



Flexible and Remote Work Arrangements Policy

(Pilot Program for November 1, 2021 through December 31, 2021)

I. Pilot Policy Statement

The Massachusetts Gaming Commission (MGC) is committed to providing a working environment that ensures the agency's needs are met while encouraging retention by affording employees the best possible opportunity to achieve a positive work/life balance. The MGC also recognizes the many benefits to the agency and to employees by having in-person interaction in an office setting. With this goal in mind, the MGC has created a pilot program allowing employees to request flexible schedules and/or hybrid work arrangements. Noting, however, that not all positions lend themselves to a hybrid work option.

Definitions:

Employees' working arrangements may be comprised of one or more of the following components:

- **Flextime:** Flextime allows employees to work Monday – Friday but vary their start or end times on all or some days of the week.
- **Compressed Workweek:** A compressed work week allows the employee to work longer hours on fewer days each week. Full time employees will be expected to work at least 4 days per week.
- **Hybrid Work:** A hybrid work arrangement allows the employee to do all or part of their workday or workweek at home, or another location away from the MGC's offices.
- **Core Hours:** The hours in which employees must be available during their 8-hour workday. (Including a .5-hour lunch break)

II. Parameters for Remote/Hybrid and/or Flexible work schedules:

The following will apply to all employees working under a flextime, compressed workweek, or hybrid arrangement:

- Full time employees must work a minimum of 37.5 hours per week
- The MGC's offices are open to the public from 9:00 a.m. – 5:00 p.m., Monday through Friday. All full-time employees core hours should be worked between the hours of 7 a.m. and 7 p.m. All employees must be available for MGC work from the hours of 10 a.m. to 3 p.m.



Massachusetts Gaming Commission

- Employees must take a minimum of 30 minutes meal break during their workday. This meal period may not be used at the beginning or end of the workday for a late arrival or early departure.
- For this pilot program, line-level employees may request on average up to three days of remote working per week and managers may request on average up to two days of remote working per week.
- The needs of the organization may require attendance by employees in the office for certain events, trainings or meetings. Employees will need to be available to be in the office under those circumstances.
- These flexible arrangements may be suspended or cancelled at any time by the MGC or the employee. If the MGC needs to suspend or cancel a flexible arrangement, every effort will be made to notify the employee at least 30 days in advance.
- Employees must enter their time accurately in self-service time and attendance. Failure to record weekly hours appropriately may result in corrective action up to and including termination.
- Any employee found to be engaging in any sort of abuse of their flexible, compressed or hybrid work arrangements may be subject to disciplinary action up to and including termination.

For employees who are working a schedule that includes remote work, the following provisions will apply:

- Remote work is not intended to be a replacement for childcare, eldercare, vacation or sick time, family and medical or other types of leave, however, currently the MGC recognizes the need for enhanced flexibility due to the Covid pandemic. Although an employee's schedule may be modified to accommodate family care needs in accordance with other MGC policies, the focus of the work arrangement must remain on job performance and meeting business demands.
- Technical Requirements
 - o It is the responsibility of the employee to ensure that they meet the following minimal technical requirements:
 - Sufficient bandwidth via their internet provider.
 - 50 Mbps download and 10 Mbps upload is recommended and sufficient for a single user.
 - Wireless router that supports 802.11AC (minimum); cannot be more than 100 ft from router in most cases.
 - VPN is required for access to MGC's internal resources
 - VPN establishes an encrypted connection

- All MGC issued devices should be encrypted
 - Do not use random flash drives to store data
 - Create strong passwords (reference password policy for details)
 - Never write or list passwords easily accessible by other parties in the household
 - Avoid Public Wi-Fi
 - If needed, you must be on MGC's VPN
 - Maintain a "compliant" laptop
 - All firewall settings are turned-on
 - Patches and Updates should be performed as soon as notified, and not delayed for more than a day.
- Equipment supplied by the agency will be maintained by the agency. Equipment supplied by the MGC is to be used for business purposes only.
- The employee must sign an equipment sign-out form of all MGC property received and agreed to take appropriate action to protect agency equipment from damage or theft. The MGC accepts no responsibility for equipment supplied by the employee or for damage or repairs to such employee-owned equipment. Employees are responsible for coordinating with their managers to ensure that they have adequate equipment to perform their job functions properly during remote work. In some cases, the MGC may assist the employee with recommendations for specific equipment related to their work (e.g. monitors with specific connections, keyboard/mouse recommendation, docking station etc.) or provide limited equipment to the employee on a discretionary basis.
- The employee is expected to establish an appropriate work environment within their home for work purposes. The MGC will not be responsible for any costs associated with the setup of the employee's home office, including the setup or maintenance of appropriate internet access.
- Security: Consistent with the agency's expectations of information security for employees working at the office, all employees will be expected to ensure the protection of the proprietary or sensitive information accessible from their home office, or any other location where the employee is working remotely.
 - Employees working remotely are expected to utilize agency technology to ensure the security of digital records and information related to their work.
 - Employees working remotely are expected to protect and securely store any paper documents or notes related to their work by, for example, maintaining such documentation in a locked room or cabinet to sufficiently prevent access by non-employees.
 - If a temporary loss of internet/utility connection causes an employee to be unable to perform their duties remotely, that employee shall inform their immediate supervisor of the issue as promptly as possible. The supervisor should develop a

plan for continuous operations which may include going into the assigned work location or using vacation or personal time for the period of such interruption.

- Safety: Employees are expected to maintain their home workspace in a safe manner, free from safety hazards. Depending on the circumstances, an injury sustained by the employee in a home/remote office location that arises out of, and is suffered in the course of, the performance of their regular work duties may be covered by workers' compensation. Employees who work remotely are responsible for notifying the employer of such injuries as soon as practicable. The MGC will not be liable for injuries sustained by visitors to the employee's worksite, or for damage cause to the employee's home/remote worksite by visitors.
- Employees must return MGC-owned equipment, records, materials no later than the last day of employment.
- Employees will not leave devices or laptops in vehicles.

Procedures:

When working to create an arrangement, the employee, and the manager (with the assistance of HR, if necessary) will be expected to carefully consider and outline the following expectations in writing for submission to HR:

- What is expected of the employee: the manager and employee must develop a clear outline addressing the needs of the team, and the manager's expectations related to the employee's job responsibilities and workload, accountability, and communication.
- Scheduling: the employee will be expected to adhere to an agreed upon schedule that suits the needs of the department. Employees who need to deviate from this schedule at any point are required to notify their supervisor in a timely manner. At times, a manager may need to ask an employee to deviate from their schedule to meet the department or agency's needs on a given project or objective; in those cases, managers will provide as much notice as possible. Non-exempt employees will be paid overtime for any time worked in excess of 40 hours in a given week.

The proposed plan, as outlined in the written submission, shall be initially approved by the manager and/or division head and is subject to approval by the Executive Director or by the Commission in the case of the Executive Director.

Responsibility

Management, Executive Director, Human Resources



GAMING POLICY ADVISORY 2021 UPDATE



GAMING POLICY ADVISORY COMMITTEE

Meg Mainzer-Cohen
appointed chair by Gov. Baker
in Nov. 2020



- Held 3 meetings: Feb., June, Nov.
- Committee members approved research agenda for FY22
- Received updates on post-pandemic casino reopenings, Community Mitigation, racing integrity, sports betting legislation and other policy areas
- Subcommittees began reporting up
- Chair visited/toured MGM. Plans to expand property visits for committee members in 2022

- Chair Judd-Stein also on GPAC



SUBCOMMITTEE ON ADDICTION SERVICES

Mark Vander Linden elected
chair in October



- Launch meeting- Oct. 14
- Met twice – Dec. 7
- In process of gathering information and organizing priorities
- Three areas of focus:
 1. Examine casino marketing practices and explore recommendations to prevent practices that target vulnerable populations.
 2. Gather information about third-party casino exclusion and explore recommendations to the MGC.
 3. Review MGC and other research, identify other priorities the committee may consider in the future.

