

1 By: Bryce J. Ward, Mayor
2 Introduced: 03/24/2022
3 Advanced: 03/24/2022
4 Amended: 04/14/2022
5 Adopted: 04/14/2022
6

7 FAIRBANKS NORTH STAR BOROUGH

8
9 ORDINANCE NO. 2022 – 21

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11 AN ORDINANCE AMENDING ORDINANCE NO. 2021-20-1D RELATING TO THE FEDERAL
12 CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS ESTABLISHED UNDER
13 THE AMERICAN RESCUE PLAN ACT TO ESTABLISH PARAMETERS FOR THE
14 BOROUGHWIDE PREMIUM PAY FOR ESSENTIAL WORKERS GRANT PROGRAM
15

16 WHEREAS, The Coronavirus State Fiscal Recovery Fund and the Coronavirus
17 Local Fiscal Recovery Fund (CSLFRF) was established under the American Rescue Plan
18 Act (ARPA); and
19

20 WHEREAS, The Fairbanks North Star Borough (Borough) Assembly
21 appropriated \$18,811,783 designated as its allocation of ARPA CSLFRF funds to be used
22 for various projects and programs through the passage of Ordinance No. 2021-20-1D;
23 and
24

25 WHEREAS, Premium Pay for Essential Workers-Boroughwide was
26 established as one such program, with a broad project scope indicating funds will be used
27 to provide grants to third-party employers with eligible workers performing essential
28 work; and
29

30 WHEREAS, The parameters of the program, including who qualifies for
31 these grants, how to prioritize grant applications, and how much each grant award should
32 be, should be set forth by the Borough Assembly.
33

34 NOW, THEREFORE, BE IT ORDAINED by the Assembly of the Fairbanks
35 North Star Borough:
36

37 Section 1. Classification. This ordinance is not of a general and
38 permanent nature and shall not be codified.
39

AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT

Text to be *added* is underlined

Text to be *deleted* is [BRACKETED, CAPITALIZED]

40 Section 2. Project Scope for Premium Pay for Essential Workers-Boroughwide. The
41 following eligibility criteria and terms and conditions are in addition to the project scope
42 set forth for Premium Pay for Essential Workers-Boroughwide in Attachment B of
43 Ordinance No. 2021-20-1D for grants to third-party employers:

44 Eligibility

- 45 1. An employer is eligible to receive a grant to pay its eligible workers performing
46 essential work premium pay if they operate out of a physical location within
47 Fairbanks North Star Borough boundaries (e.g., a brick and mortar edifice and
48 other types of physical space that are open to the public for business), are
49 compliant with the requirements of the Division of Corporations, Business and
50 Professional Licensing, and pay unemployment insurance tax for their workers.
- 51 2. "Eligible workers" in 31 CFR 35.3 include workers needed to maintain continuity
52 of operations of essential critical infrastructure sectors. These sectors include
53 health care; emergency response; sanitation, disinfection, and cleaning;
54 maintenance; grocery stores, restaurants, food production, and food delivery;
55 pharmacy; biomedical research; behavioral health; medical testing and
56 diagnostics; home and community-based health care or assistance with activities
57 of daily living; family or child care; social services; public health; vital services to
58 Tribes; laundry; elections; solid waste or hazardous materials management,
59 response, and cleanup; work requiring physical interaction with patients; dental
60 care; transportation and warehousing; hotel and commercial lodging facilities
61 that are used for COVID-19 mitigation and containment; mortuary; critical
62 clinical research, development, and testing necessary for COVID-19 response.
63 Premium pay for work performed by an employee of a state, local, or tribal
64 government is excluded from this grant program.
- 65 3. Eligible workers as defined in 2. above must also (1) be receiving an hourly wage
66 between \$10.34 and \$25.00 per hour or (2) (a) be "salaried, nonexempt"
67 according to FLSA and (b) make \$1,000 or less per week.
- 68 4. Eligible workers as defined in 2. and 3. above may receive \$2.00 per hour
69 retroactive pay for hours worked up to a total of 1040 hours from March 3, 2021,
70 through December 31, 2021, not to exceed a total of \$2,080 per worker.

71 Terms and Conditions

- 72 1. In addition to any other requirements of the funding source or Ordinance No.
73 2021-20-1D, the amount of the grant may be reduced if the funding recipient is
74 eligible for or has received assistance from other sources including state or
75 federal disaster relief for the same expenditures being applied for under this
76 grant program.
- 77 2. Applications will be accepted on a first-come, first-served basis. Employers will
78 be reimbursed for premium payments made once the application has been
79 approved.

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- 80 3. Wages and benefits shall follow Uniform Guidance cost principles rules unless a
81 more restrictive rule is promulgated for ARPA funds.
82 4. Employers must affirm that employees have been notified of its intent to provide
83 premium pay.
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85 Section 3. Effective Date. This ordinance is effective at 5:00 p.m. on the
86 first Borough business day following its adoption.
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88 ADOPTED THE 14TH DAY OF APRIL 2022.
89

90
91 
92 Mindy O'Neall
93 Presiding Officer
94

95 ATTEST:
96
97 
98 April Trickey, MMC
99 Borough Clerk
100

101 Yeses: Cooper, Fletcher, Tomaszewski, Guttenberg, Cash, Kelly, Lojewski, O'Neall
102 Noes: Wilson

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