated staff working in the office. Custodial staff did extra cleaning of public spaces. As the county rolled out zoom and more laptops, additional staff were able to work remotely, however it is likely that all county employees worked at least some time in-person during this time period.

No county employee was laid off due to COVID-19. From March-December 2020, the county offered broadly defined fully paid administrative leave to any employee that was

not able to work either in-person or remotely due to COVID-related issues (alternating days per supervisor direction; exposure quarantine; child care, etc.). During this time, 460 county employees were paid \$732,736.26 for administrative leave. No time was recorded as administrative leave by CCRPC employees. Many employees worked and were paid for overtime, due to the need for alternating schedules and 24/7 coverage.

The board has needed to address a variety of workforce issues, including compensation and staff appreciation, in a more comprehensive way for several years rather than in a piecemeal fashion. In July, I will be recommending that the board authorize a workforce study for an assessment and recommendations for employee recruitment and retention, including job descriptions, total compensation, diversity, sexual harassment, and staff development.

Should the County Board decide to offer premium pay for county employees in appreciation of the commitment and extra work of all departments for 2020 with regard to sometimes chaotic schedules, extra work duties, challenges with working remotely, constant vigilance for health and safety, covering for others, and dealing with frequent crisis calls/tasks, I would recommend an across-the-board one-time premium bonus of \$500 for all county current employees who worked fulltime during March-December 2020. For employees making higher wages than ARPA allows without significant additional justification, this amount (\$60,500) could be covered by the funds that were set aside for COVID-19 saliva testing (\$70,000) and not used because other funding was provided by the state.

COVID stipend to be paid from federal funds (\$31.52 or below)						
General County Employees			RPC Employees			
# of Employees	Stipend Amt	Amt. per Stipend	# of Employees	Stipend Amt	Amt. per Stipend	Total Per Stipend Amount
291	\$ 500	\$ 145,500	231	\$ 500	\$ 115,500	\$ 261,000
291	\$ 1,000	\$ 291,000	231	\$ 1,000	\$ 231,000	\$ 522,000
291	\$ 1,500	\$ 436,000	231	\$ 1,500	\$ 346,000	\$ 782,000
291	\$ 2,000	\$ 582,000	231	\$ 2,000	\$ 462,000	\$ 1,044,000
COVID stipend to be paid from General Revenue Funds (Higher than \$31.52)						
General County Employees			RPC Employees			
# of Employees	Stipend Amt	Amt. per Stipend	# of Employees	Stipend Amt	Amt. per Stipend	Total Per Stipend Amount
102	\$ 500	\$ 51,000	19	\$ 500	\$ 9,500	\$ 60,500
102	\$ 1,000	\$ 102,000	19	\$ 1,000	\$ 19,000	\$ 121,000
102	\$ 1,500	\$ 153,000	19	\$ 1,500	\$ 28,500	\$ 181,500
102	\$ 2,000	\$ 204,000	19	\$ 2,000	\$ 38,000	\$ 242,000

DATE: May 25, 2021
TO: Champaign County Board
FROM: Lynn Canfield, ED, Champaign County Mental Health Board
SUBJECT: **Written Input #1: Premium Pay** to Direct Support Professionals and Social Service Workers

Page 8 of the Interim Final Rule states that “payments from the Fiscal Recovery Funds may also be used... to offer premium pay to **essential workers**, in recognition of their sacrifices over the last year.” Direct support professionals (DSPs) and other frontline workers in the local human services organizations are described in NACo and US Treasury webinars as such essential workers. For people with I/DD, the pandemic took a deeply flawed state system and added danger for people served, their families, and those providing services. My initial proposal used an annual bonus amount based on data related to the State of Illinois’ Ligas Consent Decree and subsequent federal findings. Between 150 and 170 DSPs work with County residents who have I/DD. Annual ‘premium pay’ to these essential workers could be a one-time payment of \$3,120 to each who worked a 12-month period during the pandemic, with highest total cost of \$530,400. ARP premium pay has caps much more generous than these, up to \$13/hr in addition to wages, with total annual cap \$25,000 (page 48.) The workforce crisis in all social services warrants serious consideration of such reward payments to all direct DD and behavioral health professionals in the County, while the State considers appropriations to increase annual pay sufficiently and permanently. This solution is consistent with our most recent community needs assessment and strategic plans; the CCMHB/CCDDB staff could collect information regarding these essential workers and forward to the County for action.

FY2022 New Budget Request (use a separate form for each budget)

Operation Increase Request **Yes** **No** **ARPA Eligible** **Yes** **No**

Budget _____ Fund/Department _____

Describe your request, including the rationale for the request, any programmatic effects of not funding the request, and whether funding can be deferred to a future fiscal year.

