

Rule 10.1 Work Permits Required.

- (a) No person shall be employed as a gaming employee unless such person is the holder of a valid work permit issued by the Commission.
 - (b) Every licensee, shall, before employing any person in connection with the licensed gaming operation, ascertain that such person holds a valid work permit issued in accordance with this regulation, and shall cause his employment records to reflect such fact. No work permit shall be effective for more than three (3) years from the date of issue. A permit may be issued for a period of less than three (3) years within the discretion of the Executive Director. A work permit expires unless renewed within ten (10) days after a change of place of employment, or if the holder is unemployed as a gaming employee within the jurisdiction of the Mississippi Gaming Commission for more than ninety (90) days. Complete renewal applications must be received by the Mississippi Gaming Commission at least thirty (30) days prior to the date of expiration of an employee's existing work permit.
 - (c) Every gaming employee shall keep his work permit on his person and available for inspection at all times when actively engaged in the conduct of gaming operations.
 - (d) Each work permit holder shall report any arrest or conviction to the Mississippi Gaming Commission within ten (10) days after such conviction or arrest.
 - (e) Each employee of a holding company, intermediary company or affiliated company of a licensee who is directly or indirectly engaged in the administration or supervision of the gaming operations or physical security activities of such licensee and performs such duties at any time on the premises of the licensee shall obtain a work permit.
 - (f) Each employee of a holding company, intermediary company or affiliated company, contract employee, agent, attorney, accountant or other representative performing services, other than maintenance, for the licensee must hold a valid work permit; or finding of suitability in order to enter surveillance, soft count, hard count or any cage area.
- (Adopted: 09/25/1991; Amended: 10/22/1998; Amended: 02/19/2003.)

Source: *Miss. Code Ann.* §§ 75-76-57, 75-76-61

Rule 10.2 Application For Work Permit; Procedure.

- (a) The Mississippi Gaming Commission will process all work permit applications, to include taking photographs and fingerprints from all applicants. The Commission shall conduct background investigations on all work permit applicants. The applicant shall provide any information requested by the Executive Director in order to allow for a complete investigation of the applicant's background.
- (b) An applicant for a work permit shall pay the application fee established by the Executive Director, which shall be sufficient to cover the costs of processing the application.
- (c) The Executive Director shall investigate the applicant and may either grant or deny the work permit. The burden is on the applicant at all times to prove suitability for a work permit.
- (d) The Executive Director shall refuse to issue a work permit if the applicant has:

1. committed, attempted or conspired to commit a crime which is a felony in Mississippi or an offense in any other jurisdiction which would be a felony if committed in Mississippi; regardless of whether the charges have been non-adjudicated or expunged;
- (e) The Executive Director may refuse to issue a work permit if the applicant has:
1. failed to disclose, misstated or otherwise attempted to mislead the Commission with respect to any material fact contained in the work permit application;
 2. knowingly failed to comply with the provisions of the Gaming Control Act, MGC regulations, and /or internal controls of a gaming licensee as filed with and approved by the Commission;
 3. committed, attempted or conspired to commit any crime of moral turpitude, embezzlement or larceny or any violation of any law pertaining to gaming or any crime which is inimical to the declared policy of Mississippi concerning gaming including, but not limited to, the following: any misdemeanor theft convictions, excluding first time conviction for false pretense/bad checks (false pretense) during the three (3) years prior to the date of application;
 - i. any misdemeanor drug convictions during the three (3) years prior to the date of application;
 - ii. any misdemeanor convictions pertaining to gaming or gambling during the three (3) years prior to the date of application;
 - iii. any misdemeanor convictions pertaining to crimes of violence during the three (3) years prior to the date of application; and
 - iv. any pattern of criminal offenses making an applicant unsuitable;
 4. been identified in published reports of any federal or state legislative or executive body as being a member or associate of organized crime, or as being of notorious and unsavory reputation;
 5. been placed and remains in the constructive custody of any federal, state or municipal law enforcement authority when the crime involved would be a crime constituting grounds for denial of an application;
 6. had a work permit revoked or committed any act which is a ground for the revocation of a work permit or would have been a ground for revoking a work permit if the applicant had been holding a work permit at that time.
 7. failed to complete the application process for a gaming work permit by:
 - i. failing to submit to additional fingerprinting where initial fingerprints are insufficient for proper analysis;
 - ii. failing to provide the Commission with court records and/or other requested documents detailing the disposition of previous arrests and/or convictions as well as facts and circumstances of the underlying offense(s); or
 - iii. failing to provide any other requested information necessary to determine the suitability of the applicant. The above enumerated reasons for denial shall not limit the Executive Director's discretion to deny an applicant if that applicant has committed, attempted or conspired to do any act which is inimical to the best interest of gaming in Mississippi. (Adopted: 09/25/1991; Amended: 03/29/1993; Amended: 10/22/1998.)

