



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue
Room N758
Indianapolis, Indiana 46204

PHONE: (855) 463-6848

Mike Braun, Governor
Lyndsay Quist, Commissioner

June 5, 2026

Katherine Noel, Chair
Indiana State Ethics Commission
315 West Ohio Street, Room 104
Indianapolis, IN 46202

FILED

JUN 11 2026

INDIANA STATE
ETHICS COMMISSION

IC 4-2-6-11 Post-employment waiver – Jessica Poiry

As the Appointing Authority of the Indiana Department of Transportation (INDOT), I am filing this waiver of the application of the Code of Ethics post-employment restriction as it applies to Jessica Poiry (“Poiry”) in her post-employment with Burgess and Niple, Inc. (B&N).

I understand I must file and present this waiver to the State Ethics Commission at its 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): The Midstates Corridor Project, the Safer Drive 65 Project, and the Improve 64 Project.

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:

Poiry currently serves as an Environmental Manager for the Indiana Department of Transportation (INDOT) – Fort Wayne District. Poiry oversees the administration of construction and consulting projects for INDOT's Fort Wayne District, which covers Northeastern Indiana.

Poiry has had significant interactions with B&N while at INDOT. As an Environmental Manager in Fort Wayne District, she had several interactions with B&N, most of which were related to programmed transportation projects, which includes reviewing environmental work items, scoring their National Environmental Policy Act (NEPA) preparers, and answering questions. Her team met with B&N at the District Office several times over the past few years to build better working relationships, rather than always communicating via email. She also assisted with Request for Proposals, (RFP), scoring where B&N submitted a Letter of Interest for the Fort Wayne District Environmental on-call contract. B&N was not selected for that contract.

Poiry was not involved in any regulatory or licensing decisions for B&N while she was at INDOT. She does currently participate in RFP scoring to select consultants for projects, but she has not participated in RFP scoring for programmed projects in a while. Further she had signatory authority for all environmental matters for a period of two (2) to four (4) weeks, while her supervisor was on leave. She reviewed and returned submission for revision, and she would escalate them to her supervisor, if needed. She also did evaluations in the PSCS program. Her supervisor would review and make the final decision on the submissions.

Additionally, Poiry filed a notice of potential conflict and screening document regarding B&N June 5, 2026, which has prohibited any contact or review of B&N's consulting work and from scoring Letters of Interest (LOIs) from B&N seeking work with INDOT.

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

In her post-INDOT employment, Poiry will serve as an Environmental Scientist for B&N. In that role she would be creating and submitting environmental work items to the INDOT Districts and Central Office Environmental Staff. Additionally, she will be working with local agencies on projects without federal nexus to ensure that they are meeting the state guidelines.

INDOT relies on the private engineering and construction industry to design and build the state's transportation infrastructure. B&N is a significant player in the field of transportation engineering in the state of Indiana and is involved in many transportation projects throughout the state, those funded through INDOT and those funded with local dollars. In her new role, Poiry will be working with INDOT on projects where B&N is the prime or the sub-contractor to ensure the projects are completed according to Federal and State environmental regulations.

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 possible to include matters where the agency has the discretion to make decisions based on the work of the employee:

B&N has several active contracts with INDOT, state-wide. Poiry anticipates that in her new position she will have contact with INDOT personnel, but she expects that her interaction will be similar to the contact of other Environmental Scientists without an INDOT background.

Poiry and B&N understand that she cannot work on any project for B&N that she participated in while at INDOT. Her INDOT work for B&N on pending projects will be limited to projects outside the Fort Wayne, and she will not begin work on projects in the Fort Wayne District until new projects are awarded after her departure from INDOT.

4. Please explain whether the prospective employment may be beneficial to the state or the public, explicitly stating how the intended employment is consistent with the public interest:

Ms. Poiry has approximately five (5) years of experience in the environmental management field, all with INDOT. Ms. Poiry's knowledge and expertise in the environmental field would be beneficial to the public because she has a thorough knowledge of what INDOT expects in its construction projects and how to efficiently provide that quality of work. Her knowledge will ensure INDOT's vision and priorities will continue to be implemented by its private sector partners.

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

Within INDOT, there are few opportunities for advancement of position and salary for Ms. Poiry. Short of joining the executive team, there is no other higher or relevant position for Ms. Poiry at INDOT. Her experience is in the environmental management and transportation industries, and it is government that builds roads with the assistance of the private sector. Denying the post-employment waiver would require Ms. Poiry to either remain at INDOT or enter an entirely new field.

C. Signatures


1. Appointing Authority/state officer of the 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 who obtains the waiver before engaging in the conduct that would give rise to a violation.

 6/5/2026
Lyndsay Quist, Commissioner DATE
INDIANA DEPARTMENT OF TRANSPORTATION

2. Ethics Officer of agency

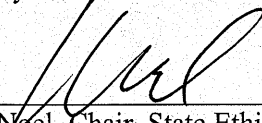
By signing below, I attest to the form of this waiver of the above-specified post-employment restrictions pursuant to IC 4-2-6-11(g)(1)(B).

 6/5/2026
Chris Devlin, Ethics Officer DATE
INDIANA DEPARTMENT OF TRANSPORTATION

D. Approval by the State Ethics Commission

FOR OFFICE USE ONLY

Approved by State Ethics Commission

 6-11-26
Katherine Noel, Chair, State Ethics Commission Date

Mail to:
Office of Inspector General
315 West Ohio Street, Room 104
Indianapolis, IN 46202
OR

Email scanned copy to: info@ig.in.gov

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