Budget Line #	Budget Line Description	FY2022 Budget Request (\$)	Recurring Cost (\$) (if applicable)
Total FY2022 Budget Increase Requested and Total Recurring Annual Cost			

Document additional costs to other budgets if applicable (i.e. additional staff will result in increased expenditures in IMRF, Social Security, Health Insurance, Work Comp and Unemployment Insurance).

Budget Line #	Budget Line Description	FY2022 Budget Impact (\$)	Recurring Cost (\$) (if applicable)
Total FY2022 Budget Impact and Total Recurring Annual Cost			

Document any additional revenue sources, and amounts, available to offset increased expenditures.

Provide additional information you wish to relay to the County Board.

Champaign County Board Members,

I write you today to speak about the outstanding volunteer firefighters we have in Champaign County. These volunteers have worked tirelessly through this historic pandemic. Many putting themselves at risk of being affected by corona virus while rendering aid to someone in need. I don't believe the residents of Champaign County realize how fortunate we are to have some of the best Ems and fire protection coverage in the nation.

These volunteers drop everything they are doing, be it a holiday dinner, a child's birthday, or even in the middle of the night during a good sleep to head out when they are called to help someone in need.

My name is John Bell, I have been a volunteer firefighter for the Eastern Prairie Fire Protection district in Champaign County for over 15 years. I currently a Captain with Eastern Prairie and I am proud to serving the people of Champaign County when called to do so.

I am writing you today to ask the board as a whole to consider using some of the monies from the American Rescue Plan Act to give some support to the Champaign County Volunteer Firefighters. Many who have been out of work during the pandemic and still responded for calls of help from our residents. I know I am not alone when I say this would be very honorable of you all to show this kind of support for our local volunteers. I could also see this decision being considered something other Counties would get behind and follow suit.

Thank you so much for your time as I know it is very valuable.

John Bell

johnbell70@msn.com

217-766-1556

Susan W. McGrath
Champaign County Circuit Clerk



Champaign County Courthouse
101 East Main Street
Urbana, IL 61801
Phone (217) 384-3725
Fax (217) 384-3879

TO: Darlene Kloeppe, County Executive
Kyle Patterson, Champaign County Board Chair
Stephanie Fortado, Champaign County Board Finance Chair

FROM: Susan W. McGrath, Champaign County Circuit Clerk
Michael B. Williams, Director, Probation and Court Services

RE: Premium Pay Request from ARPA Funds

DATE: July 7, 2021

After a productive meeting with Darlene on July 1, 2021, we would like to follow up on our June 3, 2021 memo regarding potential premium pay for County employees.

We specifically discussed questions that have been raised about what premium pay is all about and how it should be implemented. For example, why should County employees get premium pay, since they did not lose wages during the pandemic? Should other groups who have requested premium pay from the County Board be given the same consideration? Is a bonus payment authorized, as opposed to premium pay calculated on an hourly basis? Should employees receive premium pay if they were working at home or using benefit time?

For answers to some of the questions about premium pay, we turned to the Federal Register for guidance. The Federal Register contains some very explicit provisions about premium pay in Volume 86, Number 93, Part 35: Pandemic Relief Programs (May 17, 2021/Rules and Regulations). Within §35.3 (Definitions), there are several definitions which answer these concerns:

1. “COVID-19 public health emergency means the period beginning on January 27, 2020 and until the termination of the national emergency concerning the COVID-19 outbreak declared pursuant to the National Emergencies Act.”

2. “Eligible workers means workers needed to maintain continuity of operations of essential critical infrastructure sectors, including...**any work performed by an employee of a State, local or Tribal government.**”
3. “**Essential work means work that:**
 - (1) **Is not performed while teleworking from a residence; and**
 - (2) **Involves:**
 - (i) **Regular in-person interactions with patients, the public, or coworkers of the individual that is performing the work; or**
 - (ii) **Regular physical handling of items that were handled by, or are to be handled by patients, the public, or coworkers of the individual that is performing the work.**”
4. “Premium pay means an amount of up to \$13 per hour that is paid to an eligible worker, **in addition to wages or remuneration the eligible worker otherwise receives**, for all work performed by the eligible worker during the COVID-19 public health emergency... Premium pay will be considered to be in addition to wages or remuneration the eligible worker otherwise receives if, **as measured on an hourly rate**, the premium pay is:
 - (1) With regard to work that the eligible worker previously performed, pay and remuneration equal to the sum of all wages and remuneration previously received plus up to \$13 per hour with **no reduction, substitution, offset, or other diminishment of the eligible worker’s previous, current or prospective wages or remuneration**

