

**Local Law Filing**

162 WASHINGTON AVENUE, ALBANY, NY 12231

**(Use this form to file a local law with the Secretary of State.)**

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underling to indicate new matter.

**County**

~~City~~ of Yates

~~Town~~

~~Village~~

**Local Law No. 1 of the year 1956**

**A local law Establishing A Plan Of Self-Insurance As Provided For In Article 5 Of The Workmen's Compensation Law, And Providing For The Administration Thereof.**

\_\_\_\_\_

(Insert Title)

**Be it enacted by the Board of Supervisors of the**

**County**

~~City~~ of \_\_\_\_\_ Yates \_\_\_\_\_ **as follows:**

~~Town~~

~~Village~~

SECTION 1: The plan of self-insurance provided for in Article 5 of the Workmen's Compensation Law is hereby established.

SECTION 2: The plan of mutual self-insurance heretofore adopted pursuant to former subdivision 3-a of Section 50 of the Workmen's Compensation Law is hereby continued through December 31, 1956.

SECTION 3: The plan of self-insurance hereby established shall be administered by a committee of three members to be appointed by the Chairman of the Board of Supervisors annually at the organization meeting of said Board in January, and the Chairman is hereby authorized to appoint such committee.

SECTION 4: The towns and villages and school districts in the County may become participants only as of the beginning of the next ensuing calendar year by filing with the committee on or before the 15<sup>th</sup> day of July of any year, a Certified copy of the Resolution of its governing body electing to become a participant in the plan; and a participant in the plan may withdraw from the plan in like manner only as of the beginning of the next ensuing calendar year by filing on or before the 15<sup>th</sup> day of July of any year such Certified Copy of the Resolution of its governing body electing to withdraw from the plan upon condition that such participant shall pay, in a lump sum or in installments, an estimated share of the outstanding liabilities of the plan as of the date of withdrawal. If it be determined the amount payable by a participant upon withdrawal shall be paid in installments, the Board of Supervisors shall determine the amount of such installments and the dates on which the installments shall be paid.

SECTION 5: Every new employee of any participant in the plan, from and after January 1, 1957, shall undergo a physical examination before undertaking any of the duties of his employment,

except in the case of an emergency, in which case the participant employing such employee shall arrange for such physical examination at the earliest possible time after such undertaking of duties. The expense of such physical examination shall be paid from the funds of the plan. Reports of medical examinations shall be filed with the Executive Secretary of the Committee. No participant shall allow an employee to assume a position, the duties of which will aggravate any physical defect or disability known at the date of employment.

SECTION 6: Each participant shall maintain a record of all injuries received by employees in the course of their employment. The following or equivalent reports required to be filed with the Workmen's Compensation Board pursuant to the Workmen's Compensation Law shall be filed promptly, and copies thereof shall be filed at the same time with the Executive Secretary:

Forms C-2 and C-2.5 Employer's Report of Injury

Form C-11                      Employer's Report of Injured Employee's Change in Employment Status Resulting from Injury.

Form C-61                      Supplemental Report of Employer in Death Case.

Form C-240                      Employer's Statement Of Wage Earnings (Preceding Date of accident)

Such reports as may be requested by the Committee shall be filed promptly by participants. Forms for reports to be filed by participants pursuant to this subdivision shall be furnished by and be an expense of the plan. The Committee shall report to the Board of Supervisors failure of a participant to file required reports and the Board of Supervisors may take such action as it deems proper, as provided herein.

SECTION 7: Participants in the plan shall cooperate with the Committee by promptly filing all required reports, by aiding in the investigation of claims, by developing and enforcing safety programs, and by furnishing any additional aid or information that may be required to carry out the provisions and the intent of the Workmen's Compensation Law.

SECTION 8: The Board of Supervisors may by resolution expel a participant for failure to observe the rules and regulations adopted, or for any violation of the provisions of the Workmen's Compensation Law; provided, however, that a participant shall be notified in writing, at least thirty days prior to the effective date of expulsion; and further provided, that expulsion shall not relieve a participant from paying its share of the outstanding liabilities of the plan at the date of expulsion.

The Board of Supervisors shall also have the authority to levy a fine not exceeding the sum of \$500.00 upon the violation of any of the provisions of the foregoing sections by a participant, and the resolution assessing said fine shall be passed by a majority vote of the Board.

SECTION 9. The total of the several amounts set forth in the annual estimate shall be apportioned to the towns, villages and school districts, on the basis of 100% of the full valuation of such towns, villages and school districts.

SECTION 10. The shares of each participant in the plan, except villages and school districts, shall be collected by inclusion in the next succeeding tax levy against property taxable by the participant responsible therefore. The Committee shall notify each school district and each village participating in the plan, in writing, not later than September 1<sup>st</sup> of each year of the amount of the

share to be paid by said participating school districts and villages, pursuant to Subdivision 1 of Section 67 of the Workmen's Compensation law.

SECTION 11. A self-insurance reserve for the plan is hereby established. The maximum amount which may be contributed to such reserve shall be \$25,000.00.

SECTION 12. That this Local Law shall take effect on the 20<sup>th</sup> day after it shall have been adopted, and after a public hearing, as required by Section 304 of the County Law.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(1)

**(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)**

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 1956 of the (County)(~~City~~)(~~Village~~) of Yates was duly passed by the Board of Supervisors on June 11, 1956, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_, and was (approved)(not approved)(repassed after (Name of Legislative Body) disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ (Elective Chief Executive Officer\*) 20\_\_, in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_, and was (approved)(not approved)(repassed after (Name of Legislative Body) disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ (Elective Chief Executive Officer\*) 20\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_, and was (approved)(not approved)(repassed after (Name of Legislative Body) disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ (Elective Chief Executive Officer\*) 20\_\_. Such local law was submitted to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_, in accordance with the applicable provisions of law.

**\*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a countywide basis or, if there are none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.**

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript there from and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_1\_\_, above.

\_\_\_\_\_  
Helen M Sutterby  
Clerk of the County legislative body, city, Town or Village Clerk  
Or officer designated by local legislative body

(Seal)

Date: \_\_\_\_\_ June 11, 1956\_\_\_\_\_

**(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)**

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

\_\_\_\_\_  
Homer C. Pelton  
Signature

\_\_\_\_\_  
County Attorney  
Title

County  
~~City~~ of \_\_\_\_\_ Yates \_\_\_\_\_  
~~Town~~  
~~Village~~

Date: May 16, 1956\_\_\_\_\_