

LOCAL LAW NO. 3-1956  
CHAUTAUQUA COUNTY

A Local Law to Establish the Chautauqua County Self-Insurance Plan and Provide for the Administration Thereof, Pursuant to Article 5 of the Workmen's Compensation Law

BE IT ENACTED, by the Board of Supervisors of the County of Chautauqua as follows:

1. The plan of self-insurance provided for in Article 5 of the Workmen's Compensation Law is hereby established and shall be known by the name of "Chautauqua County Self-Insurance Plan".
2. The plan of 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.
3. The plan of self-insurance hereby established shall be administered by a Committee of five (5) members of the Chautauqua County Board of Supervisors. Such Committee shall be known as the "Compensation Insurance Committee" and its members shall be appointed by the Chairman of the Board of Supervisors upon this local law becoming effective. Thereafter, its members shall be appointed annually by the Chairman of the Board at the organization meeting of the Board of Supervisors, or as soon as possible thereafter.
4. The Compensation Insurance Committee, subject to the approval of the Board of Supervisors, may contract for such services as it deems necessary for the operation and administration of the plan.
5. The expenses of members attending meetings of the Compensation Insurance Committee shall be paid in the same manner and at the same rate established by the Board for regular committee meetings and shall be payable from the funds of the plan.
6. The County of Chautauqua shall be a participant in the plan. The cities of Dunkirk and Jamestown, the towns and villages located within the geographical boundaries of Chautauqua County, and any fire district in any town which is not a member, may elect to become participants in the plan. Any eligible municipality or public entity electing to become a participant shall file a certified copy of a resolution of its governing body electing to become a participant on or before the 1<sup>st</sup> day of August in any year, with membership to be effective on the 1<sup>st</sup> day of January following such election. Any participant may withdraw from the plan by filing a certified copy of a resolution of its governing body electing to withdraw upon the condition that it agree to pay its proportionate share of the estimated liabilities of the plan at the time of withdrawal. Payment of such liability shall be made in a lump sum or the committee may with the approval of the Board of Supervisors permit said payment to be made in installments.
7. All participants in the plan shall cooperate fully with the Committee in the administration of the plan; annual within 30 days of the close of each calendar year, and at such other times as the Committee may require, shall render such reports as may be requested, and shall promptly furnish all pertinent information relative to any claim, and aid in the investigation of any claim.
8. Every new employee of any participant in the plan, except volunteer firemen and civil defense volunteers, shall be required to undergo a physical examination before undertaking any of the duties of his employment, except in case of an emergency, in which case a 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.

9. For any violation of the provisions of the foregoing Section 7 and 8, or of the requirements of the Workmen's Compensation Law by a participant, the Compensation Committee shall charge a penalty of \$10.00 against said participant. In addition thereto, the Board of Supervisors may by a majority vote expel such participant from the plan.

10. The share of each participant in the plan shall be collected as provided in Section 67 of the Workmen's Compensation Law, excepting that the share of each of the Towns and fire districts participating in the plan shall be collected in the next succeeding tax levy.

11. A reserve not to exceed One Hundred and Twenty-Five Thousand (\$125,000.00) Dollars is hereby established for the plan. Any existing balance in the Workmen's Compensation Fund on December 31, 1956 may be transferred to the reserve hereby established, by resolution of the Board of Supervisors. There shall be contributed to such reserve a sum not to exceed Ten Thousand (\$10,000.00) Dollars annually.

12. The Committee, subject to the approval of the Board of Supervisors, may purchase excess or catastrophe insurance, the cost thereof to be paid from the funds of the plan.

13. The Compensation Insurance Committee shall have authority to administer such plan; shall contract for the services provided in Section 4 hereof, within the limits of the appropriation therefore, shall audit all bills or claims against the plan before payment and shall have authority to do any matter necessary in the settlement of any case.

14. The County Treasurer shall pay to claimants workmen's compensation benefits as provided in Section 25 of the Workman's Compensation Law upon the order of the Committee.

15. Any representative or agent under contract with the Committee shall perform such duties as may be necessary to operate the plan in accordance with the Workmen's Compensation Law; shall make the reports required by law; shall attend hearings of cases before the Workmen's Compensation Board; shall have the power to authorize necessary medical care which appears from medical reports and information to be justifiable shall have authority to purchase supplies, stationery, forms, books and equipment necessary for the operation of said plan within the limits of the appropriation and subject to the approval of the Committee and the rules of the Board of Supervisors.

16. This Local Law shall take effect immediately.

Adopted by Board of Supervisors: 6/8/56  
Adopted as Local Law 3-56

R/C Vote: 36 Yes; 1 Absent