



Exhibit X.B.5. – Organized Labor Contracts

Submit as Exhibit X.B.5. a statement as to whether the Applicant and, as applicable the Manager has, is subject to, or is negotiating any contract with organized labor, including hospitality services, and whether the Applicant or, as applicable, the Manager has the support of organized labor for its Application, which specifies: (a) the number of employees to be employed at the proposed Gaming Facility, including detailed information on the pay rate and benefits for employees and contractors; (b) the total amount of investment in the proposed Gaming Facility and all infrastructure improvements related to the project; (c) completed studies and reports including an economic benefit study, for the State, the Region, and the Host Municipality; and (d) detailed plans for assuring labor harmony during all phases of the construction, reconstruction, renovation, development and operation of the Gaming Facility.

Tioga Downs is fully committed to continuing to maintain the support of organized labor for its expansion project. As evidence of this commitment, attached is a copy of the Tioga Downs Project Labor Agreement entered into with the Binghamton - Oneonta Building & Construction Trades Council (“Council”) dated May 7, 2014. The Council entered into this agreement on behalf of itself and its affiliated local unions (sixteen in total) and their members. Further, Tioga Downs has entered into a Memorandum of Agreement with the Rochester Regional Joint Board, Workers United (“Workers United”). Tioga Downs and Workers United previously entered into and presently are parties to a collective bargaining agreement dated April 11, 2012, a copy of which is also attached (including an amendment to the agreement dated February 11, 2015). The Memorandum of Agreement states the processes to be followed between Tioga Downs and Workers United should Tioga Downs be granted a Gaming Facility License.

Additionally, attached are letters and statements of support provided to Tioga Downs by various labor unions and members thereof.

Please refer to Exhibit VIII.B.7.a. for information regarding the proposed number of employees at the proposed Gaming Facility as well as pay rate and benefits information for such employees. For details of the amount of investment in the proposed Gaming Facility, please refer to Exhibit VIII.A.2.a. and VII.A.2.b. Please refer to Exhibit VIII.B.1., Exhibit VIII.B.3.a. and Exhibit VIII.B.3.b. for studies related to the economic benefits Tioga Downs will generate for the state of New York, the Southern Tier Region and the Town of Nichols if it is awarded a Gaming Facility License.

Finally, and in addition to the above described labor agreements, please refer to Exhibit X.B.6. for details of how Tioga Downs plans to ensure labor harmony.