COMMUNITY MITIGATION SUBCOMMITTEE

Commissioner Hill is the newly elected chair



- Held 4 meetings
- May 2021- Reviewed results of 2021 Community Mitigation Fund (CMF) grant round, discussed issues facing the CMF.
- Sept – Nov 2021- met to provide input on outstanding policy questions. Reviewed and commented on draft and final CMF guidelines
- Region A and Region B Local Community Mitigation Advisory Committees also met 4 times to provide input on development of 2021 CMF guidelines

PUBLIC SAFETY SUBCOMMITTEE

Commissioner O' Brien is
current chair



- Meeting May 17, 2021
Assessing influence of gambling on public safety in MA (MGM/Encore)
- Discussion of CMF applications for public safety grants
- Fall meeting delayed . Awaiting OUI report
- One committee seat open



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Division of Racing

TO: Cathy Judd-Stein, Chair
Gayle Cameron, Commissioner
Bradford Hill, Commissioner
Eileen O'Brien, Commissioner

FROM: Alexandra Lightbown, Director of Racing

CC: Karen Wells, Executive Director
Todd Grossman, General Counsel

DATE: December 16, 2021

RE: Plainridge Revised Schedule Request

Dear Commissioners:

Plainridge Park Casino Director of Racing Steve O'Toole has submitted a request for approval of a revised schedule for the 2022 racing season, as he discussed at the November 9, 2021 Plainridge Park Racing License Application hearing. The schedule still has 110 days, which is above the statutory requirement for simulcasting. The changes take into account the regional racing circuit in an attempt to provide fuller race fields and race cards.

Recommendation: That the Commission approve the revised schedule for the 2022 racing season as requested by Plainridge Park in their December 9, 2021 letter.



Massachusetts Gaming Commission



PLAINRIDGE PARK
CASINO

December 9, 2021

Alexandra Lightbown
Director of Racing
Massachusetts Gaming Commission
101 Federal St.
Boston, MA 02110

Dear Director Lightbown,

Plainridge Park Casino respectfully requests approval of the enclosed revised racing schedule for the 2022 racing season. As discussed in the Plainridge Park 2022 Racing Licence Application hearing on November 9, 2021, the racing schedule has been adjusted to fit more cohesively with the regional racing circuit with hopes of providing adequate entries for full fields and race cards throughout the season. The revised racing schedule is of the same length and number of racing days as previously approved by the Commission and the dates are suitable for the time of year requested.

Sincerely,

Steve O'Toole

Steve O'Toole
Director of Racing
Plainridge Park Casino
Plainville Gaming and Redevelopment, LLC

2022 Plainridge Park Casino Calendar

April						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

May						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

June						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

July						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						




August						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

September						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

October						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

November						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

★ Sunday, July 24 ★
First Post 2:00pm ET
 Spirit of Massachusetts Trot
 Clara Barton Pace

-  4:00pm ET
-  2:00pm ET
-  1:00pm ET



Division of Racing

TO: Cathy Judd-Stein, Chair
Gayle Cameron, Commissioner
Bradford Hill, Commissioner
Eileen O'Brien, Commissioner

FROM: Alexandra Lightbown, Director of Racing

CC: Karen Wells, Executive Director
Todd Grossman, General Counsel

DATE: December 16, 2021

RE: Suffolk Downs Request for Premium Free Period for 2021

Dear Commissioners:

Suffolk Downs COO Chip Tuttle has submitted a request for approval of a Premium Free Period from October 9, 2021 through and including December 31, 2021. This is in accordance with Massachusetts General Laws Chapter 128C, Section 2 (5).

Recommendation: That the Commission approve the request of Suffolk Downs for a premium free period of October 9, 2021 through and including December 31, 2021.



Massachusetts Gaming Commission



December 7, 2021

Via email

Dr. Alex Lightbown
Director of Racing and Chief Veterinarian
Massachusetts Gaming Commission
alexandra.lightbown@massgaming.com

Re: Suffolk Downs' Request for 2021 Premium-Free Period

Dear Dr. Lightbown:

I write in accordance with Massachusetts General Laws ch. 128C, §2(5) with the annual request by Sterling Suffolk Racecourse, LLC (“Suffolk Downs”) for designation of its “premium-free” period with respect to interstate harness signals. As you know, when Suffolk Downs was hosting live racing, this designation was part of our annual application for live racing dates. Under existing statutes, Suffolk Downs is authorized to conduct simulcast wagering without any requirement that it also conduct live racing, and so I am writing separately with respect to the designation.

For 2021, Suffolk Downs asks that the Commission approve its designation of a premium-free period from October, 9, 2021 through December 31, 2021.

Thank you for your time and consideration.

Sincerely,

Chip Tuttle
Chief Operating Officer



Division of Racing

TO: Cathy Judd-Stein, Chair
Gayle Cameron, Commissioner
Bradford Hill, Commissioner
Eileen O'Brien, Commissioner

FROM: Alexandra Lightbown, Director of Racing

CC: Karen Wells, Executive Director
Todd Grossman, General Counsel

DATE: December 16, 2021

RE: Suffolk Downs Request for Premium Free Period for 2022

Dear Commissioners:

Suffolk Downs COO Chip Tuttle has submitted a request for approval of a Premium Free Period from October 9, 2022 through and including December 31, 2022. This is in accordance with Massachusetts General Laws Chapter 128C, Section 2 (5).

Recommendation: That the Commission approve the request of Suffolk Downs for a premium free period of October 9, 2022 through and including December 31, 2022.



Massachusetts Gaming Commission



December 6, 2021

Via email

Dr. Alex Lightbown
Director of Racing and Chief Veterinarian
Massachusetts Gaming Commission
alexandra.lightbown@massgaming.com

Re: Suffolk Downs' Request for 2022 Premium-Free Period

Dear Dr. Lightbown:

I write in accordance with Massachusetts General Laws ch. 128C, §2(5) with the annual request by Sterling Suffolk Racecourse, LLC ("Suffolk Downs") for designation of its "premium-free" period with respect to interstate harness signals. As you know, when Suffolk Downs was hosting live racing, this designation was part of our annual application for live racing dates. Under existing statutes, Suffolk Downs is authorized to conduct simulcast wagering without any requirement that it also conduct live racing, and so I am writing separately with respect to the designation.

For 2022, Suffolk Downs asks that the Commission approve its designation of a premium-free period from October, 9, 2022 through December 31, 2022.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Chip Tuttle". The signature is written in a cursive, flowing style.

Chip Tuttle
Chief Operating Officer



Division of Racing

TO: Cathy Judd-Stein, Chair
Gayle Cameron, Commissioner
Bradford Hill, Commissioner
Eileen O'Brien, Commissioner

FROM: Alexandra Lightbown, Director of Racing

CC: Karen Wells, Executive Director
Todd Grossman, General Counsel

DATE: December 16, 2021

RE: Suffolk Downs Request for Approval of Simulcast Import Locations

Dear Commissioners:

Suffolk Downs' Chief Operating Official Chip Tuttle has submitted a request for approval of simulcast import locations dated December 6, 2021. These locations usually are approved as part of a racing licensee's application for live racing. Under the current statuses, Suffolk is authorized to simulcast without conducting live racing. Suffolk Downs did not apply for live racing dates in 2022, necessitating a separate approval by the Commission.

