

Indiana State Department of Agriculture

Governor Eric Holcomb

Lt. Governor Suzanne Crouch, Secretary of Agriculture and Rural Development

Bruce Kettler, Director

INDIANA STATE ETHICS COMMISSION

FEB 10 2022

**IC 4-2-6-11**

**Post-employment waiver**

**FILED**

As the Appointing Authority of Indiana State Department of Agriculture, I am filing this waiver of the application of the Code of Ethics' post-employment restriction as it applies to Tari Gary in her post-employment with Purdue University.

I understand that I must file and present this waiver to the State Ethics Commission at their next available meeting. I further understand that this waiver is not final until approved by the State Ethics Commission.

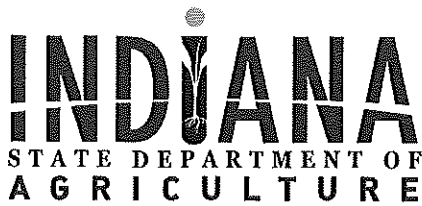
A. This waiver is provided pursuant to IC 4-2-6-11(g) and specifically waives the application of *(Please indicate the specific restriction in 42 IAC 1-5-14 (IC 4-2-6-11) you are waiving):*

IC 4-2-6-11(b)(1): 365 day required "cooling off" period before serving as a lobbyist.

IC 4-2-6-11(b)(2): 365 day required "cooling off" period before receiving compensation from an employer for whom the state employee or special state appointee was engaged in the negotiation or administration of a contract and was in a position to make a discretionary decision affecting the outcome of such negotiation or administration.

IC 4-2-6-11(b)(3): 365 day required "cooling off" period before receiving compensation from an employer for which the former state employee or special state appointee made a directly applicable regulatory or licensing decision.

IC 4-2-6-11(c): Particular matter restriction prohibiting the former state employee or special state appointee from representing or assisting a person in a particular matter involving the state if the former state officer, employee, or special state appointee personally and substantially participated in the matter as a state worker. *(Please provide a brief description of the specific particular matter(s) to which this waiver applies below):*



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- B. IC 4-2-6-11(g)(2) requires that an agency's appointing authority, when authorizing a waiver of the application of the post-employment restrictions in IC 4-2-6-11(b)-(c), also include specific information supporting such authorization. Please provide the requested information in the following five (5) sections to fulfill this requirement.
1. Please explain whether the employee's prior job duties involved substantial decision-making authority over policies, rules, or contracts: Tari's duties and responsibilities did not involve substantial authority over contracts, rules, or policies, because her manager had to approve any and all contracts, policies, or rules.
  2. Please describe the nature of the duties to be performed by the employee for the prospective employer: In her new role, Tari will develop food safety related educational materials, including videos, publications and presentations that will benefit produce growers and food processors in Indiana.
  3. Please explain whether the prospective employment is likely to involve substantial contact with the employee's former agency and the extent to which any such contact is likely to involve matters where the agency has the discretion to make decisions based on the work product of the employee: There is a possibility that Tari will cross paths with ISDA in her new role with Purdue, but no contact is likely to involve matters where the agency has the discretion to make decisions based on the work product of the employee.
  4. Please explain whether the prospective employment may be beneficial to the state or the public, specifically stating how the intended employment is consistent with the public interest: Tari will be developing and presenting new safety related educational programs, workshops and short courses related to good manufacturing practices, produce food safety and information related to developing HACCP plans for growers and food processors in Indiana. She also will manage the ServSafe Program at Purdue and assist growers and processors who are working with the Food Entrepreneur Manufacturing Institute to develop new food products. Because the scope of the work impacts so many farmers and food processors across the state, the prospective employment would be beneficial to the public and state.
  5. Please explain the extent of economic hardship to the employee if the request for a waiver is denied: If the request for a waiver is denied, Tari would lose this opportunity of a new job. This prospective role would enhance and grow her skillset beyond what she is currently doing at ISDA, and provide an opportunity for professional growth.



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C. Signatures

1. Appointing authority/state officer of agency

By signing below I authorize the waiver of the above-specified post-employment restrictions pursuant to IC 4-2-6-11(g)(1)(A). In addition, I acknowledge that this waiver is limited to an employee or special state appointee who obtains the waiver before engaging in the conduct that would give rise to a violation.

Bruce R. Kettler  
Bruce Kettler

1/26/22  
DATE

2. Ethics Officer of agency

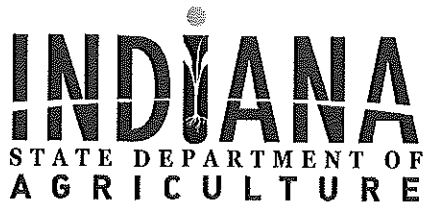
By signing below I attest to the form of this waiver of the above-specified post-employment restrictions pursuant to IC 4-2-6-11(g)(1)(B).

Johathan Roeder  
Johathan Roeder

1/26/22  
DATE

D. Approval by State Ethics Commission

FOR OFFICE USE ONLY	
Approved by State Ethics Commission	
<u>Katherine Noel</u>	<u>2-10-22</u>
Katherine Noel, Chair, State Ethics Commission	Date



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Bruce Kettler, Director

Mail to:

Office of Inspector General  
315 West Ohio Street, Room 104  
Indianapolis, IN 46202

OR

Email scanned copy to: [info@ig.in.gov](mailto:info@ig.in.gov)

*Upon receipt you will be contacted with details regarding the presentation of this waiver to the State Ethics Commission.*