

Date

Toby Picard
1406 Cottonwood Drive
Denham Springs, Louisiana 70726

Re: Ethics Board Docket No. 2016-678

Dear Mr. Picard:

The Louisiana Board of Ethics, at its August 19, 2016 meeting, considered your request for an advisory opinion regarding whether La. R.S. 42:1121 would prohibit you from being employed by Arcadis immediately upon the termination of your public service with the Louisiana Department of Transportation and Development (DOTD). You intend to terminate your employment with DOTD as an Engineer 7, Project Management Administrator, for Project Management Section 34. You provided that Section 34 oversees groups of project managers. Arcadis is a private engineering consulting firm. You provided that Arcadis only has one contract with DOTD to work on a project that you performed services on. You would be employed by Arcadis as an engineer and provide design and cost estimating services on projects. You stated that you would be a salaried employee and you would not be providing the same type of services to Arcadis as you did for DOTD.

The Board concluded, and instructed me to advise you that, La. R.S. 42:1121B(1) would not prohibit you from being employed with Arcadis in the two years following the termination of your public service with DOTD provided you only receive compensation for your services on projects that you did not participate in while you were employed with DOTD. La. R.S. 42:1121B prohibits a public servant for a period of two years from assisting another person for compensation in transactions with his former agency that he participated in at any time during his public service or render any service which such former public servant rendered to the agency during the term of his employment on a contractual basis to his former agency. The Board instructed me to caution you that within two years of the termination of your public service you are prohibited from receiving any compensation for services rendered on any project in which you participated in while employed by DOTD.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Ethics. The Board issues no opinion as to past conduct or as to laws other than the Code of Governmental Ethics. If you have any questions, please contact me at (800) 842-6630 or (225) 219-5600.

Sincerely,
LOUISIANA BOARD OF ETHICS

Suzanne Quinlan Mooney
For the Board