

**PUBLIC HIGHWAYS AND PRIVATE ROADS (EXCERPT)**

**Act 283 of 1909**

**224.10a Employees and retirees of board of county road commissioners; insurance; annuities or benefits; participation; purchase; participation for members of collective bargaining unit; report; credit for previous service.**

Sec. 10a. (1) The board of county road commissioners may participate in the cost of, or provide life, health and accident, and hospitalization insurance for employees under its jurisdiction, and its retired employees, and their dependents in any county where the board of supervisors has not made benefits available to the employees pursuant to section 12a of Act No. 156 of the Public Acts of 1851, as amended, being section 46.12a of the Compiled Laws of 1948.

(2) In any county where the board of supervisors has not adopted and established a plan providing for retirement benefits or pensions for employees under the jurisdiction of the board of county road commissioners pursuant to the provisions of section 12a of Act No. 156 of the Public Acts of 1851, as amended, the board of county road commissioners may purchase or participate in the cost of endowment policies or retirement annuities for employees under its jurisdiction, to provide annuities or benefits for each employee after he has attained the age of 60 years in an amount not to exceed \$100.00 per month or 2% of the average monthly earnings of the employee times the years of service of the employee, whichever is the lesser sum. The board as an alternative may establish and maintain a retirement system for employees under its jurisdiction and provide for financing, funding and benefit amounts and conditions, in accordance with and subject to section 12a of Act No. 156 of the Public Acts of 1851, as amended.

(3) Endowment policies or annuities in excess of the amounts herein stipulated may be provided by a plan of employee participation whereby the employees shall pay the total cost of the excess. If the employment or the annuity benefits of any employee who has participated in the cost of annuity benefits shall be terminated before the employee has received annuity benefits equal to the total amount of his participation, the balance of his total participation shall be refunded to the employee or his heirs at the time of termination.

(4) Any board of county road commissioners electing to pay or provide for annuities or benefits under this section shall grant benefits to all employees eligible therefor according to a uniform scale and shall not deny benefits to any employee by termination of his employment after such employee has become eligible therefor. Endowment policies or annuities provided for in this section shall be purchased from legal reserve companies authorized to write annuities in this state.

(5) Nothing in this section shall prohibit or restrict a board of county road commissioners who have prior to January 1, 1968 entered into a collective bargaining agreement from participating in a pension or insurance program for those of its employees who are members of a collective bargaining unit, as determined pursuant to section 13 of Act No. 336 of the Public Acts of 1947, as added, being section 423.213 of the Compiled Laws of 1948, which complies with and is established under the then existing requirements of section 302(c) of the national labor relations act, as amended, 29 USC 186(c), and the applicable provisions of the internal revenue code, notwithstanding the failure of the pension or insurance program to (a) provide benefits in the form of endowment policies or annuities, (b) provide benefits within the dollar limitations of this section, (c) provide benefits in accordance with the conditions of eligibility of this section, (d) provide for vesting of benefits before the employee commences retirement, or (e) provide for coverage of employees outside the bargaining unit covered by the collective bargaining agreement.

(6) A report of the condition of the retirement system shall be filed annually with the county pension committee provided for under section 12a of Act No. 156 of the Public Acts of 1851, as amended, in a form prescribed by the committee.

(7) A board of county road commissioners, by resolution, may credit a member of its retirement system with the amounts of service credit which he had previously been credited by a retirement system of the state or 1 of its political subdivisions, subject to the following conditions:

(a) Employment by the road commission shall have occurred within 1 year following his last separation from employment with the state or 1 of its political subdivisions.

(b) Service rendered prior to the last break in service of more than 1 year shall not be credited.

(c) He shall deposit in the road commission retirement system an amount equal to the amount he would have contributed had the service been rendered with the road commission, with interest thereon compounded annually, at a rate determined by the board.

(d) Any service which is recognized for the purpose of a deferred or vested benefit under another retirement system shall not be credited.

**History:** Add. 1941, Act 171, Eff. Jan. 10, 1942;—Am. 1945, Act 80, Eff. Sept. 6, 1945;—CL 1948, 224.10a;—Am. 1965, Act 185, Imd. Eff. July 15, 1965;—Am. 1968, Act 211, Imd. Eff. June 24, 1968;—Am. 1971, Act 184, Imd. Eff. Dec. 20, 1971.

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