



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 76 - 2017

Introduced by Supervisors Wood, Grattidge, Johnson, Lewza, Peck, Szczepaniak and Wright

ADOPTING A LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 1, PRINT NO. 1 OF 2017, ENTITLED “A LOCAL LAW REPEALING LOCAL LAW 4-96 AND RECODIFYING THE ADMINISTRATIVE RULES FOR THE SARATOGA COUNTY WORKERS’ COMPENSATION PLAN”

WHEREAS, Resolution 42-2017 introduced and presented a proposed Local Law identified as Introductory No. 1, Print No. 1 of 2017, to this Board of Supervisors and scheduled a public hearing thereon for March 15, 2017 at 4:20 P.M. in the Meeting Room of the Saratoga County Board of Supervisors, 40 McMaster Street, Ballston Spa, New York; and

WHEREAS, notice of that public hearing was duly published and posted as required by law; and

WHEREAS, the scheduled public hearing was held and all persons appearing or desiring to be heard have been heard by this Board; now, therefore, be it

RESOLVED, that this Board of Supervisors, on this 21st day of March, 2017 hereby adopts a Local Law identified as Introductory No. 1, Print No. 1 of 2017, as set forth in the annexed Schedule A, which once filed with the New York Secretary of State shall be known as Local Law No. 2 of 2017.

BUDGET IMPACT STATEMENT: No budget impact.

SCHEDULE A

INTRODUCTORY NO. 1

PRINT NO.1 OF 2017

INTRODUCED BY: Supervisors Wood, Grattidge, Johnson, Lewza, Peck, Szczepaniak,
and Wright

COUNTY OF SARATOGA
LOCAL LAW NO. 2 of 2017

A LOCAL LAW REPEALING LOCAL LAW 4-96 AND
RECODIFYING THE ADMINISTRATIVE RULES FOR THE
SARATOGA COUNTY WORKERS' COMPENSATION PLAN.

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

SECTION 1. Local Law 4-96 entitled "Recodifying Administrative Rules For Saratoga County Self-Insurance Plan" is hereby repealed.

SECTION 2. The following Administrative Rules for the Saratoga County Workers' Compensation Plan (hereinafter referred to as "the Plan") are hereby promulgated:

A. Participation.

Participation in the Plan is available to all municipalities, volunteer ambulance corps, volunteer firefighters, youth commissions and public benefit corporations within Saratoga County.

B. Entry and Withdrawal.

New participants may be admitted following the Plan's receipt of an application for participation. A certified copy of a resolution of the governing body of the applicant must accompany the application. The Administrator will compute the premium upon a pro-rated basis for any remainder of the initial calendar year.

A participant may withdraw from the Plan effective at the end of the year by filing notice of withdrawal with the Workers' Compensation Administrator (hereinafter referred to as "Administrator") by July 1st. The Administrator shall determine the pending claims and total liability of such participant. Thereafter, the Administrator shall bill those former participants for the total annual costs relative to those pending cases.

C. Apportionment of Costs.

The annual estimate of costs shall be apportioned among participants as follows:

- a. Sixty (60%) percent shall be apportioned according to a computer formula experience rating based on the three (3) consecutive calendar years immediately preceding the year in which said estimate is presented and approved.
- b. Twenty (20%) percent shall be apportioned in the proportion that the full valuation of each participant bears to the aggregate full valuation of all participants.
- c. Twenty (20%) percent shall be apportioned in the proportion that the payroll of each participant bears to the aggregate payroll of all participants.
- d. The apportionment of costs for volunteer ambulance corps shall be computed on a three-year retrospective experience rating added to a basic charge of \$600.00 per corps.
- e. The apportionment of costs for participants who have no property base will be computed on a basis of payroll and experience. The formula, proposed by the Administrator, shall be subject to approval of the Human Resources and Insurance Committee or its successor.

D. Payments of Participants.

The amounts due from all participants shall be paid within thirty (30) days of the beginning of their fiscal years.

E. Reserve.

A loss reserve is authorized for the Plan.

F. “In House” Stop Loss.

Any participant with a “single occurrence” (which occurrence could involve one or several individuals), the cost of which exceeds \$50,000 in a single year, shall be charged the initial \$50,000 plus fifty (50%) percent of the excess expenses.

G. Reports by Participants.

Each participant shall maintain records of all injuries/incidents incurred by employees in the manner required by §110 of the Workers’ Compensation Law and §42 of the Volunteer Ambulance Workers’ Benefit Law or the Volunteer

Firefighters' Benefit Law. All required reports shall be filed promptly with the Third Party Administrator.

A current list of active members for each volunteer ambulance corps and each volunteer fire company/district shall be provided annually, and any changes to the list of active members should be sent immediately to the Administrator. All insured individuals shall maintain completed Personal Health and Physical Release forms with the insured entity. Other reports and information may be requested by the Administrator and shall be filed promptly by participants.

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

I. Cooperation by Participants.

Participants shall promptly file all required reports, and furnish any additional aid or information requested by the Administrator to carry out the provisions and the intent of the Workers' Compensation Law.

J. Penalties.

The Board of Supervisors may, by resolution, expel a participant for failure to comply with these Rules or for any violation of the Workers' Compensation Law; provided, however, that a participant shall be notified, in writing, about the expulsion at least thirty (30) days prior to its effective date and that expulsion will not relieve the participant from paying its share of the outstanding liabilities of the Plan at the date of expulsion.

SECTION 3. This Local Law shall take effect immediately upon the filing thereof as provided in §74 of the Workers' Compensation Law and §27 of the Municipal Home Rule Law.