



Submit as Exhibit X.B.6. a statement as to whether the Applicant or, as applicable, the Manager has entered into labor peace agreements with labor organizations that are actually engaged in representing gaming or hospitality industry workers in the State. Provide copies of any such agreements. If the Applicant or, as applicable, the Manager has not entered into such agreements, provide an instrument stating that it will enter into such labor peace agreements and maintain such labor peace agreements in place during the term of a License.

Empire and its subsidiaries are currently operating Monticello Casino and Raceway in Monticello, Sullivan County, New York. MCR's operations involve approximately one third of Empire's workforce who are members of the New York Hotel & Motel Trades Council, AFL-CIO ("NYHMTTC"), which operates pursuant to collective bargaining agreements with Empire.

Reflective of the cooperative relationship between Empire and the NYHMTTC, for its operations at Montreign, Empire has entered into neutrality agreement/labor peace agreement with the NYHMTTC, which is attached as Attachment X.B.6.-1.



The neutrality/labor peace agreement provides for a process by which employees employed in the hotel-casino operations will have the opportunity to select union representation through a non-adversarial card check process. By entering into the neutrality/labor peace agreement, Empire and the NYHMTTC wish

to ensure that employees in the NYHMTC have the opportunity to express their desire as to whether or not they would like to be represented for purposes of collective bargaining in an atmosphere free from intimidation, restraint, coercion or discrimination. The parties also entered into such agreement because they wish to resolve any disputes related to any organizing drive and representational issues quickly and amicably, without resort to litigation or proceedings before the National Labor Relations Board (“NLRB”), Courts or other governmental agency.

The neutrality/labor peace agreement also includes all full and part-time employees at Montreign in the classifications or departments listed in the agreement’s Exhibit A, or any other departments or classifications performing similar work under another name, or any combination thereof sought by the Union (“Bargaining Unit”). The Bargaining Unit does not include those employees specifically excluded in Exhibit A of the neutrality/labor peace agreement.

Following completion of a card check process, as provided for in the neutrality/labor peace agreement, Montreign will promptly enter into negotiations with the NYHMTC, and thereafter, Montreign intends to enter into labor contracts applicable to such employees.