



Second Hidalgo County Premium Pay Program

(As approved, August 9, 2022)

Background

The national emergency concerning the COVID-19 Pandemic declared in January of 2020 continues to cause significant risk to the public health and safety of Americans. County employees (essential workers) have, and continue to put their physical well-being at risk to meet the daily needs of our community and to ensure that essential services carry on. In the course of this work, many essential workers have contracted or have been exposed to COVID-19. Furthermore, as noted in the American Rescue Plan Act, many essential workers are people of color or low-wage workers. These workers, in particular, have borne a disproportionate share of the health and economic impacts of the pandemic.

The American Rescue Plan Act (2021, ARPA) authorizes Premium Pay to essential employees who have been and continue to be relied on to maintain the continuity of operations of essential critical infrastructure sectors, including those who are critical to protecting the health and wellbeing of their communities. Hidalgo County employees are deemed eligible workers performing essential work during the COVID-19 public health emergency. Premium Pay is afforded 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 who faced or face heightened risks due to the character of their work, the ARPA guidance defines essential work as work involving regular in-person interactions or regular physical handling of items that were also handled by others. As per the Texas Department of State Health Services (DSHS) COVID-19 [Dashboard](#), Hidalgo County has the following current data. From January (87, 727) to July 2022 (155, 601), the data reflects an increase in confirmed cases of 44%. A worker would not be engaged in essential work and, accordingly, is not eligible to receive Premium Pay for telework performed from a residence. See American Rescue Plan Act, (2021), Interim Final Rule, 31 CFR Part 35, Subpart A § 35.3 Definitions. These definitions continue in the Final Rule (2022).

On January 27, 2020, [Health and Human Services \(HHS\)](#) declared the COVID-19 pandemic to be a public health emergency (PHE). A PHE is an official declaration made by the Department of Health and Human Services (HHS), a federal agency when a



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American Rescue Plan Act Program 2022

disease or disorder presents an emergency to public health, or that a PHE otherwise exists due to significant outbreaks of infectious disease. PHEs can last up to 90 days and can be extended at any time by HHS. HHS continues to extend the COVID-19 PHE every 90 days. The current extension is through October 13, 2022. Residents will know by August 12, 2022 if the PHE is going to expire on October 13, 2022 or if it is expected to be extended again.

Eligible Employees

All regular full-time, regular part-time*, temporary full-time*, and temporary part-time* employees employed by the County who meet the eligibility criteria under ARPA (i.e., in-person work) and who were employed on or before, July 29, 2022, are eligible to receive Premium Pay as per the designated award amounts.

Related Agencies may be awarded grants to establish their own Premium Pay Program via an Interlocal Cooperation Agreement, Memorandum of Understanding, or Subrecipient Agreement, as necessary and only as approved by the Commissioners Court.

Eligibility Period

Premium Pay will be calculated based on the employee's hours physically worked beginning on August 15, 2022, through the expiration of the Public Health Emergency (PHE). The total amount earned cannot exceed the maximum designated award amount, as noted below. Payouts of Premium Pay will be made on or after November 18, 2022.

*Hours worked during an eligible period only include regular, in person hours. **Overtime/comp hours, sick, annual leave, holiday hours and telecommuting hours are specifically excluded.**

Premium Pay Award Amount

For Regular Full-Time Employees, Premium Pay will be awarded at a rate of \$13.00 per hour in addition to wages or remuneration the worker otherwise receives and in an aggregate amount not to exceed the tiered amount below:

- \$2,500 for eligible employees earning under \$40,000
- \$2,000 for eligible employees earning between \$40,001 - \$60,000



Hidalgo County • Department of Budget & Management

American Rescue Plan Act Program 2022

- \$1,500 for eligible employees earning over \$60,000

*Regular Part-Time, Temporary Full-Time, and Temporary Part-Time Employees will be awarded Premium Pay at 50% of the amount shown above, depending on their earnings tier.

*Premium Pay is subject to Retirement, FICA and Federal Income Tax Withholdings.

Exclusion to Eligible Employees

- Employees working from a residence (i.e., telework)
- Elected Officials (salaries set by Statute and subject to publication requirements)
- Employees hired after July 29, 2022