**Answers to Some Common Questions About the Program (June 29, 2020)**

***Will there be a FAQ or somewhere we can pose questions, especially when it comes to specific payroll costs that would be eligible vs. ineligible?***

Please send your questions to [covidgovgrants@wisconsin.gov](mailto:covidgovgrants@wisconsin.gov), and we’ll respond directly to as many as possible. If needed, we’ll send periodic updates with recurring questions and answers through the list-serve.

***Does FAQ 4.4 relating to payroll expenses mean, for example, that if biweekly payroll for police salaries and benefits averages approximately $240,000, then over a 10-week period we could presume (unless specific circumstances indicate otherwise) that we would have $240,000 x 5 pay periods = $1,200,000 of eligible expenses?***

***In other words, even though police salaries and benefits were budgeted, can it be assumed that the time they would have spent doing other things was re-deployed to be used for public health and safety due to COVID-19?***

Yes, their payroll expenses are presumed eligible unless the local government is aware of specific circumstances to the contrary. Note that these payroll expenses (like all eligible expenses under this program) must be paid by the local government *before* they are submitted.

***We contract out for our City Attorney at an outside firm. Would this be considered an "in-house" attorney or would they be considered outside counsel? Would the time spent that they helped draft documents related to COVID-19 be reimbursed?***

Yes, depending on the billing arrangements. Although payroll expenses for attorneys employed by the local government are not eligible (because they are not “public safety, public health, health care, human services or similar employees”), unbudgeted governmental legal expenditures from outside firms may be reimbursable if they meet the requirements of Sections 2.1 to 2.7 of the Program Guidance.

Note that reimbursement of these expenditures is limited to the amount of the unanticipated expenditure due to the public health emergency. If the firm is retained on a flat-fee basis (regardless of hours worked), and if that arrangement was arranged and budgeted for prior to COVID-19, then the additional work due to the public health emergency would carry no additional cost to the local government and would not be reimbursable. Only legal work relating to the public health emergency that creates an unbudgeted increase in actual costs to the local government can be reimbursed.

***If we gave paid time off to DPW, Water, and PD for COVID to have split shifts, can we claim that time? For Public Safety employees, if there are staff that earned Comp Time instead of being paid overtime, can the Comp Time be claimed?***

Under Treasury guidance, payroll expenses can only be reimbursed for public safety, public health, health care, human services, and similar employees. See Program Guidance s. 3.4. Governments can seek reimbursement of those expenses only after they are paid. Program Guidance s. 2.5. If comp time is provided in lieu of overtime or administrative leave for reasons relating to the public health emergency, then it can be reimbursed after the government pays the expense arising from it—in this case, after the eligible employee actually uses (and is paid for) the comp time.

***We ran a program with our water/sewer staff where they worked one week on, one week off, to protect the health of these staff and to be able to respond to calls such as water breaks.  While the utility budgeted 2080 hours for these staff, we did not budget them to stay home and be on call.  Would the stay-at-home hours be covered?***

Under Treasury Department guidance, only the payroll expenses of public health, public safety, health care, human services, and similar employees are eligible for reimbursement. The Treasury Department has not further defined those categories. See Program Guidance ss. 3.4, 3.5.

In general, water/sewer staff would likely be considered public works/utilities employees rather than public safety or public health. But individual municipalities may vary, and there may be specific divisions or employees in those departments that could be characterized as serving in public health/safety/health care/human services roles. We advise governments to use their best judgment under Section 3.5 of the guidance, and to include sufficient information in the cost reporter to explain the public health/public safety/health care/human services role of any claimed employees who do not work in departments that are normally dedicated to those tasks.

***When applying for assistance through FEMA, we are allowed to submit up to 5% of the total cost of the project as “Administrative/Management Costs”.  Does that same principal apply to the Routes to Recovery grant?  If not, where might we recover all our administrative costs of researching and applying for this grant (including participating in this meeting)?***

Across-the-board administrative fees are not available. Payroll expenses for existing staff can only be reimbursed for public health, public safety, health care, human services, or similar employees. But external administrative expenditures, such as outside legal, accounting, or other assistance in connection with this funding, may be reimbursable if they were unbudgeted expenditures due to the public health emergency (and meet the other requirements in sections 2.1 to 2.7 of the Program Guidance).

***Could you provide some examples of how a re-deployed employee would qualify as “public safety, public health, health care, human services, and similar employees”? Guidance 3.4 and 3.5 seem vague so I think there will be a lot of questions about eligibility.***

We agree. The Treasury Department has not further defined those terms, and at this point it’s unclear whether it will ultimately take a broad or narrow approach to them. In the absence of further direction from the federal government, we can only advise local governments to use best judgment on what departments/divisions within their jurisdiction squarely fit those general descriptions, and to include further explanation in the Expense Reporter of any roles that do not on their face clearly fit those descriptions.

***We had employees working to maintain social distancing among the voters during the election.  Would these payroll costs be covered?***

Yes, if those employees were primarily serving in a public health role at the polling place. If that is the case, then the local government should follow the requirements under Section 3.4 relating to re-deployed employees.

***Re: elections - what about significantly expanded Central Count workers as a result of efforts to dramatically increase voter absentee balloting?  At least for expanded workforce beyond what had been anticipated?***

It depends. If the government is using existing staff for those roles (just for longer hours), then their payroll expenses would not be eligible because they are not public safety, public health, health care, human services, or similar employees. But if the government is adding temporary workers on a short-term basis solely to address a need arising from the public health emergency, then that unbudgeted expenditure is more akin to paying outside contractors for assistance, which are reimbursable expenses if they meet the other eligibility requirements of sections 2.1 to 2.7.

***I need clarification on election wages - i.e. paying worker $2 more an hour and OT for Clerk due to absentee ballot processing.***

In general, no. Under Treasury guidance, only the payroll expenses of public health, public safety, health care, human services, and similar employees are eligible for reimbursement.

***Can you clarify again what is covered: workers comp, unemployment costs, or both?***

Increases in local government costs for either or both would be eligible for reimbursement, provided those increases meet the requirements of Sections 2.1 to 2.7 (government expenditures that were unbudgeted, necessary due to the public health emergency, incurred during the eligible period).  Note that, as explained in sections 2.2 and 2.3, local governments should take care to submit only those cost increases that were unbudgeted and are not subject to reimbursement from other sources. Further, under section 2.5, they must wait until after the local government has paid the increased amount before submitting the amount of the increase for reimbursement.