

October 30, 2025

FILED

Katherine Noel, Chair
Indiana State Ethics Commission
315 W. Ohio Street, Room 104
Indianapolis, IN 46204

NOV 13 2025

INDIANA STATE
ETHICS COMMISSION

IC 4-2-6-11

Post-Employment Waiver: Marilyn Pitzulo

As the Appointing Authority of the Indiana Department of Workforce Development (DWD), I am filing this waiver of the application of a certain post-employment restriction of the Code of Ethics as it may apply to Marilyn Pitzulo, a soon-to-be-retired Associate Chief for DWD in her desired post-employment with Central Nine Career Center (Central Nine).

I understand I must file and present this waiver to the State Ethics Commission at its next meeting on November 13, 2025. I further understand 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:

IC 4-2-6-11(b): The 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.

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:

Ms. Pitzulo has served as an Associate Chief for DWD. She also has served as the State Director for Adult Education. This program includes preparing adults without a High School Equivalency (HSE) diploma to test and receive their HSE diploma. She has been involved in the funding of adult education providers. Indiana's Adult Education program grants state and federal funds to providers to offer adult education training services. Central Nine Career Center (Central Nine) is one of the providers; it is also a testing center for the HSE testing through a third-party vendor, HiSET. HiSET has a zero-dollar contract with Indiana. Students seeking an HSE pay Central Nine to test for their HSE, then Central Nine pays HiSET a set amount per exam.

In 2023, DWD held an open competition for adult education providers. Central Nine applied and was awarded funds. While Ms. Pitzulo was not included in the RFP or scoring grant applications, she was indirectly consulted and reviewed the overall allocation model applied to all providers awarded funds.

2. Please describe the nature of the duties to be performed by the employee for the prospective employer:

Ms. Pitzulo is retiring from DWD and her last day is on November 7, 2025. She would like to proctor HSE exams for Central Nine part-time. She would not be overseeing any contracts with Central Nine and will not maintain any kind of authority with Central Nine.

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:

DWD does have a grant contract with Central Nine. The terms of the grant contract could lead DWD to monitor the entity. However, Ms. Pitzulo would not have any authority or interaction regarding that monitoring.

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:

Ms. Pitzulo has worked for Indiana as a public servant for numerous years. Ms. Pitzulo developed important skills and gained valuable experience during her time in public service. The public will continue to benefit from Ms. Pitzulo's expertise if she begins employment with Central Nine. In addition, there is a shortage of HSE test proctors, and allowing Ms. Pitzulo to fill that void would benefit all Hoosiers seeking an HSE. Finally, it is in the State's interest to allow its employees to accept employment outside the public sector, and allowing Ms. Pitzulo to accept the role described above is consistent with the public's interest.

5. Please explain the extent of economic hardship to the employee if the request for a waiver is denied:

Ms. Pitzulo would not experience economic hardship by not receiving this waiver. Rather, Ms. Pitzulo will be helping fill a shortage of HSE test proctors, which will contribute positively to the state.

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.



10/30/2025

Mike Smith
Interim Commissioner DWD

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).



10/30/2025

Amie Durfee
Ethics Officer, DWD

Date

D. Approval by State Ethics Commission**FOR OFFICE USE ONLY**

Approved by State Ethics Commission



Katherine Noel, Chair, State Ethics Commission

11-13-25

Date

Indiana State Ethics Commission
c/o Office of Inspector General
315 W, Ohio Street, Room 104
Indianapolis, IN 46202

Date: October 30, 2025

Subject: Re: Designation Letter

To Whom It May Concern:

I am the Interim Commissioner of the Indiana Department of Workforce Development (DWD), and accordingly, the appointing authority for Marilyn Pitzulo, soon-to-be-retired Associate Chief for Indiana Department of Workforce Development. I have submitted a post-employment waiver for Marilyn Pitzulo.

While I will be unable to attend the State Ethics Commission's meeting on November 13, 2025, I hereby designate Amie Durfee, Attorney Senior and Ethics Officer for DWD, to file and present the above-referenced waiver on my behalf. Therefore, please feel free to direct any questions concerning this filing to Ms. Durfee.

Respectfully,



Mike Smith, Interim Commissioner
Indiana Department of Workforce Development