

(Please Use this Form for Filing your 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 underlining to indicate new matter.

County
~~City~~ of Lewis
~~Town~~
~~Village~~

Local Law No. 2 of the year 19 87

A local law AMENDING LOCAL LAW NO. 4-1956 COUNTY OF LEWIS, AS SUBSEQUENTLY
(Insert title)
AMENDED, BEING A LOCAL LAW ENUMERATING RULES AND REGULATIONS OF THE
ADMINISTRATION OF THE LEWIS COUNTY SELF-INSURANCE PLAN.

Be it enacted by the Board of Legislators of the
(Name of Legislative Body)

County
~~City~~ of Lewis as follows:
~~Town~~
~~Village~~

(SEE ATTACHED SHEETS)

(If additional space is needed, please attach sheets of the same size as this and number each)

NO. 2 - 1987
LOCAL LAW ~~(INTRODUCTORY XXXXX)~~
COUNTY OF LEWIS

A LOCAL LAW AMENDING LOCAL LAW NO. 4-1956 COUNTY OF LEWIS, AS SUBSEQUENTLY AMENDED, BEING A LOCAL LAW ENUMERATING RULES AND REGULATIONS OF THE ADMINISTRATION OF THE LEWIS COUNTY SELF-INSURANCE PLAN.

Introduced by Legislator Eleanor Kaido, Chairman of the Workers' Compensation Committee.

BE IT ENACTED by the Board of Legislators of the County of Lewis as follows:

Section 1. That Local Law No. 4-1956, County of Lewis, as subsequently amended, entitled "A LOCAL LAW ENUMERATING RULES AND REGULATIONS OF THE ADMINISTRATION OF LEWIS COUNTY SELF-INSURANCE PLAN." is hereby amended to read as follows:

Section 1. Rules and Regulations for the Administration of the Lewis County Self-Insurance Plan are hereby promulgated.

A. In addition to the county, participation in the Lewis County Self-Insurance Plan shall be available to all of the seventeen (17) towns and nine (9) villages within the County.

B. Participants as defined in subdivision 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 Legislators may determine.

C. The share of each participant in the plan shall be collected as provided in Section 67 of the Workers' Compensation Law, except that the share of the Towns and Villages participating in the plan shall be collected by inclusion in the next succeeding tax levy.

D. A reserve of \$1,000,000 is hereby established for the plan. Such amount shall be accumulated by including in each annual estimate a sum not to exceed \$10,000. However, beginning in fiscal year 1965 such amount may be accumulated by (a) inclusion in each annual estimate of a sum not exceeding \$10,000, or by (b) the transfer to said reserve of any unexpended balance in current funds; or by (c) the addition to said reserve of any income earned from the investment of the funds in such reserve, or by (d) such combination of said methods as the Workers' Compensation Committee of the Board of Legislators may deem proper. The first installment shall be included in the annual estimate of 1957.

When the amount of the reserve is at the maximum, any amount expended therefrom shall be restored by one or more of the aforesaid methods, as said Workers' Compensation Committee may designate.

E. Every new employee of any participant in the plan, from and after January 1, 1957, shall undergo a physical examination and be accepted for inclusion under The Lewis County Self-Insurance Plan by the Workers' Compensation Committee of Lewis County Board of Legislators or its duly authorized Clerk, before undertaking any of the duties of his employment, except in case of an emergency or except in case said employee has been previously examined within a period of six months. Failure to take such a physical examination and be so approved and accepted by said Workers' Compensation Committee, or its duly authorized Clerk, shall deny all coverage hereunder to such employee and such employee shall forfeit and be denied such coverage.

Standard medical examination reports will be furnished by the Workers' Compensation Committee, upon request, and shall be made in triplicate, the original to be filed with the Committee, the duplicate to be retained by the employee and the triplicate to be retained by the medical examiner. The cost of such examination 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.

F. That no other provision of this local law withstanding youths being considered, treated and placed with reference to programs under Section 758-a of the Family Court Act and all related laws, rules and regulations, shall be exempt from the provisions of Section 1. subdivision E. hereof, with such youths not being required to undergo any physical examination in order to qualify under this local law.