In our opinion, County employees are eligible for premium pay because they are both eligible and essential workers as defined. Within those definitions, it is clear that premium pay is to be in addition to the regular wages earned by County employees. While the language does not specifically exclude premium pay made in the form of a bonus, it does say that premium pay is in addition wages or remuneration “*as measured on an hourly rate.*”

It is also our opinion that these definitions mean premium pay cannot be paid to people who were working at home, and can be paid only to people who were working in person having regular interactions with the public or coworkers, or physically handling items handled by the public or coworkers. That means premium pay is not available for any hours paid to County employees for vacation time, sick leave, personal leave, suspension with pay hours, holiday pay, FMLA or paid administrative leave hours. The hours used by County employees for those purposes are easily identifiable through Kronos (the County’s timekeeping system) and is a query that could be performed by Administrative Services. Both of us have that report available for our employees already.

We would propose the following, without taking into account the offset that should be applied for those employees when they were drawing wages for vacation, sick leave, personal leave,

suspension with pay, FMLA, or paid administrative leave hours (we have excluded holiday hours in our calculations):

The Courthouse did not officially re-open until June 1, 2020, even though it was open for emergency hearings and bond court. We would propose that County employees (exclusive of RPC) receive premium pay of \$1 per hour for the period June 1, 2020 through December 31, 2020. For that period there were 145 work days (excluding holidays).

145 days x 7.5 hours = 1,087.5 hours x 291 employees x \$1.00 = \$316,462.50, which averages to \$1,087.50 per employee, or .08% of the \$41 million awarded to the County through ARPA

We believe the final number will be closer to \$300,000 after subtracting the ineligible hours included with this calculation.

Just as a comparison, if the County were to offer \$2 per hour for that same time:

145 days x 7.5 hours = 1,087.5 hours x 291 employees x \$2.00 = \$632,925.00, which averages to \$2,175.00 per employee, or 1.5% of the \$41 million awarded to the County through ARPA.

When we made our initial proposal and sent it to you on June 3, we meant it to be the start of a conversation, not the end of it. This proposal is meant to be used as a way to compensate our employees for the risk they underwent during the time in question, which the federal government has given us the means to do so. Thank you for your time and consideration in reviewing this information.



OFFICE OF THE CHAMPAIGN COUNTY EXECUTIVE

1776 East Washington Street, Urbana, Illinois 61802-4581

Darlene A. Kloeppe, County Executive

MEMORANDUM

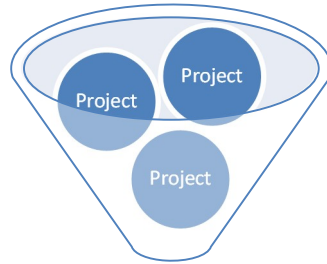
TO: County Board Members
FROM: Darlene Kloeppe, County Executive
DATE: July 22, 2021
RE: Additional information on ARPA

The most basic question is, “How will the board make determinations about which of these projects are a priority for ARPA allocation?” I have attached one possible method for your review. Perhaps an agenda item at the next COW meeting could develop a board shared vision for these funds that would help set parameters for individual project decision-making as we go forward.

I have also attached the “idea” spreadsheet with the information gathered to date on the summary tab. I did not update the other tabs. The summary categories reflect the ARPA funding guidelines for eligible projects. If it wasn’t pretty clear that the project might be eligible under another category, it appears in the “recover lost revenue” category, which may be more flexible, if we can recover funds. As we learn more, projects may be re-categorized.

Additional questions have arisen regarding the county board’s pending decision about whether to appropriate funding for premium pay for county staff who worked during the pandemic.:

1. How many hours worked will qualify staff to receive the premium pay? Almost all staff were granted admin leave, worked remotely or did not have regular contact with the public for at least parts of the window of eligibility. It would be extremely difficult and time-consuming to determine qualifying hours for each employee, as working remotely and daily tasks are not captured on timesheets, nor did all departments record administrative leave.
2. How would giving premium pay impact bargaining units? Some unionized staff wages exceed the dollar threshold of ARPA eligibility, and some unionized staff will not be eligible due to working remotely or not having regular contact with the public. This could be viewed as unequal treatment under the bargaining contracts.
3. Will premium pay be considered for others besides county employees? Initial requests have been received from volunteer firefighters and CCDDDB on behalf of DD direct service providers. It is highly likely the board will receive additional requests if this door is opened.



Sorting