Recommendation: That the Commission approves the Suffolk Downs request for approval of the simulcast import locations listed in their December 6, 2021 letter.



Massachusetts Gaming Commission



December 6, 2021

Via email

Dr. Alex Lightbown
Director of Racing and Chief Veterinarian
Massachusetts Gaming Commission
alexandra.lightbown@massgaming.com

Re: Suffolk Downs's Request for Approval of 2022 Simulcast Import Signals

Dear Dr. Lightbown:

I write to request that the Commission approve simulcast import signals for Sterling Suffolk Racecourse, LLC ("Suffolk Downs") for 2022. As you know, when Suffolk Downs was hosting live racing, this request was part of our annual application for live racing dates. Under existing statutes, Suffolk Downs is authorized to conduct simulcast wagering without any requirement that it also conduct live racing. We have nevertheless continued to seek Commission approval of our import signals each year.

Accordingly, Suffolk Downs asks that the Commission approve the simulcast import signals set forth in the enclosed attachment for purposes of simulcast wagering in 2022.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Chip Tuttle". The signature is written in a cursive, flowing style.

Chip Tuttle
Chief Operating Officer

enclosure

2022 Import	Type	Subordinate
AJAX DOWNS	Thoroughbred/Mixed Meet	
ALBURQUERQUE	Thoroughbred/Mixed Meet	
AQUEDUCT	Thoroughbred/Mixed Meet	
ARAPAHOE	Thoroughbred/Mixed Meet	
ARLINGTON	Thoroughbred/Mixed Meet	
ASSINIBOIA	Thoroughbred/Mixed Meet	
BELMONT	Thoroughbred/Mixed Meet	
BELTERRA	Thoroughbred/Mixed Meet	
BIRMINGHAM RACE COURSE	Greyhound	
BREEDERS CUP	Thoroughbred/Mixed Meet	
BREEDERS CUP FUTURE WAGER	Thoroughbred/Mixed Meet	
BREEDERS CUP SIRE FUTURE WAGER	Thoroughbred/Mixed Meet	
CALIFORNIA FAIRS	Thoroughbred/Mixed Meet	
CANTERBURY	Thoroughbred/Mixed Meet	
CENTURY DOWNS	Thoroughbred/Mixed Meet	
CHARLES TOWN	Thoroughbred/Mixed Meet	
CHURCHILL	Thoroughbred/Mixed Meet	
DEL MAR	Thoroughbred/Mixed Meet	
DELAWARE	Thoroughbred/Mixed Meet	
DELTA DOWNS	Thoroughbred/Mixed Meet	
DUBAI (Carnival & World Cup)	Thoroughbred/Mixed Meet	
ELLIS	Thoroughbred/Mixed Meet	
EMERALD	Thoroughbred/Mixed Meet	
EVANGELINE	Thoroughbred/Mixed Meet	
FAIRGROUNDS	Thoroughbred/Mixed Meet	
FAIRMOUNT	Thoroughbred/Mixed Meet	
FAIRPLEX	Thoroughbred/Mixed Meet	
FINGER LAKES	Thoroughbred/Mixed Meet	
FLAMBORO	Harness	
FONNER	Thoroughbred/Mixed Meet	
FORT ERIE	Thoroughbred/Mixed Meet	
FREEHOLD	Harness	
GOLDEN GATE	Thoroughbred/Mixed Meet	
GRAND RIVER RACEWAY	Thoroughbred/Mixed Meet	
GULFSTREAM	Thoroughbred/Mixed Meet	Latin American Racing as defined in Monarch Management contract
GULFSTREAM WEST	Thoroughbred/Mixed Meet	Latin American Racing as defined in Monarch Management contract
HARRAH'S @ PHILLY	Harness	
HARRINGTON	Harness	
HASTINGS	Thoroughbred/Mixed Meet	
HAWTHORNE	Harness	
HAWTHORNE	Thoroughbred/Mixed Meet	
HOOSIER	Harness	
INDIANA	Thoroughbred/Mixed Meet	
KEENEELAND	Thoroughbred/Mixed Meet	
KENTUCKY DERBY FUTURE WAGER	Thoroughbred/Mixed Meet	
KENTUCKY OAKS FUTURE WAGER	Thoroughbred/Mixed Meet	
KENTUCKY SIRE FUTURE WAGER	Thoroughbred/Mixed Meet	
KENTUCKY DOWNS	Thoroughbred/Mixed Meet	
LAUREL	Thoroughbred/Mixed Meet	Latin American Racing as defined in Monarch Management contract
LONE STAR	Thoroughbred/Mixed Meet	
LOS ALAMITOS	Thoroughbred/Mixed Meet	
LOUISIANA	Thoroughbred/Mixed Meet	
MAHONING VALLEY	Thoroughbred/Mixed Meet	
MEADOWLANDS	Thoroughbred/Mixed Meet	
MEADOWLANDS	Harness	
MEADOWS	Harness	
MOHAWK	Harness	
MONMOUTH	Thoroughbred/Mixed Meet	
MONTICELLO	Harness	
MOUNTAINEER	Thoroughbred/Mixed Meet	
NORTHFIELD	Harness	
NORTHLANDS	Thoroughbred/Mixed Meet	
OAKLAWN	Thoroughbred/Mixed Meet	
OCEAN DOWNS	Harness	
PARX (Philadelphia Park)	Thoroughbred/Mixed Meet	
PENN NATIONAL	Thoroughbred/Mixed Meet	
PIMLICO	Thoroughbred/Mixed Meet	Latin American Racing as defined in Monarch Management contract
PLAINRIDGE	Harness	
POCONO	Harness	

Receiving Track:
 Sterling Suffolk Racecourse, LLC
 525 McClellan Highway
 East Boston, MA 02128
 2022 Simulcast Import Request

Revised 11/26/2021

POMPANO	Harness	
PRAIRIE MEADOWS	Thoroughbred/Mixed Meet	
PRESQUE ISLE	Thoroughbred/Mixed Meet	
RED MILE	Harness	
REMINGTON	Thoroughbred/Mixed Meet	
RETAMA	Thoroughbred/Mixed Meet	
ROSECROFT	Harness	
RUIDOSO	Thoroughbred/Mixed Meet	
SAM HOUSTON	Thoroughbred/Mixed Meet	
SANTA ANITA	Thoroughbred/Mixed Meet	
SARATOGA	Thoroughbred/Mixed Meet	
SARATOGA	Harness	
SCIOTO DOWNS	Harness	
SOUTHLAND GREYHOUND PARK	Greyhound	
SUNLAND	Thoroughbred/Mixed Meet	
SUNRAY	Thoroughbred/Mixed Meet	
TAMPA BAY	Thoroughbred/Mixed Meet	
THISTLE DOWN	Thoroughbred/Mixed Meet	
TIMONIUM	Thoroughbred/Mixed Meet	
TIOGA DOWNS	Harness	
TRI-STATE GREYHOUND PARK	Greyhound	
TURF PARADISE	Thoroughbred/Mixed Meet	
TURFWAY	Thoroughbred/Mixed Meet	
VERNON	Harness	
WHEELING DOWNS	Greyhound	
WILL ROGERS DOWNS	Thoroughbred/Mixed Meet	
WOODBINE	Thoroughbred/Mixed Meet	
WOODBINE	Harness	
WOODLANDS	Thoroughbred/Mixed Meet	
YONKERS	Harness	
ZIA PARK	Thoroughbred/Mixed Meet	



December 6, 2021

Via email

Dr. Alex Lightbown
Director of Racing and Chief Veterinarian
Massachusetts Gaming Commission
alexandra.lightbown@massgaming.com

Re: Suffolk Downs's Request for Approval of 2022 ADW Vendors

Dear Dr. Lightbown:

I write in accordance with 205 CMR 6.20 to request that the Commission approve account wagering vendors for Sterling Suffolk Racecourse, LLC ("Suffolk Downs") for 2022.

