



South Coast Air Quality Management District



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October 7, 2021

Attn: San Bernardino County Employees' Retirement Association

Subject: Retiree Re-employment Extension Request: Sandra Essner

To Whom It May Concern:

South Coast AQMD would like to make a request to extend the re-employment of Ms. Essner from November 9, 2021 to November 8, 2022 as an extreme necessity exists to continue the retiree's re-employment beyond the 18-month limit for the following reasons:

Background

In the past few years, the South Coast AQMD microscopy group has seen a 100% increase in the number of samples being analyzed and loss of resident staff experts due to multiple retirements.

Ms. Essner is an expert on a number of critical analyses, including but not limited to: Polarized Light Microscopy, Fallout Material by Microscopy and X-Ray Diffraction, and Bulk Building Materials Method EPA/600/R-93/116 in support of South Coast AQMD Rule 1403. She also has a unique expertise and accreditation with laboratory analysis of asbestos containing materials needed for compliance samples and is able to assist with laboratory compliance needs as well as help expedite the analysis of samples in support of South Coast AQMD Rule 1403. In addition, Ms. Essner has been providing staff training and assistance with QA/QC requirements, as required by the National Voluntary Lab Accreditation Program to help ensure the South Coast AQMD maintains accreditation.

Board Request

Ms. Essner has worked toward these efforts approximately 997 hours to date (4/30/2019 – 8/31/2021) with approximately 155 of those hours for this fiscal year (7/1/21 – 6/30/22), typically working 10-20 hours per week. However, as her contract expires on October 14, 2021, the South Coast AQMD is now requesting that Ms. Essner continue employment as a Contractor for an additional 12 months.

Ms. Essner possesses highly specialized technical knowledge of and experience in microscopic analysis, particularly of asbestos containing material. Currently, only three staff have the necessary training and credentials to conduct asbestos analysis. Of these three staff one will be retiring in a few months and the other staff just received accreditation and will continue to need additional oversight until sufficient experience is gained. To maintain our asbestos program accreditation, multiple staff need to undergo proper training and through the accreditation process. The training and accreditation requires offsite instruction at an accredited institute, oversight by an accredited analysts, and testing. Ms. Essner with her over 30 years' experience has been overseeing the training efforts.

The South Coast AQMD is currently recruiting to replace the valuable experience that will be lost due to the upcoming retirement, however, this process has been delayed due to the pandemic. Additionally, the microscopy training and certification institute required by South Coast AQMD was shut down due to the pandemic and has only recently reopened with limited offerings, further delaying onboarding of new staff. As such, we have had to rely more heavily on in-house training, and this is critically reliant on Ms. Essner's expertise. Moreover, Ms. Essner provides much needed assistance with asbestos analysis during this time. If this request is approved, Ms. Essner could continue to impart valuable education and assistance to this highly complex area.

Sincerely,

A. John Olvera
Deputy Executive Officer

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Returning Retiree Inquiry Responses

1. How many hours a week does/will the SBCERA retiree work?

Typically between 10-20 hours per week.

2. What special skills does the SBCERA retiree have to perform the duties of the position?

Highly specialized expertise in microscopic analysis of asbestos and related laboratory accreditation criteria.

3. How is the SBCERA retiree re-employment necessary to enable to the employer to continue effective operation?

Ms. Essner's technical knowledge and experience are necessary to ensure proper training of new staff in light of COVID. She is also able to provide much needed assistance with asbestos analysis and identification that ensure analysis continues without interruptions.

4. Describe the circumstances which makes the extreme necessity, if any unavoidable or could not have been anticipated in order to extend the SBCERA retiree re-employment.

The delays associated with recruitment and training were caused by the COVID-19 pandemic and related stay-at-home orders, which resulted in a protracted hiring freeze and a sudden, prolonged, and unpredictable cancellation of required training programs along with the ability to access the laboratory.

5. If the department cannot continue to re-employ the SBCERA retiree, what will they do? Who will do the work? What will be the detriment to the programs or projects the SBCERA retiree is working on if employment is not extended?

If Ms. Essner's re-employment cannot be extended, we risk being unable to effectively train incoming staff in enough time to compensate for both upcoming retirements and the end of Ms. Essner's extension. We would also risk being unable to analyze asbestos samples in a timely manner. Additionally, since the training process takes about a year and requires a period of supervision by a trained and experienced staff member, we risk significant delays in both training and analysis if Ms. Essner is not available to assist.

6. Is anyone else able to do the SBCERA retiree current job?

Currently three staff are trained on this analysis, with one retirement planned in the coming months. As maintenance of our asbestos program accreditation requires multiple staff to be trained on this analysis, it is jeopardized if additional staff aren't trained. In addition the soon to be retiree cannot be employed as a contractor for the South Coast AQMD until a year has passed as stated in California Code, Government Code - GOV § 7522.56.

7. What measures is the department taking to ensure they will have qualified employees on staff when the retiree's extension ends?

We are currently recruiting to fill the position that will be vacated by the upcoming retirement.

8. If the retiree does not perform the work will there be a stoppage of public business?

Temporary stoppage of asbestos analysis is likely, and would be longer if we are not able to maintain compliance with our accreditation. Furthermore, lengthy delays in asbestos analysis on the order of months are inevitable without Ms. Essner's assistance with analysis and training of new staff. This creates a public health issue if analysis of samples and compliance efforts cannot continue.

9. Who would perform this work if the retiree is not available?

In the case where Ms. Essner is temporarily unavailable her tasks would be assumed by other trained staff when possible, but would otherwise be postponed until her return.

10. Is there anyone currently working for the Department that can perform these functions?

Please see response to Question 6 above.