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Resolution No. 07-14-22/111-08

A RESOLUTION AUTHORIZING HAZARD PAY, STARTING BONUS, AND REFERRAL BONUS FOR OTERO COUNTY DETENTION CENTER EMPLOYEES DUE TO UNPRECEDENTED STAFFING SHORTAGES

WHEREAS, on March 11, 2021 President Biden signed the \$1.9 trillion American Rescue Plan Act (ARPA) of 2021, which established \$362 billion for the Coronavirus State and Local Fiscal Recovery Fund (CSLFR); and

WHEREAS, of that amount, \$61.5 billion in direct federal aid was designated to America's counties and Otero County will receive just over \$13.1 million of the aid, all of which has been received from the US Treasury, as of June 28, 2022; and

WHEREAS, the Federal Recovery Fund was established to help turn the tide on the pandemic, address its economic fallout, and lay the foundation for a strong and equitable recovery; and

WHEREAS, the U.S. Department of Treasury has identified five primary ways counties may invest the funds:

1. Support public health response
2. Address negative economic impacts
3. Replace public sector revenue loss
4. Premium pay for essential workers

5. Water, sewer, and broadband infrastructure; and

WHEREAS, the funds must be obligated by December 31, 2024 and expended with all work performed and completed by December 31, 2026; and

WHEREAS, the Otero County Finance Director requests approval to provide hazard pay increases for frontline essential workers in the following critical areas:

a. County Jail Correctional Officers/Otero County Detention Center (OCDC)

WHEREAS, the pandemic's effect over the last two years on these already difficult to staff area has been dramatic, and Otero County is facing critical levels of employee shortages which could negatively impact the services provided to the community and/or the safety of essential workers and the recipients of those services; and

WHEREAS, OCDC is losing employees at a rate faster than the County can recruit new workers and large numbers of current vacancies have forced 24/7 essential operations to require remaining employees to work overtime, further leading to departures of those unwilling or unable to work extended hours; and

WHEREAS, in addition to the proposed hazard pay increases, the Finance Director requests approval to offer referral and starting bonuses to new OCDC employees and the current OCDC employee who refers them for the above referenced positions. The bonuses will be paid as follows in the paragraphs below.

WHEREAS, the Finance Director proposes using approximately \$100,000 of the ARPA allocation over the next six months to reverse the trend and stabilize these areas; and

WHEREAS, because these are operational, ongoing costs and the ARPA funds are one-time in nature, the Finance Department has analyzed and prepared for the

steadily declining reliance on ARPA funds as the cost are transitioned to other County funding if necessary for future annual budgets.

NOW, THEREFORE, BE IT RESOLVED by the Otero County Board of County Commissioners as follows:

1. Effective August 1, 2022, all full time OCDC employees, shall receive a hazardous pay in the amount of \$1.20/hour worked.
2. Hazard Pay shall be available for the time period commencing on August 1, 2022 and ending on February 1, 2023, unless otherwise extended by the Board of Commissioners.
3. No Hazard Pay shall be paid for time spent teleworking or for time in which an employee is otherwise not working. It will not be paid on vacation leave, compensatory leave, sick leave, FMLA, EFMLA or any other leave hours; and
4. The hazard payment shall be considered a special payment, not subject to employee or employer pension contributions and it shall not be included in final average compensation for determining pension benefits. Hazard pay shall not impact any other pay or benefits in any way.
5. Hazard Pay shall only be paid to: Detention Lieutenant, Detention Sergeant, Detention Corporal, Detention Officer, and Detention Officer Part Time.
 - a. Any OCDC employee that wishes to opt-out of hazard pay may do so by sending a letter declaring their intent to opt-out to the OCDC Director, the Financial Director, and Human Resources.
6. Effective starting on August 1, 2022, all new OCDC Detention Corporal and Detention Officer hires will rate a starting bonus to be paid as follows:
 - a. At the time of hire \$500.00 will be added to the employees first check.

- b. The OCDC Detention Corporal and Detention Officer employee will receive an additional \$0.50/hour worked for a period of twelve (12) months.
7. Effective starting on August 1, 2022, any OCDC employee that refers a new OCDC hire will rate a referral bonus to be paid as follows:
 - a. At the time of hire \$500.00 will be added to the employee's next check.
 - b. The OCDC employee will receive an additional \$0.50/hour worked for a period of twelve (12) months.
 - c. The additional \$0.50/hour worked is contingent on the referred employee remaining employed at OCDC.
8. Eligibility for starting and referral bonuses shall be between the period of August 1, 2022 and February 1, 2023.
9. This Resolution and the hazard pay, starting bonus, and referral bonus authorized herein, shall remain in full force and effect until February 1, 2023 unless extended by the Otero County Board of County Commissioners.

PASSED, APPROVED AND ADOPTED this 14th day of July, 2022.

**THE BOARD OF COUNTY COMMISSIONERS OF
OTERO COUNTY, NEW MEXICO**

Vickie Marquardt, Chairman

Gerald R. Matherly, Vice-chairman

Coy D. Griffin, Commissioner

Attest: _____
Robyn Holmes, County Clerk