

**CHAPTER 435a. KEY, GAMING AND NONGAMING EMPLOYEES;
BOARD-ISSUED CREDENTIALS**

- Sec.
435a.1. General provisions.
435a.2. Key employee license.
435a.3. Occupation permit.
435a.4. Key employee license and occupation permit term and renewal.
435a.5. Nongaming employee registration.
435a.6. Board credentials.
435a.7. Emergency credentials.
435a.8. Temporary credentials.
435a.9. [Reserved].
435a.9a. Vendor employee temporary access credentials.
435a.10. Loss, theft or destruction of credentials.

Authority

The provisions of this Chapter 435a issued under 4 Pa.C.S. §§ 1202(b)(9), (12), (13)—(20), (23) and (30), 1205, 1209, 1301—1316, 1317.1, 1318, 1321, 1325—1331 and 1802, unless otherwise noted.

Source

The provisions of this Chapter 435a adopted November 30, 2007, effective December 1, 2007, 37 Pa.B. 6265, unless otherwise noted.

Cross References

The provisions of this chapter cited in 58 Pa. Code § 465a.2 (relating to internal control systems and audit protocols).

§ 435a.1. General provisions.

(a) An individual seeking a key employee license, occupation permit or nongaming employee registration shall apply to the Board as required by this chapter.

(b) In addition to the materials required under §§ 435a.2, 435a.3 and 435a.5 (relating to key employee license; occupation permit; and nongaming employee registration), an applicant shall comply with the general application requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).

(c) The holder of a key employee license, occupation permit or nongaming employee registration shall provide an updated photograph at the request of Board staff.

(d) An applicant for an occupation permit or nongaming employee registration shall be at least 18 years of age.

(e) Slot machine licensees, manufacturers, manufacturer designees, suppliers, gaming service providers and gaming related gaming service providers that hire an individual who holds a key employee license, permit or registration issued by the Board shall contact the Bureau of Licensing to confirm that the individual's key employee license, permit or registration is in good standing prior to allowing the individual to work in the licensed facility.

Authority

The provisions of this § 435a.1 amended under 4 Pa.C.S. §§ 1103, 1202(b)(9)—(23) and (30), 1205, 1206(f) and (g), 1207(1)—(3), (5) and (7), 1208(1)(iii), 1209(b), 1212, 1213, 1308, 1311, 1311.1, 1311.2, 1317(c), 1317.1(c), 1317.2, 1318, 1321, 1322, 1326, 1331, 13A11, 13A12—13A14, 13A15, 1406, 1518(a)(13), 1603 and 1802 and Chapter 13.

Source

The provisions of this § 435a.1 amended December 12, 2008, effective December 13, 2008, 38 Pa.B. 6747; amended August 28, 2009, effective August 29, 2009, 39 Pa.B. 5125; amended December 11, 2009, effective December 12, 2009, 39 Pa.B. 7010; amended February 26, 2010, effective February 27, 2010, 40 Pa.B. 1082; amended August 20, 2010, effective August 21, 2010, 40 Pa.B. 4761; amended October 22, 2010, effective October 23, 2010, 40 Pa.B. 6083; amended September 14, 2012, effective September 15, 2012, 42 Pa.B. 5857; amended June 12, 2015, effective June 13, 2015, 45 Pa.B. 2829. Immediately preceding text appears at serial pages (363709) to (363712).

Cross References

This section cited in 58 Pa. Code § 423a.3 (relating to application processing); and 58 Pa. Code § 439a.12 (relating to gaming junket enterprise and representative prohibitions).

§ 435a.2. Key employee license.

(a) An individual may not perform duties associated with a position that requires a key employee license prior to receiving a temporary or permanent credential unless otherwise authorized by the Board. An applicant for a key employee license shall submit:

(1) An original and one copy of a completed Multi-Jurisdictional Personal History Disclosure Form.

