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June 3, 2026

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ADVISORY OPINION NO. 2026-09

Manley L. Haynie
IT Specialist IV
Alabama Department of Transportation

Public Employee / Business with which a
Public Employee is Associated / Revolving
Door

The Ethics Act does not prohibit an employee who works as an IT Systems Specialist IV at ALDOT from owning a private business provided the public employee conducts all business activities on their own time and does not otherwise use their position, including any confidential information obtained from their position or any public equipment, facilities, time, materials, human labor, or other public property under his discretion or control to benefit himself or his business.

The Ethics Act does not prohibit a public employee's private business from providing goods or services to counties or regional development organizations in Alabama provided the public employee does not use their public position to benefit their private business and file a copy of any contract that is to be paid in whole or in part with state, county, or municipal funds.

Dear Mr. Haynie:

The Alabama Ethics Commission is in receipt of your request for an Advisory Opinion of this Commission, and this opinion is issued pursuant to that request. This opinion applies only to the restrictions of the Ethics Act and applies prospectively only.

FACTS

Manley Haynie is employed by the Alabama Department of Transportation (ALDOT) as an IT Systems Specialist IV. He is the sole owner of Southeastern Roadway Logic, LLC (SRL). SRL is an early-stage startup. It has generated no revenue, Mr. Haynie has not received any compensation or distributions from it, and he has not yet assumed an active operational role in its affairs.

SRL is developing a Software-as-a-Service (SaaS) platform designed to provide accurate tracking and documentation of road surface treatment operations during winter weather events. The platform is intended to assist road maintenance departments in managing operational accountability and documentation for winter weather response activities.

SRL's primary intended market is road maintenance departments, county governments, and state departments of transportation located outside the State of Alabama. Mr. Haynie has no current plans to solicit or accept contracts from ALDOT or from any Alabama state agency.

His duties as an IT Systems Specialist IV at ALDOT are limited to internal information technology systems support and administration. He does not hold procurement, contracting, or regulatory authority. He does not make decisions regarding road maintenance operations, vendor selection for road treatment services, or the award of contracts to outside vendors in the subject matter area of SRL's intended business. His role does not involve county-facing responsibilities, access to county-level contracting decisions, or oversight of county road department operations.

QUESTIONS PRESENTED

1. May a public employee who works as an IT Systems Specialist IV at ALDOT own a private business whose primary intended market consists of road maintenance departments, county governments, and state departments outside the State of Alabama?
2. May Mr. Haynie, consistent with § 36-1-11 of the Code of Alabama and the Alabama Ethics Act, take an active role in the operations of Southeastern Roadway Logic, LLC outside of his ALDOT working hours?
3. May a public employee of ALDOT seek or accept a contract with ALDOT?
4. May the business of a public employee who works as an IT Systems Specialist IV at ALDOT permissibly sell goods or services to Alabama county road departments or Alabama regional development organizations?

ANALYSIS

The Ethics Act prohibits public employees from using their position to obtain personal gain for themselves, a family member, or a business with which they are associated.¹ Provided Mr. Haynie conducts all activities related to his private business activities on his own time and does not otherwise use his public position, including any confidential information obtained from his position or any public equipment, facilities, time, materials, human labor, or other public property under his discretion or control to benefit himself or his business, the Ethics Act does not prohibit him from owning and operating SRL.

Similarly, the Ethics Act does not prohibit Mr. Haynie from selling goods or services to counties or regional development organizations in Alabama. However, a copy of any contract entered into that is to be paid in whole or in part with Alabama state, county, or municipal funds, must be filed with the Ethics Commission within 10 days after the contract is entered into.² Ala. Code 36-1-11 states:

All persons who are regularly employed by the state and whose pay is seventy-five thousand dollars (\$75,000) or less exclusive of benefits shall be permitted to also engage in employment in the private sector if the employment is not specifically prohibited by statute, and if there is no conflict with the state job of the state employee. However, no employee shall engage in employment in the private sector during their scheduled working hours. The entity that employed the state employee shall not do business with or be employed by the department that employs the state employee.

This restriction is outside of the Ethics Act. Therefore, the Ethics Commission is unable to answer questions 2 and 3 beyond reiterating that Mr. Haynie may not use his public position to obtain personal gain for himself or his business. We recommend seeking guidance regarding this provision of law from the Attorney General or the State of Alabama Personnel Department.

CONCLUSION

The Ethics Act does not prohibit an employee who works as an IT Systems Specialist IV at ALDOT from owning a private business provided the public employee conducts all business activities on their own time and does not otherwise use their position, including any confidential information obtained from their position or any public equipment, facilities, time, materials,

¹ Ala. Code § 36-25-5(a).

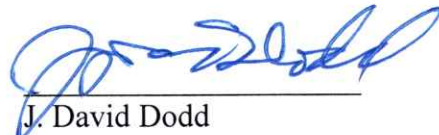
² Ala. Code § 36-25-11.

human labor, or other public property under his discretion or control to benefit himself or his business.

The Ethics Act does not prohibit a public employee's private business from providing goods or services to counties or regional development organizations in Alabama provided the public employee does not use their public position to benefit their private business and file a copy of any contract that is to be paid in whole or in part with state, county, or municipal funds.

AUTHORITY

By 5/0 vote of the Alabama Ethics Commission on June 3, 2026.



J. David Dodd
Chair
Alabama Ethics Commission