



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT
DEPARTMENT OF UNEMPLOYMENT ASSISTANCE

DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LT. GOVERNOR

JOANNE F. GOLDSTEIN
SECRETARY

MICHELLE R. AMANTE
ACTING DIRECTOR

March 20, 2012

ON-CALL FIREFIGHTERS AND EMERGENCY MEDICAL TECHNICIANS

Cities and towns are exempt from charges and paying Unemployment Insurance (UI) benefits for individuals working for them as on-call firefighters or on-call emergency medical technicians (EMTs), provided they properly and timely complete the required forms.

“On-call” means there is an agreement between the employee and employer that the employee will work on an as-needed basis with no set schedule of hours. Pertaining to on-call firefighters and on-call EMTs, in accordance with Chapter 151A, § 6A(5), wages earned by those working in this capacity on a temporary basis in case of fire, storm, snow, earthquake, flood, or similar emergency, and who are paid solely on a per incident basis, are exempt and cannot be included in determining an employee’s unemployment insurance benefit rate.

There are three critical actions a municipality must take to receive the exemption and to preserve its appeal rights on this claim as required by G.L. c. 151A, § 38(a).

- **Indicate the employee’s employment status as “still employed” and provide wage information on the Wage and Separation Information form (Form 1062) as requested.**
- **Write in the comments section on the form that the employee is an on-call fire fighter or an on-call EMT paid per call or event (whether on a flat rate or hourly basis).**
- **Return the form within the ten days as prescribed by law to the Department of Unemployment Assistance (DUA).**

DUA will process the returned Wage and Separation Information form. Checking the box next to “Still employed” will prompt a review of the claim and, once verified, these wages will not be included in determining the wage base of the claimant. If benefits are awarded and the municipality believes the determination was erroneous, the municipality must appeal the determination within the mandated time-frame.

During the benefit year, a claimant may need to “reopen” his/her claim due to a benefit year separation. In this circumstance the municipality will need to recertify that the claimant is still working as an on-call firefighter or EMT. It is important that you again return the wage and separation form sent to you to ensure that these wages will not be included and so you can preserve your appeal rights.