(2) An original and one copy of a completed Principal/Key Employee Form—Pennsylvania Supplement to the Multi-Jurisdictional Personal History Disclosure Form.

(3) The nonrefundable application fee posted on the Board's web site.

(b) In addition to the materials required under subsection (a), an applicant for a key employee license shall comply with the general application requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).

(c) After reviewing the application and the results of the applicant's background investigation, the Board may issue a key employee license if the individual has proven that he is a person of good character, honesty and integrity and is eligible and suitable to be licensed as a key employee.

(d) A key employee license issued will be valid for employment with any licensed entity.

Authority

The provisions of this § 435a.2 amended under 4 Pa.C.S. §§ 1202(b)(9)—(23) and (30), 1205, 1206(f) and (g), 1207(1) and (2), 1208(1)(iii), 1209(b), 1212, 1213, 1311, 1311.1, 1311.2, 1317, 1317.1, 1317.2, 1318, 13A11, 13A12—13A14, 13A15, 1406, 1517, 1518(a)(13) and 1802 and Chapter 13.

435a-2

Source

The provisions of this § 435a.2 amended November 7, 2008, effective November 8, 2008, 38 Pa.B. 6150; amended September 14, 2012, effective September 15, 2012, 42 Pa.B. 5857; amended June 12, 2015, effective June 13, 2015, 45 Pa.B. 2829. Immediately preceding text appears at serial pages (363712) to (363713).

Cross References

This section cited in 58 Pa. Code § 427a.2 (relating to manufacturer license applications and standards); 58 Pa. Code § 427a.6 (relating to change of control of a manufacturer licensee); 58 Pa. Code § 429a.2 (relating to manufacturer designee license applications and standards); 58 Pa. Code § 429a.8 (relating to change of control of a manufacturer designee licensee); 58 Pa. Code § 431a.2 (relating to supplier license applications and standards); 58 Pa. Code § 431a.6 (relating to change of control of a supplier licensee); 58 Pa. Code § 435a.1 (relating to general provisions); and 58 Pa. Code § 441a.10 (relating to notification of anticipated or actual changes in principals or key employees).

§ 435a.3. Occupation permit.

- (a) An applicant for a gaming employee occupation permit shall submit:
 - (1) An original and one copy of the Gaming Employee Application and Disclosure Information Form or an electronic application using the SLOTS Link system. When an application for an occupation permit is filed using SLOTS Link, any additional documents required, including releases, shall be submitted to the Board:
 - (i) Within 5 days of the submission of the SLOTS Link application by an applicant for or holder of a slot machine license.
 - (ii) Within 10 days of the submission of the SLOTS Link application by an applicant for or holder of a manufacturer, manufacturer designee, or supplier license or a gaming related gaming service provider certification or gaming service provider registration, certification or authorization.
 - (2) The nonrefundable application fee posted on the Board's web site.
 - (3) Verification of an offer of employment from a licensed entity.
- (b) In addition to the materials required under subsection (a), an applicant for a gaming employee occupation permit shall comply with the general application requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).
- (c) After reviewing the application and the results of the applicant's background investigation, the Board may issue a gaming employee occupation permit if the individual has proven that the individual is a person of good character, honesty and integrity and is eligible and suitable to hold an occupation permit.
- (d) An individual who wishes to receive a gaming employee occupation permit under this chapter may authorize an applicant for or holder of a slot machine, management company, manufacturer, manufacturer designee or supplier license or gaming related gaming service provider certification or gaming service provider registration, certification or authorization to file an application on the individual's behalf.
- (e) A gaming employee occupation permit issued under this section will be valid for employment with any licensed entity, any certified gaming related gaming service provider or any registered or certified gaming service provider.

Authority

The provisions of this § 435a.3 amended under 4 Pa.C.S. §§ 1103, 1202(b)(9)—(23) and (30), 1205, 1206(f) and (g), 1207(1) and (2), 1208(1)(iii), 1209(b), 1212, 1213, 1308, 1317(c), 1317.1(c), 1317.2, 1318, 1326, 1331, 13A11, 13A12—13A14, 13A15, 1406, 1518(a)(13) and 1802 and Chapter 13.

