

MISSISSIPPI GAMING COMMISSION REGULATION

II. LICENSING

J. Gaming Employees

Section 7. Employee Report.

- (a) Annually, on or before the 1st of July, each licensee shall submit an ~~employee report~~ “Annual Employee Report” to the Executive Director on a form to be furnished by the Executive Director. The report shall identify every individual who is directly or indirectly engaged in the administration or supervision of the gaming operations or physical security activities of such licensee. The following classes of gaming employees are presumed to be actively and directly engaged in the administration or supervision of gaming:
- (1) All individuals who are compensated in any manner in excess of ~~\$60,000~~ \$75,000 per annum;
 - (2) All individuals who may approve or extend gaming credit in any amount, or whose recommendations in this regard are ordinarily sought or followed;
 - (3) All individuals who have authority to hire or terminate gaming employees;
 - (4) All individuals who have the authority to supervise or direct a shift of any gaming or security activity, including but not limited to supervision or direction of the pit area, keno games, slot machines, or any persons having authority to supervise or direct such persons;
 - (5) All individuals who ~~regularly participate in the count more frequently than one (1) day in each week or who actually participate in the count more than ten (10) days in any thirty-day period~~ supervise the count teams and all individuals responsible for directing each shift involving a count team;
 - (6) All individuals who may approve or extend to casino patrons complimentary house services other than beverages only;
 - (7) All individuals who supervise or direct other employees engaged in the control of gaming assets and revenues and record keeping, including the recording of cash and evidences of indebtedness, and the maintenance, review or control of the records, accounts, and reports of transactions which are required to be kept pursuant to these regulations;
 - (8) Any individual who has been specifically represented to the Executive Director or Commission by a licensee or any officer or director thereof as being important or necessary to the operation of the gaming establishment;
 - (9) All persons who individually or as part of a group formulate management policy.

- (b) The ~~annual report~~ “Annual Employee Report” shall also include a description of the gaming duties, casino responsibilities, and casino authority delegated to each individual identified in the report, if requested by the Investigations Division of the Commission.
- (c) Any changes, additions, or deletions to any information contained within the annual employee report which occurs subsequent to the filing of the report and prior to the filing of the report for the next calendar year shall be reported to the Executive Director in writing no less than ten (10) days after the end of the calendar quarter during which the change, addition, or deletion occurred.
- (d) The Annual Employee Report and subsequent reports of changes, additions, or deletions shall be confidential and may not be disclosed except upon order of the Commission or pursuant to the terms of ~~Section 77~~ Mississippi Code Annotated §75-76-153 of the Act.

Section 8. Key Employees.

- (a) Any executive, employee, or agent of a gaming licensee having the power to exercise a significant influence over decisions concerning any part of the operation of a gaming licensee or who is listed or should be listed in the annual employee report is a key employee.
- (b) Whenever it is the judgment of the Commission that the public interest and the policies set forth in the Act will be served by requiring any key employee to be licensed, the Commission shall serve notice of such determination upon the licensee. The Commission shall not be restricted by the title of the job performed but shall consider the functions and responsibilities of the person involved in making its decision as to key employee status. Grounds for requiring licensing of a key employee which are deemed to serve the public interest and the policies of the Act include but are not limited to the following:
 - (1) The key employee is new to the industry, to the particular gaming establishment, the position, or the level of influence or responsibility which he has and the Commission has little or outdated information concerning his character, background, reputation or associations; or
 - (2) Information has been received by the Commission which, if true, would constitute grounds for a finding of unsuitability to be associated with a gaming enterprise.
- (c) The licensee shall, within thirty (30) days ~~following receipt of the notice of the Commission's determination, of placing an employee into a key position,~~ present the application for licensing of the key employee to the Executive Director or provide documentary evidence that such key employee is no longer employed by the licensee. Failure of the licensee to respond as required by this section shall constitute grounds for disciplinary action.
- (d) Any individual whose application for licensing as a key employee is required pursuant to this regulation may request the Commission in writing to review its determination of that

individual's status within the gaming organization any time within ten (10) days following the filing of a completed application as required by this regulation. In the event the Commission determines that the applicant is not a key employee or that the public interest and policies of the Act do not require the licensing of the key employee at the time, then the key employee applicant shall be allowed to withdraw his application and he may continue in his employment.

- (e) An applicant for a Key Employee License has the burden of proving his qualification to receive and maintain a license pursuant to Mississippi Code Annotated §75-76-67 of the Gaming Control Act.
- (f) No key employee license shall be effective for more than ~~three (3)~~ nine (9) years from the date of issue. A license may be issued for a period of less than ~~three (3)~~ nine (9) years within the discretion of the Executive Director. A key employee license expires unless renewed within ten (10) days after a change of place of employment, or if the holder is unemployed as a key employee within the jurisdiction of the Mississippi Gaming Commission for more than ninety (90) days. ~~Prior to the expiration of a key license, if the Commission is satisfied, after careful review of the key employee's renewal application, verified by the affidavit of the key employee, that there has been no substantial change in the information provided in the application for the initial key license, the Commission may, upon receipt of all prescribed fees and costs, continue the key license for a period of no longer than three (3) nine (9) years. No more than two (2) continuances may be granted for each key license and any continuance of a key license is subject to the Commission's power to revoke, suspend, condition or limit as if it were the initial key license. Complete renewal applications must be received by the Commission at least ninety (90) days prior to the date of expiration of a key employee's existing license. A key employee may be required to submit to a finding of suitability any time after issuance of a key employee license. A holder of a Key Employee's License must file with the Investigations Division of the Commission the "Investigations Division Annual Report", providing all information requested on forms provided by the Commission, and such any other information requested by the Executive Director. Such "Investigation Division Annual Report" shall be due by June 30th of each year, with the exception of the renewal year calendar year the license is granted.~~