

Florida Retirement System
Senior Management Service Class Designated Position Form



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INSTRUCTIONS

This form should be used only by State Public Defender Offices, State Attorney Offices and local agencies (district school boards, county agencies, community colleges, cities and independent special districts) designating positions to the Senior Management Service Class (SMSC). The positions of Community College President, City Manager, County Manager, appointed School Superintendent and most State government SMSC positions are compulsory and **should not** be designated on this form.

Under the provisions of Section 121.055, Florida Statutes, you may designate positions to be included in the Florida Retirement System's (FRS) SMSC.

The **agency must:**

- Place appropriate notice of intent to designate position(s) in the SMSC in a newspaper of general circulation in the county or counties affected, once a week for two consecutive weeks.
- Complete the section below and submit this form (SMSD-1) to the Division of Retirement.
- Comply with requirements and formula when designating positions to the SMSC.

The **employee(s) must** complete:

- **State Agency Positions** – Form SMS-1, Senior Management Service Optional Annuity Program Ballot/Enrollment Form.
- **Local Agency Positions** – Form SMS-3, Senior Management Service Class Ballot/Enrollment Form for local agency employees.

Agency Name: _____ **Agency Number** _____

	Position Title	*Position Number	**Date Position Effec. In SMSC
1.	_____	_____	____/____/____
2.	_____	_____	____/____/____
3.	_____	_____	____/____/____

*Position number should be 1 to 10 numeric digits. Numbers less than 10 digits should be preceded by zeros on your payroll.

**Positions are effective the first of the month following the month the forms are received by the Division.

Please provide the total number of regularly established, filled positions reported by your agency to the Florida Retirement System as of the date the position(s) are being designated to the SMSC:

Our agency published the notice of intent to include the position(s) in the SMSC in the

Name of Publication: _____

Dates Position(s) Advertised: _____

Statement of Certification: I certify that the above position(s) has/have been designated by the employing agency to be included in the Florida Retirement System's SMSC and that the position(s) meet the requirements of Section 121.055, Florida Statutes. Further, I acknowledge the documentation supporting the eligibility of this position(s) for the SMSC is on file in our office.

Agency Head/Designee: _____ **Title:** _____ **Date:** _____

Section 121.055, Florida Statutes, establishes the Senior Management Service Class and sets forth the criteria for participation. Although the Class was first established February 1, 1987, through subsequent legislation the criteria and requirements have been amended. Outlined below are the SMSC requirements for State and local agencies. Questions concerning the SMSC may be directed, in writing, to the Division of Retirement, P.O. Box 9000, Tallahassee, FL 32315-9000, or by calling (850) 488-8837 or Toll Free 1-877-377-3675

State Agency Senior Management Service Class (SMSC) requirements:

A position included in the SMSC requires the employee filling the position be a compulsory member in the SMSC, unless the incumbent elects in writing within 90 days of employment to participate in the State's Senior Management Optional Annuity Program. The following State positions are included in the SMSC:

Effective 02-01-87: All Senior Management Service positions with a State Agency.

Effective 01-01-90: Executive Director of the Ethics Commission, Auditor General and up to nine managerial or policy making positions within his office, all staff directors of Joint Committees of the Legislature, and up to 75 nonelective positions at the level of Committee Staff Director or higher, or equivalent managerial or policymaking positions within the House of Representatives and Senate as selected by the Speaker of the House of Representatives and President of the Senate, respectively.

Effective 01-01-91: Positions within the Executive Service of the State University System, University Presidents, and State Board of Administration senior managers who have policymaking authority and are so determined by the Governor, Treasurer, and Comptroller.

Effective 01-01-94: State Courts Administrator, Deputy State Courts Administrator, Clerk of the Supreme Court, Marshal of the Supreme Court, Justice Data Center Director, Executive Director of the Justice Administration Commission, Capital Collateral Representative, Clerks of the District Courts of Appeals, Marshals of the District Courts of Appeals, and Trial Court Administrator in each judicial circuit are compulsory positions in the SMSC.

Effective 01-01-94 Additional Designated Positions: The State Attorney and Public Defender in each judicial circuit may designate positions in their offices to the SMSC provided:

- a notice of intent to designate position(s) to the Class is published once a week for two consecutive weeks in a newspaper of general circulation published in the county or counties affected:
- and the full-time positions are nonelective, managerial or policymaking filled by employees who serve at pleasure of the employer without civil service protection, head organizational units or have responsibility to effect or recommend personnel, budget, expenditure, or policy decisions in their area of responsibility.

One nonelective full-time position may be designated for each State Attorney and Public Defender reporting to the Division of Retirement. Offices with 200 or more **filled regularly established** positions may designate additional elective positions provided they do not exceed 0.5 percent of the filled regularly established positions within the agency. A position designated to the SMSC shall not be removed from the Class unless the duties and responsibilities of the position change substantially and the position no longer meets the statutory requirements for SMSC participation or the position is abolished.

Local Agency Senior Management Service Class (SMSC) requirements:

A position included in the SMSC requires an employee filling the position to be a compulsory member of the SMSC, unless the incumbent elects to participate in a local annuity program. An employee of a local agency may make this election at any time while holding a position included in the SMSC. The following positions in local agencies are included in the SMSC:

Effective 01-01-90: Community College Presidents, appointed School Superintendents, County Managers/Administrators, and City Managers/Administrators are compulsory positions in the SMSC.

Effective 01-01-94: Local agency employers may **designate** positions to the SMSC provided:

- a notice of intent to designate positions to the Class is published once a week for two consecutive weeks in a newspaper of general circulation published in the county or counties affected:
- and the full-time positions are nonelective, managerial or policymaking filled by employees that are not subject to a continuing contract who serve at the pleasure of the employer without civil service protection, and who head an organizational unit or have responsibility to effect or recommend personnel, budget, expenditure, or policy decisions in their areas of responsibility.

Ten (10) nonelective full-time position may be designated for each local agency. Effective 06-17-98, local agencies with 100 or more **filled regularly established** positions may designate additional nonelective positions provided they do not exceed 1 percent of the filled regularly established positions within the agency. A position designated to the SMSC shall not be removed from the Class unless the duties and responsibilities change substantially and the position no longer meets the statutory requirements for SMSC participation or the position is abolished.