

Resolution No. RS2021- 781

A resolution directing appropriation for and waiving reimbursement claim for overpaid hazard pay bonus provided to certain metropolitan employees of the Metropolitan Department of Parks and Recreation.

WHEREAS, on April 29, 2020, the Metropolitan Government Civil Service Commission (the "Commission") adopted a formal Hazard Pay Bonus in response to the Coronavirus pandemic pursuant to its authority under Civil Service Policy 5.10-I; and,

WHEREAS, according to the Commission's minutes from the April 29, 2020, meeting the purpose of the Hazard Pay Bonus was to utilize federal grant funds to support the program proposed by Staff; and,

WHEREAS, on October 6, 2020, the Metropolitan Council passed RS2020-546, appropriating \$20,000,000.00 for the hazard pay bonus plan for employees of the Metropolitan Government who met all criteria of the plan to be funded solely by the Coronavirus Relief Fund as part of the CARES Act; and,

WHEREAS, on December 3, 2020, the Metro Department of Parks and Recreation (the "Department") submitted, and its Director specifically attested to, the hours to be paid for its eligible employees' hazard pay bonus (the "Metropolitan Employees"); and,

WHEREAS, a portion of the provided hours were not eligible for the hazard pay bonus plan and resulted in an overpayment to Metropolitan Employees in the amount of \$270,000 (the "Overpayment") paid on December 18, 2020, with an average overpayment of \$2,400 per employee; and,

WHEREAS, the Metropolitan Employees were not informed in advance of the actual hazard pay bonus amount which they were to receive or provided any other expectation of a bonus amount; and,

WHEREAS, the Metropolitan Employees were notified of such Overpayment by the Department on January 22, 2021; and,

WHEREAS, the average gross pay per pay period for the Metropolitan Employees is \$1,500 and recovery of the Overpayment could present a financial hardship for the Metropolitan Employees; and,

WHEREAS, funding for the Overpayment cost has not been appropriated by the Metropolitan Council; and

WHEREAS, the Metropolitan Government acknowledges that the Overpayment constitutes a debt on the part of the Metropolitan Employees for which the Metropolitan Government has a legal claim.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. The Metropolitan Government will waive its claim for reimbursement of the Overpayment amounts from the Metropolitan Employees.

Section 2. The Department shall utilize its fiscal year 2020-2021 operating budget to fund the Overpayment costs.

Section 3. To the extent that the Department's fiscal year 2020-2021 operating budget is insufficient to fund the Overpayment costs, the Metropolitan Council appropriates an amount not to exceed \$270,000 from the General Services District fund balance to the Department.

Section 4. The Director of Finance shall report to the Metropolitan Council, no later than April 30, 2021, on the utilization of funds authorized by Section 3.

Section 5. The Metropolitan Council appropriates an amount not to exceed \$25,000 from the General Services District Fund balance to the fiscal year 2020-2021 operating budget of the Department of Finance for the administrative costs that may be incurred from the implementation of this resolution.

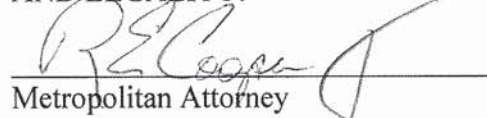
Section 6. This resolution shall take effect from and after its final passage, the welfare of the public requiring it.

APPROVED AS TO AVAILABILITY OF FUNDS:


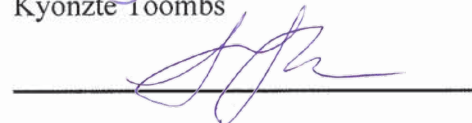


Kevin Crumbo
Director of Finance

APPROVED AS TO FORM AND LEGALITY:


Metropolitan Attorney

INTRODUCED BY:


Kyonzte Toombs
Member(s) of Council