

A LOCAL LAW REVOKING CHAPTER 34, ARTICLE II OF THE CODE OF THE TOWN
OF ROCHESTER REGARDING WAGE EQUIVALENT PAYMENT AND PASSING A NEW
CHAPTER 34, ARTICLE II OF THE TOWN OF ROCHESTER CODE ENTITLED
INSURANCE BUYOUT PROVISION

§1 Chapter 34, ARTICLE II of the Code of the Town of Rochester is repealed in its entirety and replaced with the following new Chapter 34, Article II

INSURANCE BUY OUT PROVISION

§34-5. Purpose

This article is adopted pursuant to the provisions of the Municipal Home Rule Law of the State of New York which allows municipalities to adopt local laws concerning the wages and conditions of employment of employees and officers of the town. The Town Board hereby recognizes that employees who have health care coverage through their spouses or others are, in effect, deprived of a valuable economic incident of employment if they do not receive health insurance coverage from the Town. It is the purpose of this Article to adjust this difference in monetary treatment by allowing eligible employees to participate in an insurance buyout program.

§34-6. Definitions.

ELIGIBLE EMPLOYEE – Any full time employee, other than an elected official or member of a collective bargaining unit, who is eligible for medical insurance coverage made available by the town as a benefit of employment, but who has comparable health insurance coverage from another source.

§34-7. Procedure

To participate in the medical insurance buyout the eligible employee must

- A. Provide the Town Supervisor with documentation, in a manner and form as determined by the Town Board, demonstrating that the eligible employee has comparable medical insurance coverage from another source; and
- B. Sign an appropriate waiver of medical insurance; and
- C. Sign a waiver of town liability,

Items A through C above must be completed annually, no later than January 15.

§34-8. Limitation of buyout amount

Eligible employees who have followed the procedures set forth in §34-7 of this chapter shall receive a buyout of One Thousand Five Hundred Dollars annually.

§34-9. Method of Payment

The annual buyout shall be paid to eligible employees throughout the course of the buyout year, in equal payments, to be included in the employee's regular paycheck for each pay period for so long as the employee remains eligible to receive the buyout.

§34-10. Reinstatement

In the event that an eligible employee is no longer covered by an alternate insurance plan, that employee may resume coverage under the medical insurance plan made available through the Town, provided the employee meets all eligibility requirements of the medical insurance plan provided by the Town. Such coverage will begin on the first day of the month immediately following the employee giving a minimum five (5) days notice to the Town Supervisor of the necessity of reinstatement into the Town's medical insurance program.

§34-11 Medical Insurance Buyout Authorized

Any eligible employee may request a waiver of health insurance coverage and payment of the insurance buyout as provided in this Article.

§2 Effective Date. This Local Law shall take effect immediately when it is filed in the Office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.