G. 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 Chairman of the Workers' Compensation Board at State Office Building, East Washington Street, Syracuse, New York, pursuant to the Workers' Compensation Law shall be filed promptly, and a copy thereof shall be filed at the same

time with the Clerk of the Lewis County Workers' Compensation Committee:

Forms C-2 and C-2.5	Employer's Report of Injury
Form C-11	Employer's Report of Injured Employee's Change of Employment Status Resulting from injury
Form C-61	Supplemental Report of Employer in death case
Form C-240	Employer's Statement of Wage Earning (preceding date of accident)

Notice shall be given promptly to the Workers' Compensation Committee upon an injured person resuming his employment.

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 Legislators failure of a participant to file required reports and the Board of Legislators may take such action as it deems proper as provided herein.

H. Participants in the plan shall cooperate with the Committee by promptly filing all required reports, by aiding in the investigation of claims, and the furnishing of any additional aid or information that may be required to carry out the provisions and the intent of the Workers' Compensation Law.

I. The Board of Legislators may, by resolution, impose the following penalties on participants:

For failure to file reports	Fine Not to exceed \$50
For failure to require medical examination prior to employment	Fine Not to exceed \$50

The Board of Legislators may, by resolution, expel a participant for failure to observe the rules and regulations adopted, or for any violations of the provision of the Workers' 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.

J. An employer who knowingly permits or employs a minor under eighteen years of age to work in violation of any provision of the Labor Law, or in violation of any rule heretofore or hereafter adopted by the Board of Standards and Appeals, shall be liable for the increased awards provided by Section 14-a of the Workers' Compensation Law.

K. That no municipality participating in the within Lewis County Self-Insurance Plan shall hire or retain or keep in its employment an official, officer or employee of the age of 70 years or over, except (a) an elected official, officer or employee, or (b) an official, officer or employee who is allowed or authorized to continue in employment beyond the prohibited age herein by virtue of any applicable state or federal law, rule or regulation. That in appropriate cases extensions

of employment from age 70 and beyond may be secured by, pursuant and under such applicable rules and regulations, as shall be set forth and promulgated by the Workers' Compensation Committee of the Lewis County Board of Legislators.

L. That Lewis County Board of Legislators hereby delegates to the Workers' Compensation Committee thereof full power and authority to make and promulgate any and all rules and regulations in connection with the enforcement and treating of the within local law as are not inconsistent thereto or inconsistent with any applicable federal and state laws, rules and regulations.

Section 2. (a) That pursuant to Section 3, Group 19 of the Workers' Compensation Law this Local Law is to cover all employees or officers elective or appointive, or otherwise not enumerated in Section 3, Subdivision 1, Groups 1 to 17 inclusive, of the Workers' Compensation Law.

(b) That the requirement of a physical examination shall not apply to officers, whether elective or appointive.

Section 3. That this local law shall take effect immediately.

Section 2. That this local law shall take effect immediately upon all legal requirements being met.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein 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 1987.
County
of the ~~XXXX~~ ~~XXXX~~ ~~XXXX~~ of Lewis was duly passed by the Board of Legislators
~~XXXX~~ ~~XXXX~~ ~~XXXX~~ (Name of Legislative Body)
on May 5th 1987 in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19_____
County
of the City of _____ was duly passed by the _____
Town (Name of Legislative Body)
Village
on _____ 19_____. and was approved _____ by the _____
not disapproved _____
repassed after disapproval _____ Elective Chief Executive Officer *
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_____
County
of the City of _____ was duly passed by the _____
Town (Name of Legislative Body)
Village
on _____ 19_____. and was approved _____ by the _____
not disapproved _____
repassed after disapproval _____ Elective Chief Executive Officer *
on _____ 19_____. Such local law was submitted to the people by reason of a
mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting
permissive _____
general
thereon at the special election held on _____ 19_____, in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19_____
County
of the City of _____ was duly passed by the _____ on
Town (Name of Legislative Body)
Village
_____ 19_____. and was approved _____ by the _____ on
not disapproved _____
repassed after disapproval _____ Elective Chief Executive Officer *
_____ 19_____. Such local law being subject to a permissive referendum and no
valid petition requesting such referendum having been filed, said local law was deemed duly adopted on
_____ 19_____, 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 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 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 19..... of the City of..... having been submitted to referendum pursuant to the provisions of § 36 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 election held on 19 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 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 above.

Mary E. Terrillon
Deputy Clerk of the County legislative body, City, Town or Village Clerk

Date: May 6th, 1987

(Seal)

(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 Lewis

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.

Kenneth B. Wolfe
County Attorney

Date: May 6th, 1987

County of Lewis