Suffolk Downs seeks approval of 1/ST Bet (formerly known as XpressBet), TVG, Twin Spires, FanDuel Racing, NYRA Bets, and BetMGM as its 2022 account wagering providers. With the exception of BetMGM, the Commission has previously approved these vendors and they are already successfully operating in Massachusetts through Suffolk Downs.

Earlier this year, NYRA Bets entered into a licensing agreement with BetMGM, the sports wagering platform affiliated with MGM Resorts International, to provide horseracing content to BetMGM's users. We are seeking approval of BetMGM as an ADW service provider in anticipation that it will launch a BetMGM horse racing interface in the near future. NYRA Bets has informed us that wagering on horse racing through the BetMGM interface will operate on a parimutuel basis on the existing NYRA Bets infrastructure, utilizing NYRA Bets' tote, streaming, data, settlement and related operations

I am happy to provide any additional information or answer any questions you or the Commission may have in order to be able to act on this request. Thank you for your time and consideration,

Sincerely,

Chip Tuttle
Chief Operating Officer



MEMORANDUM

TO: Chair Judd-Stein and Commissioners Cameron, Hill, and O'Brien
FROM: Nakisha Skinner, Licensing Division Chief
DATE: December 10, 2021
RE: Gaming Service Employee (SER) Exemption Request: MGM Springfield

SUMMARY

The Licensing Division submits this request on behalf of MGM Springfield, a Category 1 licensee, to approve a service employee registration exemption for *Multimedia Designer*. The position will be responsible for design, typography, and layout trends. The Licensing Division supports the exemption.

VENDOR EMPLOYEE POSITION			
Job Profile Number	Position	Department	Property Access Level
10744	Multimedia Designer	Marketing	N ¹

BACKGROUND

On November 2, 2017 Governor Baker signed a statutory amendment which granted the Massachusetts Gaming Commission the authority to exempt certain "Gaming Service Employee" level job positions from the mandatory registration process. At the January 18, 2018 meeting, the Massachusetts Gaming Commission provided staff with a process for considering any potential exemptions. Additionally, the Commission endorsed the following factors for consideration when making exemption determinations:

¹ Access level "N" is described as: "No access to secure casino back-of-house without security escort."



Massachusetts Gaming Commission

- Work performed on the gaming floor
- Managerial responsibilities in any department
- Supervisory responsibilities in Human Resources, Sales and Marketing
- Responsibilities for alcohol sales, distribution, service, and/or storage
- Access to secure casino back-of-the house areas (including executive offices) without security escort
- Responsibilities for accounting and/or finance relating to the gaming establishment
- "Write" access to gaming-related casino databases
- Responsibilities that potentially impact the integrity of gaming operations, including access to confidential or sensitive information



Massachusetts Gaming Commission



MASSACHUSETTS GAMING COMMISSION

IDENTIFICATION OF POTENTIAL POSITIONS FOR EXEMPTION FROM THE REGISTRATION REQUIREMENT BY THE MGC

The Massachusetts Gaming Commission may exempt a job position from categorization as a gaming service employee. See G.L. c. 6, § 172(o); 205 CMR 134.03(4).

GAMING LICENSEE: Blue Tarp reDevelopment, LLC (dba MGM Springfield)

JOB POSITON (AND UNIQUE JOB CODE): Multimedia Designer 10744

JOB DESCRIPTION	EFFECTIVE DATE OF JOB DESCRIPTION: 11/01/2021
See Attached	<i>(The Licensee shall immediately notify the Bureau of changes to any job description for an exempted position.)</i>

(Continue to Page 2)

GAMING LICENSEE CERTIFICATION

The Commission considers the following non-exhaustive list of factors when determining whether or not to exempt a job position. Please indicate information about each factor for the position that has been identified as potentially eligible for exemption.

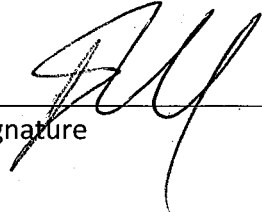
JOB POSITON (AND UNIQUE JOB CODE): Multimedia Designer 10744

FACTOR	DESCRIPTION / EXPLANATION
Work performed on gaming floor	None
Managerial responsibilities in any department	None
Supervisory responsibilities in Human Resources or Sales and Marketing	None
Responsibilities for alcohol sales, distribution, service, and/or storage	None
Access to secure casino back-of-the house areas (including executive offices) without security escort	Access Level: N No access to secure casino BOH without security escort
Responsibilities for accounting and/or finance relating to the gaming establishment	None
"Write" access to gaming-related casino databases	None
Responsibilities that potentially impact the integrity of gaming operations, including access to confidential or sensitive information	None
Other (please set forth other relevant information for exemption consideration)	Marketing role that reports to a position currently identified as exempt from licensing.

(Continue to Page 3)

JOB POSITON (AND UNIQUE JOB CODE): Multimedia Designer 10744

The undersigned states that the information herein is true and accurate.



Signature

/ Jason Randall
/ Printed Name

11/02/2021

Date

Job Profile #:	10744	Grade:	9
Job Profile Title:	Designer Multimedia I	FLSA Status:	Non-exempt
Position Title:	Multimedia Designer	Uniform Requirement (Yes/No):	

Become one of the stars behind The SHOW and become part of the world's most powerful entertainment brands. Our Company has one exciting mission: ***To entertain the human race.***

PRIMARY PURPOSE:

As a Multimedia Designer, you will be responsible for design trends. You will also set the stage for guest experience with your welcoming smile and service. By understanding their unique stories and needs, you will own their experience to create **WOW** memories they will carry with them far and beyond their stay with us.

PRINCIPAL DUTIES AND RESPONSIBILITIES:

- Knowledgeable of the latest design, typography and layout trends
- Knowledgeable of the latest design trends and best practices for application-based interfaces across many types of devices
- Ability to take ideas and direction of the Sr. Designer through the entire project life cycle
- Maintain applications and related content in a high profile production environment
- Organize and maintain Multimedia Services archives and libraries
- Perform other job-related duties as requested

SUPERVISION:

None

MINIMUM REQUIREMENTS:

- Two (2) years of experience designing for application-based interfaces
- High school diploma or equivalent
- Work varied shifts, to include weekends and holidays

PREFERRED:

- Two (2) year degree
- Experience working in a similar resort setting
- Knowledgeable of Object Oriented principles and design patterns

CERTIFICATIONS, LICENSES, REGISTRATIONS:**KNOWLEDGE, SKILLS, AND ABILITIES:**

- General knowledge of compatibility requirements between design and development of an application.
- Working knowledge of appropriate file formats.
- Working knowledge of user experience and interactive design, and the variations between web, mobile and desktop applications.
- General understanding and application of graphic design for print, web and video.
- Experience and strong knowledge of Adobe Creative Suite 5 or above (primarily Photoshop and Illustrator).
- Knowledgeable of HTML, CSS, Flash, AS3, Mac OS X, Linux and Windows operating systems
- Able to effectively communicate in English, in both written and verbal forms
- Ability to read and write proficiently to evaluate reports, correspondence and statistical information



- Proficiency of computer software to include Outlook, MS Word, Excel, and PowerPoint as well as office equipment, i.e. telephone, copier, fax machine
- Excellent organizational skills to function effectively under time constraints and within established deadlines, with particular attention to detail
- Excellent customer service skills and interpersonal skills to effectively communicate with all business contacts

WORKING CONDITIONS:

*This is not intended to include every duty or responsibility of the job nor is it intended to be an all-inclusive list of the skills and abilities required to do this job.

