Date

Sanettria Glasper Pleasant
Louisiana Department of Transportation and Development
P.O. Box 94245
Baton Rouge, Louisiana 70504

**Re: Ethics Board Docket No. 2021-664**

Dear Ms. Pleasant:

The Louisiana Board of Ethics, at its September 3, 2021 meeting, considered a request from the Louisiana Department of Transportation and Development ("DOTD") to approve a plan allowing DOTD to hire Lynette Melancon, the wife of DOTD employee Kim Melancon, as an administrative coordinator and for Mr. Melancon to recuse himself from any matters relating to his wife's employment.

## FACTS PROVIDED

You provided that Kim Melancon is currently employed as Highway Foreman 1 for DOTD District 03. His duties do not generally include management or supervisory duties over administrative coodinators. DOTD would like to hire Mr. Melancon's wife, Lynette Melancon, as an Administrative Coordinator within DOTD District 03. The duties of an Administrative Coordinator do include entry of time and payroll.

DOTD has submitted a plan to avoid any potential violation of La. R.S. 42:1112 or La. R.S. 42:1119, whereby Mr. Melancon would recuse himself from participating in any transaction or appointing authority duties involving Lynette Melancon including, but not limited to, approving leave, signing performance evaluation documents and recommending hiring/promotions. Further, Mr. Melancon would recuse herself from performing any functional supervision of Lynette Melancon at any time, which includes, but is not limited to, determining work assignments, training, reviewing work, and approving work. Additionally, Mrs. Melancon will not engage in any entry of time or payroll for Mr. Melancon. Betty Malbrough, Administrative Coordinator 4, would act as the primary timekeeper for Mr. Melancon. Each of Mr. and Mrs. Melancon would report directly to the Parish Highway Maintenance Superintendent.

## LAWS

**La. R.S. 42:1112B(1)** states that no public servant shall participate in a transaction involving the governmental entity in which, to his actual knowledge, any member of his immediate family has a substantial economic interest.
**La. R.S. 42:1119A** states that no member of the immediate family of an agency head shall be employed in his agency.

DISCLAIMER
This is a draft opinion and is NOT an opinion of the Louisiana Board of Ethics. No party may rely on the facts or conclusions. The analysis and conclusions herein are provided for discussion purposes only, and are subject to change or revision at the meeting of the Board of Ethics at which this matter is considered.

**La. R.S. 42:1112C** allows a disqualification plan to be developed in accordance with rules adopted by the Board to remove a public servant from participating in transactions that would otherwise present violations of Section 1112 of the Code.

## CONCLUSION

Based on the facts presented, the Board concluded, and instructed me to inform you, that it approved the plan as proposed as it complies with the criteria set forth in Chapter 14 of the Rules for the Board of Ethics. 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**

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Charles E. Reeves, Jr.
For the Board

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