



Massachusetts Package Stores Association, Inc.

30 Lyman Street - Suite #2 | Westborough, MA 01581
Phone: (800) 322-1383 or (508) 366-1100 | Fax: (508) 366-1104

October 3, 2018

The MPSA office has been informed that the regulations for an Employer Medical Assistance Contribution (EMAC) Hardship Waiver were recently finalized. Please find the attached regulations and applications for your review. It is our understanding that a **Hardship Waiver Application for Q3 must be submitted by October 12, 2018**. The completed application and all supporting documentation should be submitted by email to: EMACHardshipwaiver@mass.gov It is also our understanding that an additional application will be required for each quarter that you file for a waiver going forward.

To be considered for the Hardship Waiver, an employer must qualify by demonstrating a financial hardship. According to the new regulations, a financial hardship requires a showing by the employer that it has acted in good faith in all of its relations with the Department of Unemployment Assistance, and certifies that it is current on all state taxes and assessments, and can provide evidence of one or more of the following:

1. The employer is unable to pay the EMAC assessment because of financial hardship and failure to obtain a hardship waiver is likely to result in termination of the employer's business or in substantial loss of employment;
2. Your business has paid an Employer Shared Responsibility Payment under the federal Affordable Care Act and has also been assessed an EMAC Supplement in the same calendar year;
3. Your business has experienced a turnover rate of at least 300% over the most recent four quarters.

Special consideration will be given to the following employers:

- (a) Employers with variable or limited revenue
- (b) Employers with fewer than 50 employees
- (c) Employers whose employees are mostly seasonal or temporary
- (d) Employers that serve the public interest by providing human services or long-term care services and that receive a significant share of revenues from governmental programs.

The updated regulations and EMAC Supplement Hardship Waiver application can be found using the following link:

<https://www.mass.gov/service-details/learn-about-the-emac-supplement-hardship-waiver>

Below are important dates to remember:

- 10/1- Wage filing begins (3rd quarter) Hardship waiver applications accepted



Massachusetts Package Stores Association, Inc.

30 Lyman Street - Suite #2 | Westborough, MA 01581
Phone: (800) 322-1383 or (508) 366-1100 | Fax: (508) 366-1104

- 10/12- Deadline for hardship waiver applications
- 10/31- Q3 Wage filing completed (*Waiver determinations will issue before 10/31*)

For your convenience, you can download & print the following pdf documents:

1. [EMAC WAIVER REGULATIONS](#)
2. [EMAC HARDSHIP TURNOVER RATE WORKSHEET](#)
3. [EMAC HARDSHIP WAIVER APPLICATION](#)

As always, if you have any questions, please contact the MPSA Office at (508) 366-1100.

Thank you,

Robert Mellion, Esq.
Executive Director and General Counsel
rmellion@masspack.org

Robyn Seymour
Director of Operations
rseymour@masspack.org