



## Hidalgo County Head Start Program Memorandum

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Date: November 29, 2022  
To: Hidalgo County Commissioners' Court  
From: Irma Peña, Head Start Executive Director   
Subject: Adjustment to Premium Pay for Head Start Employees (Reference: DOL Case ID 1962472)

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The Hidalgo County Head Start Program is requesting authorization to make an adjustment to the Premium Pay for thirty-one (31) Head Start employees for the period of 8/7/2021 through 12/18/2021 that received a prorated amount because of FMLA leave is required as per Department of Labor Regulations §825.215(c)(2) for the total amount of \$30,241.76 (Reference: DOL Case ID 1962472)

Premium Pay, whether it is discretionary or non-discretionary, made to employees consistent with the provisions of §825.215(c)(1) is based on the achievement of a specified goal such as hours worked, and the employee has not met the goal due to FMLA leave, unless otherwise paid to employees on equivalent leave status for a reason that does not qualify as FMLA leave.

The adjustment of the Premium Pay for the 31 Head Start employees affected is an allowable cost as per American Rescue Plan Act of 2021 (ARP) (Pub. L. 117-2)  
<https://eclkc.ohs.acf.hhs.gov/policy/im/acf-im-hs-22-05>.

The Hidalgo County Head Start Program did not incur any penalties or fees as a result of the requirement of the adjustment. The Hidalgo County Head Start Policy Council approved the adjustment to the Premium Pay for the 31 employees for a total of \$30,241.76 on November 16, 2022.