This position may require strenuous physical activities and exposure to pipe, cigar and/or cigarette smoking. An ability to work a flexible schedule, including extended hours, weekends and holidays may also be required.

If you are an individual with a disability and need a reasonable accommodation for any part of the application process, or to perform the essential functions of a position, please click the following link: <http://www.mgmresortscareers.com/careers/contact-us.aspx>

We are an Equal Opportunity Employer. We are also committed to protecting the privacy of visitors to our employment application site, including the protection of any personal information provided to us. For more information about MGM Resorts International, including our privacy policy and commitment to diversity and inclusion, please visit <http://www.mgmresortscareers.com/>.



TO: Cathy Judd-Stein, Chair
Gayle Cameron, Commissioner
Brad Hill, Commissioner
Eileen O'Brien, Commissioner

FROM: Nakisha Skinner, Chief of Licensing Division

DATE: December 13, 2021

RE: Gaming Beverage License Amendment Application: Encore Boston Harbor

Summary of Gaming Beverage License Amendment Request

The attached Gaming Beverage License Amendment Application from Encore Boston Harbor (Encore) is presented to the you for consideration and approval. The proposed new licensed area is the Black Tier Lounge. The application contains all the elements as required by 205 CMR 136.04(2). Black Tier Lounge is operated by Encore.

Conclusion & Recommendation

Under 205 CMR 136.03 the Licensing Division is responsible for forwarding the completed application to the Commission (see attached application, with floorplan), with a recommendation regarding approval. The Gaming Agents Division has inspected the secure nature of the proposed area where alcoholic beverages will be stored. In addition, the Gaming Agents Division has confirmed the adequacy of the surveillance coverage of the affected areas. Accordingly, **the Licensing Division recommends that the Commission approve this amendment request.**



Massachusetts Gaming Commission



GAMING BEVERAGE LICENSE AMENDMENT APPLICATION FORM

REASON FOR FILING AMENDMENT REQUEST

NAME OF GAMING LICENSEE

Wynn MA, LLC dba Encore Boston Harbor

ADDRESS OF GAMING ESTABLISHMENT

One Broadway, Everett, MA 02149

NAME OF CONTACT INDIVIDUAL FOR PURPOSES OF THE PROCESS

Juliana Catanzariti, Executive Director - Legal

CONTACT INDIVIDUAL TELEPHONE NUMBER AND EMAIL ADDRESS

(857) 770-7524; juliana.catanzariti@encorebostonharbor.com

NAME AND LICENSE NUMBER OF LICENSED AREA YOU ARE REQUESTING TO AMEND

Wynn MA, LLC dba Encore Boston Harbor, License No. MGCGBL3

REASON FOR FILING AMENDMENT REQUEST (PLEASE CHECK THE APPLICABLE BOX)

- | | |
|--|--|
| <input checked="" type="checkbox"/> NEW LICENSED AREA | <input type="checkbox"/> DESCRIPTION OF LICENSED AREA |
| <input type="checkbox"/> CHANGE IN CAPACITY | <input type="checkbox"/> ALCOHOL STORAGE |
| <input type="checkbox"/> JOINTLY RESPONSIBLE PERSON | <input type="checkbox"/> CHANGE OF HOURS |

FEE

The fee for an application to amend a gaming beverage license is **\$100.00**

LICENSED AREAS

A licensed area is a specific, limited, and defined space within a gaming establishment wherein the sale, distribution, or storage of alcoholic beverages to be drunk on the premises is permitted pursuant to a gaming beverage license. A licensed area amendment application must be submitted for each area of the gaming establishment that the gaming licensee desires to have designated as a licensed area and/or storage area.

A floor plan of the gaming establishment indicating the location of each licensed area identified below, and a diagram of each licensed area, must accompany the submission of this amendment application. If alcoholic beverages will be stored outside of a licensed area, storage areas must be identified on the floor plan.

IMPORTANT INFORMATION

The Massachusetts Public Records Law (Law), <http://www.sec.state.ma.us/pre/preidx.htm> found in Chapter 66, Section 10 of the Massachusetts General Laws, applies to records made or received by a Massachusetts governmental entity. Unless the requested records fall under an exemption to the Law, the responsive documents must be made available to the requester. A list of exemptions may be found in Chapter 4, Section 7(26) of the Massachusetts General Laws.

LICENSED AREA

NAME OF LICENSED AREA

Black Tier Lounge

DESCRIPTION OF AMENDED LICENSED AREA

DESCRIPTION OF THE AMENDED LICENSED AREA INCLUDING BUT NOT LIMITED TO: BUSINESS CONCEPT, DESCRIPTION OF AREA INCLUDING WHETHER THE AREA IS CLOSED OR OPEN SPACE, NUMBER AND LOCATION OF ALCOHOLIC BEVERAGE DISPENSING AREAS, AND PLACEMENT OF EXITS.

(NOTE: A FLOOR PLAN OF THE LICENSED AREA DEPICTING THESE INDIVIDUAL ELEMENTS SHALL BE ATTACHED).

NUMBER AND/OR COLOR OF AREA ON FLOOR PLAN: Please see attached Appendix.

HOURS OF OPERATION

Sun.-Thurs., 2:00 p.m. -12:00 a.m.; Fri.-Sat., 2:00 p.m. - 2:00 a.m.

CAPACITY OF LICENSE AREA

104

WILL YOU PROVIDE BOTTLE SERVICE? YES NO IF YES, PLEASE ELABORATE

ALCOHOL STORAGE

DESCRIBE THE MANNER IN WHICH ALCOHOLIC BEVERAGES WILL BE STORED AND SECURED WHEN LICENSED AREA IS NOT IN USE. (IF STORAGE AREA IS OUTSIDE OLF LICENSED AREA, THIS STORAGE AREA SHALL BE DEPICTED ON THE FLOOR PLAN).

Please see attached Appendix.

NAME AND EMPLOYEE LICENSE/REGISTRATION NUMBER OF MANAGER OF LICENSED AREA

Joseph Leibowitz (Gaming License Number: LGKS20-0057)

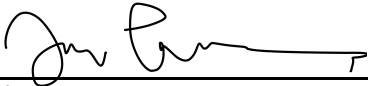
JOINTLY RESPONSIBLE PERSON

IDENTIFY THE JOINTLY RESPONSIBLE PERSON (IF ANY) FOR THE LICENSED AREA BY NAME, CONTACT INFORMATION, VENDOR LICENSE OR REGISTRATION NUMBER, AND ATTACH EVIDENCE THAT THE LICENSEE MAINTAINS AUTHORITY OVER THE JOINTLY RESPONSIBLE PERSON.

N/A

ATTESTATION

I Juliana Catanzariti, hereby affirm under the pains and penalties of perjury that the information contained in this application, including all attachments, is true and accurate to the best of my knowledge and understanding.