Source

The provisions of this § 435a.3 amended December 12, 2008, effective December 13, 2008, 38 Pa.B. 6747; amended October 22, 2010, effective October 23, 2010, 40 Pa.B. 6083; amended September 14, 2012, effective September 15, 2012; amended June 12, 2015, effective June 13, 2015, 45 Pa.B. 2829. Immediately preceding text appears at serial pages (363713) to (363714).

Cross References

This section cited in 58 Pa. Code § 427a.5 (relating to responsibilities of a manufacturer); 58 Pa. Code § 429a.5 (relating to responsibilities of a manufacturer designee); 58 Pa. Code § 431a.4 (relating to responsibilities of a supplier); 58 Pa. Code § 435a.1 (relating to general provisions); 58 Pa. Code § 437a.2 (relating to gaming service provider registration applications); 58 Pa. Code § 437a.7 (relating to registered, certified and authorized gaming service provider responsibilities); 58 Pa. Code § 439a.5 (relating to gaming junket representative general requirements); 58 Pa. Code § 527.1 (relating to minimum training standards for dealers); and 58 Pa. Code § 611a.1 (relating to minimum training standards for dealers; minimum experience requirements for supervisors).

§ 435a.4. Key employee license and occupation permit term and renewal.

(a) A key employee license or occupation permit issued under this chapter shall be valid for 3 years from the date of Board approval.

(b) A renewal application shall be submitted to the Board at least 60 days prior to the expiration of a key employee license or occupation permit.

(c) A key employee license or occupation permit for which a completed renewal application and fee has been received by the Board will continue in effect until the Board sends written notification to the holder of the key employee license or occupation permit that the Board has approved or denied the key employee license or occupation permit.

Authority

The provisions of this § 435a.4 amended under 4 Pa.C.S. §§ 1103, 1202(b)(30), 1213, 1326 and 1603.

Source

The provisions of this § 435a.4 amended August 20, 2010, effective August 21, 2010, 40 Pa.B. 4761. Immediately preceding text appears at serial page (348346).

§ 435a.5. Nongaming employee registration.

(a) An applicant for a nongaming employee registration shall submit:

(1) An original and one copy of the Nongaming Employee Registration Form or an electronic application using the SLOTS Link system. When an application for a nongaming employee registration is filed using SLOTS Link, any additional documents required, including releases, shall be submitted to the Board:

(i) Within 5 days of the submission of the SLOTS Link application by an applicant for or holder of a slot machine license.

(ii) Within 10 days of the submission of the SLOTS Link application by an applicant for or holder of a manufacturer, manufacturer designee, or supplier license or an applicant for or holder of a gaming service provider registration or certification.

(2) The nonrefundable application fee posted on the Board's web site.

(b) In addition to the materials required under subsection (a), an applicant for a nongaming employee registration shall comply with the general application requirements in Chapters 421a and 423a (relating to general provisions; and applications; statement of conditions; wagering restrictions).

(c) After review of the application, the Board may register the individual if the individual has proven that he is eligible and suitable to be registered under this section.

(d) An individual who wishes to receive a nongaming employee registration under this chapter may authorize an applicant for or holder of a slot machine, manufacturer, manufacturer designee or supplier license or a gaming service provider registration or certification to file an application on the individual's behalf.

(e) A registration issued under this section is valid for employment with any slot machine, manufacturer, manufacturer designee or supplier licensee or registered, certified or authorized gaming service provider.

(f) A registration issued under this section will be valid for 4 years from the date of Board approval.

(g) A renewal application shall be submitted to the Board at least 60 days prior to the expiration of a registration credential.

(h) A registration for which a completed renewal application and fee has been received by the Board will continue in effect until the Board sends written notification to the holder of the registration that the Board has approved or denied the renewal registration.

Authority

The provisions of this § 435a.5 amended under 4 Pa.C.S. §§ 1103, 1202(b)(9)—(23) and (30), 1205, 1206(f) and (g), 1207(1) and (2), 1208(1)(iii), 1209(b), 1212, 1213, 1308, 1317(c), 1317.1(c), 1317.2, 1318, 1326, 1331, 13A11, 13A12—13A14, 13A15, 1406, 1518(a)(13) and 1802 and Chapter 13.

Source

The provisions of this § 435a.5 amended December 12, 2008, effective December 13, 2008, 38 Pa.B. 6747; amended October 22, 2010, effective October 23, 2010, 40 Pa.B. 6083; amended September 14, 2012, effective September 15, 2012, 42 Pa.B. 5857; amended June 12, 2015, effective June 13, 2015, 45 Pa.B. 2829. Immediately preceding text appears at serial pages (363714) to (363715).

435a-5

Cross References

This section cited in 58 Pa. Code § 427a.5 (relating to responsibilities of a manufacturer); 58 Pa. Code § 429a.5 (relating to responsibilities of a manufacturer designee); 58 Pa. Code § 431a.4 (relating to responsibilities of a supplier); 58 Pa. Code § 435a.1 (relating to general provisions); 58 Pa. Code § 435a.8 (relating to temporary credentials); 58 Pa. Code § 437a.2 (relating to gaming service provider registration applications); and 58 Pa. Code § 437a.7 (relating to registered, certified and authorized gaming service provider responsibilities).

§ 435a.6. Board credentials.

- (a) The following individuals shall obtain a Board credential:
- (1) A principal whose duties are required to be performed at a licensed facility in excess of 12 days in a 12-month period.
 - (2) Key employees.
 - (3) Gaming employees.
 - (4) Nongaming employee registrants.
 - (5) State employees whose duties require the employee's presence at a licensed facility more frequently than once a month.
- (b) The credential will contain the following information:
- (1) The name, date of birth, sex, height, weight, hair color and eye color of the licensee, permittee or registrant.
 - (2) A photograph of the face of the individual to whom the credential has been issued which meets the standards of the Commonwealth Photograph Imaging Network.
 - (3) The inscription "Pennsylvania Gaming Control Board."
 - (4) The seal of the Commonwealth.
 - (5) A license, permit or registration number.
 - (6) The type of license, permit or registration.
 - (7) An expiration date.
 - (8) The signature of the employee.
 - (9) Other security features as determined by the Board.
- (c) A State employee required to obtain a Board credential shall carry the Board credential on his person at all times while engaged in the performance of his duties on the premises of a licensed facility.
- (d) An individual who is not a State employee, who is required to obtain a Board credential and whose duties:
- (1) Do not require the individual to be on the gaming floor or in a restricted area, shall carry the Board credential on his person at all times while engaged in the performance of his duties on the premises of a licensed facility.
 - (2) Require the individual to be on the gaming floor or in a restricted area, shall display the Board credential on his person at all times while engaged in the performance of his duties on the premises of a licensed facility. A food and beverage employee of a slot machine licensee who is required to obtain a Board credential and whose duties require the individual to be on the gaming floor may carry, instead of display, the employee's Board credential if:

(i) The employee displays the access badge required under § 465a.12 (relating to access badges and temporary access credentials).

(ii) The access badge displays a unique identification number that has been assigned to that employee and which can be read by the slot machine licensee's surveillance system.

(e) Slot machine and management company licensees are prohibited from allowing a principal who is required to obtain a credential, a key employee, gaming employee or nongaming employee registrant to perform his duties on the premises of a licensed facility unless the employee is in possession of a Board-issued credential.

(f) An employee whose license, permit or registration has been suspended or revoked by the Board shall surrender the Board credential to Board staff.

Authority

The provisions of this § 435a.6 amended under 4 Pa.C.S. §§ 1202(b)(9)—(23) and (30), 1205, 1206(f) and (g), 1207(1) and (2), 1207(1)—(3), (5), (9) and (11), 1208(1)(iii), 1209(b), 1212, 1213, 1322, 13A11, 13A12—13A14, 13A15 and 1802 and Chapter 13.

Source

The provisions of this § 435a.6 amended October 10, 2008, effective October 11, 2008, 38 Pa.B. 5652; amended May 14, 2010, effective May 15, 2010, 40 Pa.B. 2535; amended June 12, 2015, effective June 13, 2015, 45 Pa.B. 2829. Immediately preceding text appears at serial pages (363716) to (363717).

§ 435a.7. Emergency credentials.

(a) A principal, key employee, gaming employee or nongaming employee of the slot machine licensee, manufacturer, manufacturer designee, supplier, gaming service provider, gaming related gaming service provider or gaming junket enterprise who does not have the credential issued to him on his person, or whose credential has been stolen, lost or destroyed, may obtain an emergency credential from the Board staff to enable the employee to perform the employee's duties at the licensed facility.

(b) An employee seeking an emergency credential shall present himself to a casino compliance representative at the Board office at the licensed facility. Prior to issuing the emergency credential, the casino compliance representative will verify:

- (1) The identity of the individual requesting the emergency credential.
- (2) That the employee holds a valid license, permit or registration.
- (3) That fewer than 12 emergency credentials have been issued to the employee in the past 12 months.

(c) The following provisions apply to emergency credentials:

- (1) They will be valid for a time period not to exceed 72 hours.
- (2) They shall be returned to the Board office at the licensed facility.

Authority

The provisions of this § 435a.7 amended under 4 Pa.C.S. § 1317.2, 1406 and 1518(a)(13).

Source

The provisions of this § 435a.7 amended October 10, 2008, effective October 11, 2008, 38 Pa.B. 5652; amended September 14, 2012, effective September 15, 2012, 42 Pa.B. 5857. Immediately preceding text appears at serial pages (353421) to (353422).

§ 435a.8. Temporary credentials.

(a) A temporary credential may be issued by the Board to a principal, key employee or gaming employee.

(b) A temporary credential issued to a principal, key employee or gaming employee is valid for up to 270 days from the date of its issuance.

(c) The Board may extend the expiration date of a temporary credential issued to a principal, key employee or gaming employee if the Board determines additional time is needed to complete an investigation for licensure.

(d) A temporary credential may be issued by the Bureau of Licensing to a nongaming employee if:

(1) The applicant has submitted all of the application materials required under § 435a.5 (relating to nongaming employee registration).

(2) The applicant has been fingerprinted and photographed by the Pennsylvania State Police.

(e) A temporary credential issued to a nongaming employee will be valid for 30 days.

(f) Board staff may impose conditions on the holders of temporary credentials.

Authority

The provisions of this § 435a.8 amended under 4 Pa.C.S. §§ 1202(b)(9)—(23), 1205, 1026(f) and (g), 1207(1) and (2), 1208(1)(iii), 1209(b), 1212, 1213, 1317.2, 13A11, 13A12—13A14, 13A15, 1406, 1518(a)(13) and 1802 and Chapter 13.

Source

The provisions of this § 435a.8 amended May 22, 2009, effective May 23, 2009, 39 Pa.B. 2588; amended September 14, 2012, effective September 15, 2012, 42 Pa.B. 5857; amended June 12, 2015, effective June 13, 2015, 45 Pa.B. 2829. Immediately preceding text appears at serial page (363718).

Cross References

This section cited in 58 Pa. Code § 443a.3 (relating to qualifications of trustees).

§ 435a.9. [Reserved].**Authority**

The provisions of this § 435a.9 amended under 4 Pa.C.S. §§ 1202(b)(30), 1308, 1318 and 1331; reserved under 4 Pa.C.S. §§ 1202(b)(9)—(23), 1205, 1206(f) and (g), 1207(1) and (2), 1208(1)(iii), 1209(b), 1212, 1213, 13A11, 13A12—13A14, 13A15 and 1802 and Chapter 13.