Source: *Miss. Code Ann. §§ 75-76-63, 75-76-67*

Rule 10.4 Revocation of Work Permit; Procedure.

(a) The Executive Director shall recommend that the Commission revoke the work permit of a gaming employee if the gaming employee:

1. is convicted of any violation of the Gaming Control Act or if in investigating an alleged violation of the Gaming Control Act by any licensee the Executive Director or the Commission finds that a gaming employee employed by the licensee has been guilty of cheating.

(b) The Executive Director may recommend that the Commission revoke the work permit of a gaming employee if, subsequent to being issued a work permit, the gaming employee:

1. fails to disclose, misstates or otherwise misleads the Commission with respect to any fact contained within any application for a work permit.
2. commits, attempts or conspires to do any of the acts prohibited by the Gaming Control Act;
3. knowingly possesses or permits to remain in or upon any licensed premises any cards, dice, mechanical device or any other cheating device whatever the use of which is prohibited by statute or ordinance;
4. conceals or refuses to disclose any material fact in any investigation by the Executive Director or the Commission;
5. commits, attempts or conspires to commit larceny or embezzlement against a gaming licensee or upon the premises of a licensed gaming establishment;
6. is convicted in any jurisdiction other than Mississippi of any offense involving or relating to gambling;
7. accepts employment without prior commission approval in a position for which he is required to be licensed under this chapter after having been denied a license for a reason involving personal unsuitability or after failing to apply for licensing when requested to do so by the Commission or the Executive Director;
8. is refused the issuance of any license, permit or approval to engage in or be involved with gaming in any jurisdiction other than Mississippi, or had any such license, permit or approval revoked or suspended;
9. is prohibited under color of governmental authority from being present upon the premises of any gaming establishment for any reason relating to improper gambling activities or any illegal act;
10. contumaciously defies any legislative investigative committee or other officially constituted bodies acting on behalf of the United States or any state, county or municipality which seeks to investigate crimes relating to gaming, corruption of public officials, or any organized criminal activities; Or,
11. is convicted of any felony or misdemeanor, other than one constituting a violation of the Gaming Control Act.

(c) A work permit shall not be issued to a person whose work permit has previously been revoked pursuant to this section or to whom the issuance or renewal of a work permit has been denied, except with the unanimous approval of the Commission members. Applicants who have been denied or revoked pursuant to Rule 10.2(d) are not eligible to request unanimous approval. (Adopted: 10/22/1998.)

Source: *Miss. Code Ann. § 75-76-137*

Rule 10.7 Employee Report.

(a) Annually, on or before the 1st of July, each licensee shall submit an “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 \$100,000 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 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 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 Mississippi Code Annotated §75-76-153. (Adopted: 09/25/1991; Amended: 07/16/1998; Amended: 10/22/1998; Amended: 10/27/2005.)

Source: *Miss. Code Ann.* §§ 75-76-139, 75-76-153

OMIT RULE 10.8

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 3. committed, attempted or conspired to commit any crime of moral turpitude, embezzlement or larceny or any violation of any law pertaining to gaming or any crime which is inimical to the declared policy of Mississippi concerning gaming including, but not limited to, the following: any misdemeanor theft convictions, excluding first time conviction for false pretense/bad checks (false pretense) during the three (3) years prior to the date of application;
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2. commits, attempts or conspires to do any of the acts prohibited by the Gaming Control Act;
3. knowingly possesses or permits to remain in or upon any licensed premises any cards, dice, mechanical device or any other cheating device whatever the use of which is prohibited by statute or ordinance;
4. conceals or refuses to disclose any material fact in any investigation by the Executive Director or the Commission;
5. commits, attempts or conspires to commit larceny or embezzlement against a gaming licensee or upon the premises of a licensed gaming establishment;
6. is convicted in any jurisdiction other than Mississippi of any offense involving or relating to gambling;
7. accepts employment without prior commission approval in a position for which he is required to be licensed under this chapter after having been denied a license for a reason involving personal unsuitability or after failing to apply for licensing when requested to do so by the Commission or the Executive Director;
8. is refused the issuance of any license, permit or approval to engage in or be involved with gaming in any jurisdiction other than Mississippi, or had any such license, permit or approval revoked or suspended;
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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;
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5. All individuals who 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;
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(b) The “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 Mississippi Code Annotated §75-76-153. (Adopted: 09/25/1991; Amended: 07/16/1998; Amended: 10/22/1998; Amended: 10/27/2005.)

Rule 10.8 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 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 nine (9) years from the date of issue. A license may be issued for a period of less than 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. 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 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 calendar year the license is granted. (Adopted: 09/25/1991; Amended: 10/22/1998; Amended: 01/20/2000; Amended: 10/27/2005.)~~

Source: *Miss. Code Ann.* § 75-76-67