

New York Gaming Facility Location Board
Response to Request for Applications to Develop and Operate a
Gaming Facility in New York State

TIOGA DOWNS RACETRACK, LLC

Exhibit X.B.6.

Tioga Downs Racetrack, LLC (“Tioga Downs”) is fully committed to maintaining labor harmony at its currently operating and proposed Gaming Facility. Accordingly, Tioga Downs has entered into a collective bargaining agreement with the Rochester Regional Joint Board, Works United (“Workers United”). Tioga Downs and Workers United also have entered into a Memorandum of Agreement, which clarifies the processes to be followed between Tioga Downs and Workers United should Tioga Downs be granted a Gaming Facility Licenses. Copies of the Collective Bargaining Agreement and Memorandum of Agreement are attached. As provided in the Collective Bargaining Agreement, Tioga Downs recognizes Workers United as the exclusive representative of all full-time and regular part-time count room attendants, cashiers, lead cashiers, main banker, EVS attendants, bartenders, beverage servers, food servers, bar backs, cooks, line cooks, lead line cooks, bussers, dishwashers, prep cooks, hostesses, concession attendants, general maintenance engineers, carpenters, electricians, painters, plumbers, grounds crew employees, track maintenance employees, mutual tellers, lead mutual tellers, operations attendants, ambassadors, player club representatives, receiving clerks and retail clerks, employed by Tioga Downs. Note specifically that Article 16 of the Collective Bargaining Agreement provides that Workers United shall not strike or engage in similar work stoppages and Tioga Downs will not lockout the workers subject to the agreement.

Also attached is a copy of the Tioga Downs Project Labor Agreement entered into with the Binghamton – Oneonta Building & Construction Trades Council (“Council”). The Council entered into this agreement on behalf of itself and its affiliated local unions (sixteen in total) and their members. Note specifically that Article 6, Section 1 of the Project Labor Agreement prevents strikes and similar work stoppages as well as lockouts.

Tioga Downs’ effort to maintain a harmonious relationship with labor unions is further evidenced by the attached letters and statements of support provided to Tioga Downs by various labor unions and/or members thereof.