

County of Tioga

Local Law No. 2 of the Year 1956.

A Local Law enumerating Rules and Regulations for the Administration of the Tioga County Self-Insurance Plan.

Be It Enacted by the Board of Supervisors of the County of Tioga as follows:

**SECTION 1:**

Rules and Regulations for the administration of the Tioga County Self-Insurance Plan are hereby promulgated.

**A. PARTICIPATION**

In addition to the County, participation in the Tioga County Self-Insurance Plan shall be available to the Tioga County Soil Conservation District and all of the Towns and Villages located within the geographical boundaries of Tioga County as may elect to become participants of said Plan.

**B. ENTRY AND WITHDRAWAL**

Participants as defined in sub-division A hereof and other than those in the Plan at the time of its adoption, shall be admitted as of January first, following the date of application for participation; provided, however, that a certified copy of a resolution of the governing body of the applicant shall be filed with the Committee by the preceding July first.

A participant may withdraw from the Plan effective at the end of a fiscal year, by filing with the Committee by the preceding July first notice of such withdrawal. The assessment percentage for such participant shown in the last annual estimate and apportionment of costs shall be applied to the amount of the Plan's outstanding liabilities at the date of withdrawal, to produce the amount payable by the participant.

The amount payable by a participant upon withdrawal shall be collected in full, or in such installments and at such dates as the Board of Supervisors may determine.

**C. APPORTIONMENT OF COSTS**

The Committee shall apportion or supervise and approve the apportionment of the cost of operating the Plan to all participant of the Plan, each participant being charged with that percentage of the total cost, including administrative and reserve liabilities, that the participant's full valuation of taxable real property bears to the aggregate full valuation of all participants' taxable property, the County, itself, being considered to be a participant, and full valuation of each participant being determined by use of the State Rates.

**D. PAYMENTS BY PARTICIPANTS**

Each participant shall pay the County Treasurer within sixty days after the commencement of its fiscal year the amount billed as its share of the annual estimate of the Plan.

**E. RESERVE**

A reserve of \$10,000.00 is hereby established for the Plan. Such amount shall be accumulated by including in each annual estimate a sum not to exceed \$1,000.00. The first installment shall be included in the annual estimate for 1958.

When the amount of the reserve is at the maximum, any amount expended therefrom shall be restored by including in subsequent annual estimates a sum not to exceed \$1,000.00.

**F. MEDICAL EXAMINATION OF EMPLOYEES**

The Committee may submit to the Board of Supervisors a list of positions of employment for which medical examinations shall be required together with medical standards for each position. Each participant shall require an employee appointed to a position on such list to have a medical examination prior to employment, except in an emergency; in which event, a medical examination shall be made as soon after the date of employment as is practical.

Reports of medical examinations shall be filed with the Committee, and the cost of such examinations shall be an expense of the Plan.

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.

**G. REPORTS BY PARTICIPANTS**

Each participant shall maintain a record of all injuries received by employees in the course of their employment. All 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 Committee.

Such other 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 sub-division 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.

#### **H. SAFETY PROGRAMS**

Each participant shall develop and enforce a safety program or programs designed for the reasonable and adequate protection of the lives, health and safety of employees; and shall provide for use by employees of appliances and devices designed to minimize the possibility of injury or impairment of health. The programs so developed shall be filed with the Committee for its approval.

#### **I. CATASTROPHE INSURANCE**

The Committee, subject to the approval of the Board of supervisors, may on behalf of the Plan purchase Excess or Catastrophe Insurance, the cost of such insurance being an administrative expense of the Plan.

#### **J. COOPERATION BY PARTICIPANTS**

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.

#### **K. EXPULSION**

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.

### **SECTION 2:**

This local law shall take effect January 1, 1957; except that sub-division © of Section 1 shall take effect August 1, 1956.



(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. 2 of 1956 of the (County) of Tioga was duly passed by the Board of Supervisors on June 11, 1956, in accordance with the applicable provisions of law.

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 19 of the (County) (City) (Town) (Village) of was duly passed by the on , 19 , and was (approved)(not disapproved)(repassed after disapproval) by the on and was deemed duly adopted on , 19 , 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 19 of the (County)(City)(Town)(Village) of was duly passed by the on , 19 , and was (approved)(not disapproved)(repassed after disapproval) by the on , 19 . 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 , 19 , 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 19 of the (County)(City)(Town)(Village) of was duly passed by the on , 19 , and was (approved)(not disapproved)(repassed after disapproval) by the on , 19 . Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of , 19 , in accordance with the applicable provisions of law.

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 19 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 , 19 , become operative.

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\*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman 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.

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

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19 \_\_\_\_\_ of the County of \_\_\_\_\_, State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_, 19 \_\_\_\_\_, 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 of 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 therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

\_\_\_\_\_  
Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal)

Date:

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

State of New York

County of Tioga

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.

\_\_\_\_\_  
Signature

Title County Attorney  
County of Tioga  
City  
Town  
Village

Date: