

BAY MILLS INDIAN COMMUNITY
GAMING COMMISSION RULES

RULE 6: WAIVER BY TRIBE OF EMPLOYMENT REQUIREMENT

(a) **Authority of Executive Council.** The Executive Council of the Bay Mills Indian Community shall have the sole authority to determine, upon request by a member of the Bay Mills Indian Community, that:

(1) the existence of a criminal record within five (5) years of application for employment by said member for an offense subject to section 4(D)(3) of the Compact with the State of Michigan should not preclude employment; and

(2) said member is not likely again to engage in any offensive or criminal course of conduct; and


(3) the public good does not require that the applicant member be denied employment as a "primary management official", "key employee", or staff of the Gaming Commission.

(b) **Notification of Waiver.** The Executive Council shall advise the Gaming Commission in writing of its determination that a member applicant has, or has not, received waiver of the specific, known criminal offense, required for employment. Such notice shall be placed in the applicant's license file.

(c) **Effect of Waiver.** No member applicant for a gaming license as a "primary management official" or "key employee" shall be refused consideration for a license by the Gaming Commission, nor shall a member applicant for employment as staff of the Gaming Commission be refused consideration for such employment, due to a criminal record for an offense listed in section 4(D)(3) of the Compact with the State of Michigan if a waiver has been issued by the Executive Council and is filed with the Gaming Commission for licenses and the Personnel Department for Commission staff positions.

CERTIFICATION

This is to certify that the above Gaming Commission Rule No. 6, as amended in subsec. (c), has been passed and approved at a meeting of the Bay Mills Executive Council held at Bay Mills, Michigan on the 11th day of July, 2005, with a vote of 3 for, 0 opposed, 1 abstaining, and 1 absent. The Tribal President must abstain except in the event of a tie.



Gregory A. Parker, Secretary
Bay Mills Executive Council