Signature

Juliana Catanzariti

Print Name

Executive Director - Legal

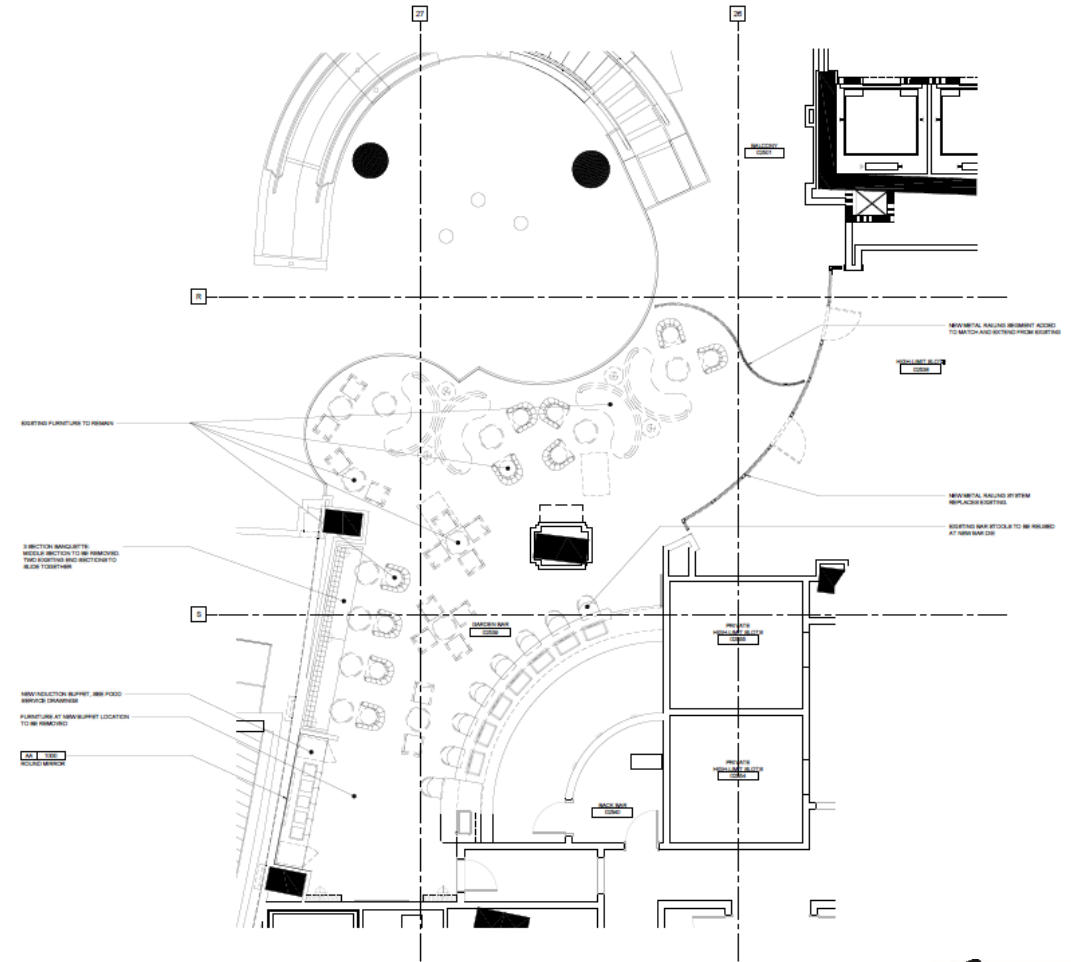
Title

December 2, 2021

Date

BLACK TIER LOUNGE

- **BUSINESS CONCEPT:** Complimentary food and beverage lounge for Black Tier Wynn Rewards members to feature bar-top video poker machines.
- **DESCRIPTION:** Buffet-style hot and cold food offerings in a self-service setting. Beer, wine, liquor and non-alcoholic beverages available at walk-up bar or through butler service. All offerings are complimentary. Located in the former Garden Lounge area.
- **NORMAL HOURS OF OPERATION:** Sunday through Thursday, 2:00 p.m. - 12:00 a.m.; Friday and Saturday, 2:00 p.m.- 2:00 a.m.
- **HOURS OF PERMITTED ALCOHOL SERVICE:** 8:00 a.m. - 4:00 a.m.
- **CAPACITY:** 104
- **ALCOHOL DISPENSING AREA:** Distributed from the bar by servers to guests; distributed from the bar by servers to butlers and delivered by butlers to guests.
- **BOTTLE SERVICE:** Not applicable.
- **STORAGE and SECURITY:** All red wine and alcohol will be locked in back-of-house liquor cage located behind the bar, beer and white wine will be locked in secure refrigerators. Liquor displayed on the back bar will be moved to secure liquor cage upon closing. The point-of-sale system automatically disables alcoholic beverage buttons at 4:00 a.m. All areas are under 24-hour camera surveillance and are enclosed.
- **MANAGER OF LICENSED AREA:** Joseph Leibowitz, Executive Director – F&B and Culinary Operations (Gaming License Number: LGKS20-0057).





TO: Chair Cathy Judd-Stein and Commissioners Eileen O'Brien, Gayle Cameron and Bradford Hill

FROM: Joseph Delaney and Mary Thurlow

CC: Karen Wells, Executive Director

DATE: December 9, 2021

RE: Everett Transportation Planning Grant Request

The City of Everett seeks to repurpose \$34,950.53 remaining from its 2017 Transportation Planning Grant to develop alternatives for the installation of a bus lane on lower Broadway.

Background

In 2017, the City of Everett was awarded a Transportation Planning Grant in the amount of \$150,000 to study the inclusion of a bus-only lane on the west side of Broadway from Sweetser Circle to the Boston City Line. This project was completed under budget because the City was able to utilize some of the Encore casino roadway design that was occurring simultaneously.

In 2019, the Commission awarded a joint Transportation Planning Grant to Everett and Somerville to study a possible extension of the Silver Line from its current terminus in Chelsea through Everett to Sullivan Square. This study looked at the use of lower Broadway in Everett as part of that route.

Recently, Encore has proposed developing the parcels across Broadway from Encore Boston Harbor. As part of this proposal, they have agreed to donate to the City of Everett a strip of land along the east side of Broadway to provide additional right-of-way to accommodate bus lanes and/or a Silver Line extension. This donation of right-of-way gives Everett the opportunity to re-think some of the earlier proposals for a bus lane on lower Broadway.

Purposes Identified in the Grant Request

Everett would like to use the remaining funds from the 2017 Grant to develop several alternatives for bus accommodations along lower Broadway, including the possibility of center bus lanes.



Massachusetts Gaming Commission

Staff Recommendation

Since the proposed work is really an extension and refinement of work done under the 2017 and 2019 Transportation Planning Grants, MGC staff recommends that the Commission approve Everett's request to use \$34,950.53 remaining from the 2017 Grant for the purposes outlined in its application. Following the Commission's approval, Commission staff will execute the necessary grant agreement and State contract with the City of Everett.



Massachusetts Gaming Commission

205 CMR: MASSACHUSETTS GAMING COMMISSION

205 CMR 134.00: LICENSING AND REGISTRATION OF EMPLOYEES, VENDORS, JUNKET ENTERPRISES AND REPRESENTATIVES, AND LABOR ORGANIZATIONS

134.01: Key Gaming Employee Licenses

No individual shall be employed by or perform services for a gaming licensee as a key gaming employee, as defined by M.G.L. c. 23K, § 2, unless the individual has been licensed in accordance with M.G.L. c. 23K, § 30 and 205 CMR 134.00. There shall be two categories of key gaming employee licenses: key gaming employee-executive and key gaming employee-standard.