435a-8

Source

The provisions of this § 435a.9 amended December 12, 2008, effective December 13, 2008, 38 Pa.B. 6747; reserved June 12, 2015, effective June 13, 2015, 45 Pa.B. 2829. Immediately preceding text appears at serial page (363718).

§ 435a.9a. Gaming service provider employee temporary access credentials.

(a) The Board's casino compliance representatives at a licensed facility may issue a Gaming Service Provider Employee Temporary Access Credential to an employee of a registered or certified gaming service provider that is a construction company that is completing work on the gaming floor or in a restricted area under the registered or certified gaming service provider's original contract, change orders or punch lists, or to complete periodic repairs or warranty work if:

(1) The employee's duties of employment do not require the employee to touch or have contact with a slot machine, table game device or associated equipment other than exterior contact that does not affect the play of the game.

(2) The employee signs in with the security department of the licensed facility and will be escorted and under the constant supervision of an employee of the slot machine licensee who is authorized to have access to the area where the work is being performed.

(3) The gaming service provider employee and the employee of the slot machine licensee who will escort and supervise both sign in with the Board's casino compliance representatives.

(b) To receive a Gaming Service Provider Employee Temporary Access Credential, the employee of the registered or certified gaming service provider that is a construction company shall surrender his driver's license or other photo identification.

(c) A Gaming Service Provider Employee Temporary Access Credential will not be issued to an employee of a registered or certified gaming service provider that is a construction company for more than 12 days in a 12-month period. The time period may be extended for good cause as determined by the Bureau of Licensing.

(d) As provided in § 437a.10(c) (relating to emergency gaming service provider), an employee of an emergency gaming service provider shall obtain a temporary access credential in accordance with subsections (a) and (b) to enable the employee to perform emergency services at the licensed facility.

Authority

The provisions of this § 435a.9a amended under 4 Pa.C.S. §§ 1103, 1202(b)(9)—(23) and (30), 1205, 1206(f) and (g), 1207(1) and (2), 1208(1)(iii), 1209(b), 1212, 1213, 1317(c), 1317.1(c), 1317.2, 1321, 1326, 13A11, 13A12—13A14, 13A15 and 1802 and Chapter 13.

Source

The provisions of this § 435a.9a adopted February 19, 2010, effective February 20, 2010, 40 Pa.B. 975; amended October 22, 2010, effective October 23, 2010, 40 Pa.B. 6083; amended June 12, 2015, effective June 13, 2015, 45 Pa.B. 2829. Immediately preceding text appears at serial page (363719).

Cross References

This section cited in 58 Pa. Code § 437a.7 (relating to registered, certified and authorized gaming service provider responsibilities); and 58 Pa. Code § 437a.10 (relating to emergency gaming service provider).

§ 435a.10. Loss, theft or destruction of credentials.

(a) As soon as possible, but no later than 24 hours following the loss, theft or destruction of a Board credential, emergency credential or temporary credential, the person to whom the credential was issued shall notify the Board's casino compliance representatives at the licensed facility.

(b) The slot machine licensee, on behalf of an employee whose Board-issued credential was lost, stolen or destroyed, may request a replacement Board credential by submitting a Request for Duplicate PGCB Credential Form and the fee established by the Board to the Bureau of Licensing.

Authority

The provisions of this § 435a.10 amended under 4 Pa.C.S. §§ 1202(b)(9)—(23), 1205, 1206(f) and (g), 1207(1) and (2), 1208(1)(iii), 1209(b), 1212, 1213, 13A11, 13A12—13A14, 13A15 and 1802 and Chapter 13.

Source

The provisions of this § 435a.10 amended June 12, 2015, effective June 13, 2015, 45 Pa.B. 2829. Immediately preceding text appears at serial page (363719).

[Next page is 436-1.]

435a-10