

# OBRA AND FICA MEDICARE EXEMPTION FORM

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As a part-time, seasonal or temporary employee of the Commonwealth of Massachusetts or a Massachusetts local government employer, you are required to participate in the SMART Plan. The SMART Plan is an alternative to Social Security as permitted by the federal Omnibus Budget Reconciliation Act of 1990 (OBRA). OBRA, passed by the U.S. Congress, requires that beginning July 1, 1991, employees not eligible to participate in their employer's retirement program be placed in Social Security or another program meeting federal requirements. The SMART Plan meets those federal requirements.

All participants who are required to contribute to OBRA must make a mandatory contribution to the Plan equal to 7.5% of their gross compensation per pay period. These employees must also pay the 1.45% Medicare portion of FICA, except for employees who are Non Resident Aliens for Federal Tax Purposes.

Students may be exempt from contributing to OBRA and the Medicare portion of FICA. To qualify for the exemption, the student employee must meet BOTH of the following criteria:

- Must be currently enrolled for a minimum of 6 credits
- Is not working full-time (37.50 hours per week)

If you meet the conditions for this exemption, then please fill out the information below and return the form to Human Resources.

Employee Name \_\_\_\_\_

I am currently enrolled for \_\_\_\_\_ credits.

\_\_\_\_ I am currently a retiree of the Commonwealth of Massachusetts.

Signature \_\_\_\_\_

Date \_\_\_\_\_