(1) An individual holding one of the following positions, and any person in a similar or equivalent position, regardless of job title, whose employment relates to gaming shall be designated as a key gaming employee-executive:

- (a) Assistant General Manager;
- (b) Chief Internal Audit Officer;
- (c) Gaming Manager;
- (d) Chief Financial Officer;
- (e) Chief of Security;
- (f) General Manager;
- (g) Chief Surveillance Officer;
- (h) Chief Compliance Officer;
- (i) Principal executive Officer;
- (j) Principal operating Officer;
- (k) Principal accounting Officer;
- (l) Chief Information Officer;
- (m) Other executive level employees who are not identified as a key gaming employee-standard in accordance with 205 CMR 134.01(2) as determined by the commission.

(2) An individual holding one of the following positions, and any person in a similar or equivalent position, regardless of job title, whose employment relates directly to a gaming establishment shall be designated as a key gaming employee-standard:

- (a) Controller;
- (b) Electronic gaming device or slot machines manager;
- (c) Human resources manager;
- (d) Information technology manager;
- (e) Pit boss;
- (f) Shift supervisor of table games, of a slot department, credit department, security, surveillance, accounting department, cage, or player development;
- (g) Credit manager;

- (h) Cage manager;
- (i) Hotel Manager;
- (j) Entertainment Director;
- (k) Food & Beverage Manager;
- (l) Other managerial employees who are not identified as a key gaming employee-executive in accordance with 205 CMR 134.01(1), but who are empowered to make discretionary decisions which impact gaming establishment operations, or as determined by the commission;
- (m) Junket representative not employed by a gaming licensee or affiliate of the gaming licensee or a junket enterprise licensed as a gaming vendor in accordance with 205 CMR 134.00.

(3) Any individual who is a qualifier of a gaming licensee but who does not perform any of the duties of the positions identified in 205 CMR 134.01(1)(a) or (b) does not have to become licensed as a key gaming employee. Such individual does have to be approved as a qualifier and issued a positive determination of suitability in accordance with 205 CMR 111.00: *Phase I Application Requirements*, 205 CMR 115.00: *Phase I Suitability Determination, Standards and Procedures*, and 205 CMR 116.00: *Persons Required to Be Licensed or Qualified*. An individual who has been issued a positive determination of suitability in accordance with 205 CMR 111.00: *Phase I Application Requirements* and who will be performing the responsibilities requiring licensure as a key gaming employee shall apply for licensure in accordance with 205 CMR 134.08(2) subject to the term limitation of 205 CMR 134.16(4).

(4) ~~From the date operations are recommenced after any period of suspension or during any emergency situation as defined in 205 CMR 109.00, a~~ A gaming licensee may temporarily allow, subject to approval by the Bureau, individuals who are employed at a gaming property which is owned and/or operated by it, its parent, or an affiliated company to assist with gaming establishment strategy, ~~and/or~~ operation, ~~and/or~~ employee training for up to 60 days without those individuals having to become licensed or registered in accordance with 205 CMR 134.00, provided that the gaming licensee does the following:

- (a) Supplies the Bureau a reasonable time in advance of arrival with the name of the individual; the name of the gaming property at which they are employed; their position at the gaming property at which they are employed; a description of the reason for the individual being at the gaming establishment, including the services to be performed, the anticipated duration of their stay, and any other information requested by the Bureau;
- (b) Ensures all individuals performing services under 205 CMR 134.01(1) or 134.01(2) carry identification and wear a badge issued by the gaming licensee that is distinguishable from those that are issued to employees of the gaming establishment and that is clearly visible at all times while at the gaming establishment;
- (c) If the individual is licensed, certified, or otherwise approved for employment by the jurisdiction which the gaming property in which they are employed is located, an individual licensed as a key gaming employee in accordance with 205 CMR 134.00 shall attest in writing that the individual is in good standing in that jurisdiction; and

(d) Ensures that the individual is accompanied by an individual who is licensed or registered in accordance with 205 CMR 134.00 anytime they are in a restricted area of the gaming establishment.

(5) The Commission, upon recommendation from the Division of Licensing and the Bureau, may extend the period of allowance set forth in 205 CMR 134.01(4) for a period not to exceed six months ~~from the date operations are recommenced after any period of suspension or for the duration of any emergency situation as defined in 205 CMR 109.00~~ following consideration of the gaming licensee's written explanation of need, continuing training plan, and expected duration. ~~Consistent with the policy objectives of G.L. c. 23K, an extension under this section shall not be granted to any individual or for any position for more than one six month period in an 18 month period.~~

205 CMR: MASSACHUSETTS GAMING COMMISSION

205 CMR 134.00: LICENSING AND REGISTRATION OF EMPLOYEES, VENDORS,
JUNKET ENTERPRISES AND REPRESENTATIVES, AND LABOR ORGANIZATIONS

205 CMR 134:00: LICENSING AND REGISTRATION OF EMPLOYEE

134.02: Gaming Employee Licensees

(1) No individual shall be employed by or perform services for a gaming licensee as a gaming employee, as defined by M.G.L. c. 23K, § 2, unless the individual has been licensed in accordance with M.G.L. c. 23K, § 30, and 205 CMR 134.00. An individual holding one of the following positions, and any person in a similar or equivalent position, regardless of job title, shall be designated as a gaming employee:

- (a) Boxpersons;
- (b) Cashiers;
- (c) Change personnel;
- (d) Clerks;
- (e) Count room personnel;
- (f) Data processing personnel;
- (g) Dealers and croupiers;
- (h) Floorpersons;
- (i) Gaming Hosts;
- (j) Internal audit and accounting personnel whose duties include reviewing, verifying, and recording gaming revenue entries, the processing or control of active accounting documents related to gaming activity, or that have access to active accounting documents related to gaming activity;
- (k) An individual who is directly connected to the operation or maintenance of a slot machine or game taking place in a gaming establishment (whether employed by the gaming licensee or a vendor licensed in accordance with 205 CMR 134.00);
- (l) Personnel authorized to extend complimentary services, including employees performing functions similar to those performed by a junket representative;

(m) Junket representative employed by the gaming licensee or affiliate of the gaming license or a junket enterprise licensed as a gaming vendor in accordance with 205 CMR 134.00;

(n) Personnel authorized to issue credit;

(o) Personnel authorized to issue promotional play including persons who identify patrons or groups of patrons who shall receive complimentaries based on actual patron play, authorize such complimentaries, or determine the amount of such complimentaries;

(p) Personnel with security administrator access to a slot machine tracking system;

(q) Security personnel, including guards and game observers, or an employee with knowledge of security procedures of the gaming establishment;

(r) Surveillance personnel, including surveillance equipment maintenance and repair technicians (whether employed by the gaming licensee or a vendor licensed in accordance with 205 CMR 134.00);

(s) Any employee who conducts or participates in the conduct of gaming, who participates in the transfer or handling of chips, tokens or money, or who participates in audit or accounting functions;

(t) Any employee who has access to a restricted area of a gaming establishment;

(u) A person who supervises a person required to be licensed as a gaming employee in accordance with 205 CMR 134.02; and

(v) An employee of a gaming licensee whom the Bureau deems necessary to be licensed to ensure compliance with the M.G.L. c. 23K, and 205 CMR, and to protect the public and ensure the credibility and integrity of gaming in the Commonwealth.

