

Eric J. Holcomb, Governor  
Bret D. Marsh, DVM, State Veterinarian

INDIANA STATE BOARD OF ANIMAL HEALTH

Office of the State Veterinarian  
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JUN 21 2024

IC 4-2-6-11  
Post-employment waiver

Indiana Office  
of Inspector General

As the Appointing Authority of the Indiana State Board of Animal Health, I am filing this waiver of the application of the Code of Ethics' post-employment restriction as it applies to Larry Reed in his post-employment with Butcher Bobs meat plant.

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):

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:

FILED

JUL 11 2024

INDIANA STATE  
ETHICS COMMISSION

**1. Please explain whether the employee's prior job duties involved substantial decision-making authority over policies, rules, or contracts:**

The Indiana State Board of Animal Health (BOAH) operates the State's meat and poultry inspection program. Meat slaughtering and processing establishments must apply for and receive a grant of inspection service from BOAH to produce and sell meat and poultry products in commerce. BOAH employs meat inspectors to conduct inspections of slaughtering and processing activities at meat plants to determine compliance with state and federal food safety rules. A meat inspector is trained to recognize potential food safety issues and is authorized to write notices of violations when problems are noted. An inspector may detain animals with potential issues, but the final determination of fitness to enter the food supply is by a BOAH veterinarian.

Larry Reed has worked for BOAH as a meat inspector for three years. Larry would like to leave state employment to work for Butcher Bobs as a part owner of the business. Butcher Bobs is a meat plant that in Larry's inspection area. Larry has completed BOAH inspections at Butcher Bobs.

Larry's position as a meat inspector implements rules and policy but he has no authority to create rules or policy.

Larry has no authority to negotiate or administer any contracts as a meat inspector. BOAH has no contracts with Butcher Bobs.

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

Larry Reed's prospective position with Butcher Bob's would be as an owner / manager as he is purchasing a portion of the business. While working in the plant, he could be involved with any task associated with Butcher Bobs business operations, including slaughtering animals and processing meat products.

**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:**

Larry's position with Butcher Bobs will involve business operations, including slaughtering animals and the processing and sale of meat products. BOAH will continue to inspect Butcher Bobs meat production processes from a food safety perspective. BOAH's inspections include evaluating cleanliness and inspecting carcasses for contamination. Currently BOAH is in the Butcher Bobs facility between 2 to 4 days each week, the frequency is determined by BOAH based on the operations conducted at the plant. BOAH employees will interact with plant employees and management when addressing regulatory issues.

**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:**

During his term at BOAH Larry has received extensive training in food safety concepts, rules and policies. The knowledge and skills Larry obtained during his training and experience at BOAH could benefit Butcher Bobs by helping the business comply with food safety requirements and avoid or appropriately

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.*

address food safety issues. Having personnel in meat plants with food safety knowledge and skills reduces the risk of food safety issues which benefits consumers. This is all consistent with BOAH's food safety mission.

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

Without a waiver, Mr. Reed will be severely limited in his ability to resume work in his trade in Indiana other than continuing to work for the State Board of Animal Health. He is unable to wait 365 days after leaving BOAH because he has a family to support and would be unable to pay for basic living necessities for such an extended period of time. Perhaps he could find work in another field for 365 days, but his experience and training and therefore best prospects for employment are in the meat business.

**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.

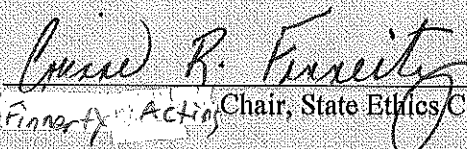
**Bret D. Marsh, DVM** Digitally signed by Bret D. Marsh, DVM  
Signature Date: 2024.06.20 07:58:56 -04'00'  
Bret D. Marsh, DVM, State Veterinarian DATE

**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).

**Gary L Haynes** Digitally signed by Gary L Haynes  
Signature Date: 2024.06.20 08:08:04 -04'00'  
Gary L. Haynes, Ethics Officer DATE

**D. Approval by State Ethics Commission**

<b>FOR OFFICE USE ONLY</b>	
Approved by State Ethics Commission	
	<u>7/11/2024</u>
Quinn R. Finnerty, Chair, State Ethics Commission	Date