~~(2) From the date operations are recommenced after any period of suspension or during any emergency situation as defined in 205 CMR 109.00, a~~ A gaming licensee may temporarily allow, subject to approval by the Bureau, individuals who are employed at a gaming property which is owned and/or operated by it, its parent, or an affiliated company to assist with gaming establishment strategy, ~~and/or~~ operation, ~~and/or~~ employee training for up to 60 days without those individuals having to become licensed or registered in accordance with 205 CMR 134.00, provided that the gaming licensee does the following:

(a) Supplies the Bureau a reasonable time in advance of arrival with the name of the individual; the name of the gaming property at which they are employed; their position at the gaming property at which they are employed; a description of the reason for the

individual being at the gaming establishment, including the services to be performed, the anticipated duration of their stay, and any other information requested by the Bureau;

(b) Ensures all individuals performing services under 205 CMR 134.02 carry identification and wear a badge issued by the gaming licensee that is distinguishable from those that are issued to employees of the gaming establishment and that is clearly visible at all times while at the gaming establishment;

(c) If the individual is licensed, certified, or otherwise approved for employment by the jurisdiction which the gaming property in which they are employed is located, an individual licensed as a key gaming employee in accordance with 205 CMR 134.00 shall attest in writing that the individual is in good standing in that jurisdiction; and

(d) Ensures that the individual is accompanied by an individual who is licensed or registered in accordance with 205 CMR 134.00 anytime they are in a restricted area of the gaming establishment.

(3) The Commission, upon recommendation from the Division of Licensing and the Bureau, may extend the period of allowance set forth in 205 CMR 134.01(4) for a period not to exceed six months ~~from the date operations are recommenced after any period of suspension or for the duration of any emergency situation as defined in 205 CMR 109.00~~ following consideration of the gaming licensee's written explanation of need, continuing training plan, and expected duration. ~~Consistent with the policy objectives of G.L. c. 23K, an extension under this section shall not be granted to any individual or for any position for more than one six month period in an 18 month period.~~

Regulation Review Checklist

Agency Contacts for This Specific Regulation		
Name	Email	Phone
Carrie Torrasi		
Loretta Lillios		
Overview		
CMR Number	205 CMR 134.01 205 CMR 134.02	
Regulation Title	Key Gaming Employee Licensees Gaming Employee Licensees	
<input type="checkbox"/> Draft Regulation		<input checked="" type="checkbox"/> Final Regulation
Type of Proposed Action		
✓ Please check all that apply		
<input type="checkbox"/> Retain the regulation in the current form.		
<input type="checkbox"/> New regulation (Please provide statutory cite requiring regulation):		
<input type="checkbox"/> Emergency regulation (Please indicate the date regulation must be adopted):		
<input checked="" type="checkbox"/> Amended regulation (Please indicate the date regulation was last revised): 2/19/21		
<input type="checkbox"/> Technical correction		
<input type="checkbox"/> Other Explain:		

Summary of Proposed Action
The proposed amendment will allow the licensee to bring in staff from a sister property to serve as Key Gaming Employees and Gaming Employees for training and other similar purposes without requiring licensure.
Nature of and Reason for the Proposed Action
The purpose of this amendment is to cover any short-term staffing needs as well as to allow the licensees to use a shared service model by having out-of-state staff perform training and similar functions.

Regulation Review Checklist

Additional Comments or Issues Not Earlier Addressed by this Review	
Required Attachments	
✓ Please check all that apply	
<input checked="" type="checkbox"/> Redlined version of the proposed amendment to the regulation, including repeals	<input type="checkbox"/> Clean copy of the regulation if it is a new chapter or if there is a recommendation to retain as-is
<input type="checkbox"/> Text of statute or other legal bases for regulation	
<input type="checkbox"/> Small Business Impact Statement (SBIS)	<input checked="" type="checkbox"/> Amended SBIS



Legal Division

AMENDED SMALL BUSINESS IMPACT STATEMENT

The Massachusetts Gaming Commission (“Commission”) hereby files this amended Small Business Impact Statement in accordance with G.L. c.30A, § 5 relative to the proposed amendments to **205 CMR 134.01: Key Gaming Employee Licensees and 205 CMR 134.02: Gaming Employee Licensees**, for which a public hearing was held on December 16, 2021.

205 CMR 134.01 and 134.01 were developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth. The proposed amendments to the regulations will allow the gaming licensees to bring in staff from a sister property to perform training and other similar functions without requiring licensure. This regulation is governed largely by G.L. c. 23K, §4(28), 5.

The amendment to 205 CMR 134.01 and 134.02 apply to the gaming licensees and employees. Accordingly, this regulation is unlikely to have an impact on small businesses.

In accordance with G.L. c.30A, §5, the Commission offers the following responses on whether any of the following methods of reducing the impact of the proposed regulation on small businesses would hinder achievement of the purpose of the proposed regulation:

1. Establishing less stringent compliance or reporting requirements for small businesses:

As a general matter, no small businesses will be negatively impacted by this amendment as it solely relates to licensees and their employees. Accordingly, there are no less stringent compliance or reporting requirements for small businesses.

2. Establishing less stringent schedules or deadlines for compliance or reporting requirements for small businesses:

There are no schedules or deadlines for compliance or reporting requirements by this amendment.

3. Consolidating or simplifying compliance or reporting requirements for small businesses:

This amendment does not impose any reporting requirements.

4. Establishing performance standards for small businesses to replace design or operational standards required in the proposed regulation:



Massachusetts Gaming Commission

There are no design or operational standards required in the proposed amendment.

5. An analysis of whether the proposed regulation is likely to deter or encourage the formation of new businesses in the Commonwealth:

This amendment is not likely to deter or encourage the formation of new businesses in the Commonwealth as it is limited in its likely impact on the business community.

6. Minimizing adverse impact on small businesses by using alternative regulatory methods:

This amendment does not create any adverse impact on small businesses.

Massachusetts Gaming Commission
By:

/s/ Carrie Torrasi
Carrie Torrasi
Associate General Counsel
Legal Division

Dated: December 9, 2021



Massachusetts Gaming Commission



TO: Chair Judd-Stein and Commissioners Gayle Cameron, Eileen O'Brien, Brad Hill
FROM: Karen Wells, Executive Director and Crystal Howard, Chief Administrative Officer
to the Chair and Special Projects Manager

DATE: December 16, 2021

RE: 2021 Regulatory Review Process

Background

The Commission has directed the agency to conduct a review and assessment of all its regulations to ensure fairness, ease of navigation and to reduce unnecessary regulatory burden. The goals for evaluating the regulations are:

- Ensure regulations are clear, well written and understandable
- Eliminate duplicative or contradictory requirements
- Eliminate unnecessary and minimize overly burdensome requirements
- Ensure reporting requirements are necessary and provided information is used by regulatory agency
- Eliminate barriers to equity and inclusion

Process update

To create a more efficient process, each division will be asked to individually identify the regulations applicable to its operations and conduct an initial review of those regulations on a "rolling basis." Once a regulation has been reviewed, each division will use an electronic form located on SharePoint to document and track the process. Submitting the form will acknowledge the review of a regulation and indicate whether this regulation has been deemed as "no change necessary" or "review is required." The form includes the ability to identify the goals/criteria requiring a review, upload the regulation, provide an explanation for flagging the regulation and offer recommendations for modification. We will conduct a training session for the applicable staff on how to access and complete the electronic form.

Once a form has been submitted, the appointed monitor will review the form to determine a working group for of key stakeholders (internal and external) to engage in the process and help identify areas of opportunity and priority review (if such review has been deemed necessary.) A working group may consist of executive staff who submitted the regulation, member(s) of MGC's legal team, licensees, and/or additional member(s) of the staff with no direct involvement in the regulation who may be able to assist with input and processes, having experience or expertise related to the identified nature of the review.

All revisions to regulations will be promulgated in the manner prescribed by statute and filed with the Secretary of State as required.



Massachusetts Gaming Commission

101 Federal Street, 12th Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.725.0258 | www.massgaming.com