

Dickson, Brandy GPEB:EX

Subject: (4:15pm) MDE Briefing with GPEB Items
Location: VCO (and/or) Dial In # s.15,s.17 / Participant ID: s.15,s.17 / Moderator ID: MDE Group
Start: Tue 2019-01-22 4:15 PM
End: Tue 2019-01-22 5:00 PM
Show Time As: Out of Office
Recurrence: (none)
Meeting Status: Accepted
Organizer: Scott, Douglas S AG:EX
Required Attendees: MacLeod, Sam GPEB:EX
Optional Attendees: Fyfe, Richard J AG:EX

January 17, 2019:

Items for discussion:

- Paladin Report
- Shredding Investigation
- On-Line Unregulated Gambling

Sam: Please forward the names of any additional GPEB employees who should be participating in this briefing.

Thank you.

Barb

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**MINISTRY OF ATTORNEY GENERAL
GAMING POLICY AND ENFORCEMENT BRANCH
BRIEFING NOTE**

PURPOSE: For INFORMATION for Sam MacLeod
Assistant Deputy Minister, GPEB

ISSUE: Status update on efforts to address unregulated online gambling

SUMMARY:

- The Gaming Policy and Enforcement Branch (GPEB), Legal Services Branch (LSB), and the British Columbia Lottery Corporation (BCLC) are continuing work to address unregulated online gambling, including:
 - s.13,s.14
 - GPEB-BCLC Online Gambling Working Group: meeting monthly and undertaking analysis of options;
 - Online gambling prevalence study: A final report measuring the prevalence of online gambling in BC will be complete in February. Analysis is underway to compare the findings with BCLC data;
 - Complaint to Advertising Standards Canada (ASC): Regulators in BC, Alberta, Manitoba, and Nova Scotia have made a complaint to the ASC about the advertisement of unregulated gambling sites. s.13
the regulators to resubmit as separate complaints for each advertiser; and
 - s.13

BACKGROUND:

- PlayNow.com, BCLC's online gambling platform, is BC's only commercial online gambling platform that operates within the legal framework created by the *Criminal Code* and BC's *Gaming Control Act* (GCA). All other commercial online gambling platforms operate outside the legal framework. This exposes BC patrons to risks such as fraud, changing odds, lack of responsible gambling features, and access by minors.
- The Attorney General (AG) has provided direction to GPEB and BCLC to form a working group to jointly explore options to address unregulated online gambling websites. s.13,s.14
s.13,s.14

s.14

BCLC-GPEB Online Gambling Working Group

- GPEB and BCLC have formed a working group that meets monthly. The terms of reference have been signed off and the group's mandate is "to provide advice, information, and data, as well as to make recommendations jointly to address unregulated online gambling in BC."
- The working group is considering three main options (the options):
s.13
- In early 2018, BCLC contracted Ernst & Young (EY) to conduct an impact analysis of the options, s.13 . BCLC and GPEB are undertaking further analysis to refine assumptions and the likelihood of success of each option.
- Essential to the analysis of each option is the legal feasibility under the *Criminal Code*. s.13,s.14
s.13,s.14

Online Gambling Prevalence Survey

- GPEB and BC Stats contracted RA Malatest and Associates to conduct a population survey of the prevalence of online gambling among British Columbians. The intent of the survey is to seek data to inform the analysis of options. The survey asked respondents about their online gambling participation and play frequency on PlayNow.com as well as unregulated sites.
- Malatest will provide a final report and presentation to GPEB on February 6, 2019.
- GPEB and BCLC are jointly reviewing the draft report s.13
s.13
- GPEB's Responsible and Problem Gambling team and BCLC's Player Health team are also jointly conducting an additional study to understand problem gambling prevalence among online gamblers. s.13
s.13 Completion of this study also fulfills a commitment from the Plan for Public Health and Gambling.

Provincial Regulators' Complaint to Advertising Standards Canada (ASC)

- The widespread advertising of unregulated gambling websites on television, radio and the internet creates the illusion that these sites are offering services that are safe and secure for BC residents.
- GPEB led other provincial regulators in sending an official complaint to the ASC in December 2018. The signatories included the heads of GPEB; Alberta Gaming, Liquor & Cannabis; Liquor, Gaming and Cannabis Authority of Manitoba; and The Alcohol, Gaming, Fuel and Tobacco Division of Service Nova Scotia.
- The complaint outlined instances in which unregulated online gambling platforms had violated the Canadian Code of Advertising Standards. It requested that the ASC instruct unregulated online gambling providers to withdraw their ads and provide notification that similar advertising is not permitted by Canadian media.
- ASC's Vice President, Standards, responded with a request to revise the complaint and resubmit as four separate complaints – one for each advertiser and their alleged violations. This will allow ASC to forward complaints directly to the advertisers for their response. In the initial response, the ASC has advised that complaints about advertising to 18-year-olds in provinces where the minimum gambling age is 19 have the most merit.

s.13,s.16,s.17

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**MINISTRY OF ATTORNEY GENERAL
(GAMING POLICY AND ENFORCEMENT BRANCH)
BRIEFING NOTE**

PURPOSE: For INFORMATION for David Eby, QC
Attorney General

ISSUE: GPEB's final report on investigations related to Paladin report

SUMMARY:

- Paladin Security (Paladin) completed a workplace review of the River Rock Casino and Resort (RRCR). The review concerned potential allegations of sexual harassment and assaults on floor staff and subsequent actions taken by the service provider, Great Canadian Gaming Corporation (GCGC) and the British Columbia Lottery Corporation (BCLC).
- The Gaming Policy and Enforcement Branch (GPEB) commenced an investigation based on the Paladin reports preliminary finding of RRCR's possible failure to report incidents to GPEB as required under the *Gaming Control Act* (GCA).
- GPEB prepared two status updates for the Attorney General on the investigation (Cliff 551561 and 553017).
- GPEB completed its revised final report in late November, 2018, providing eight recommendations to address identified issues. An action plan is being established to implement the recommendations.

BACKGROUND:

- On October 5, 2017, the Attorney General directed BCLC to investigate operations at RRCR to determine whether:
 - There have been reported or unreported incidents of sexual harassment and/or sexual assault on floor staff, and if so what actions were taken by the service provider and BCLC.
 - BCLC or RRCR have required staff to sign non-disclosure agreement, and if so, what the text of that agreement is and the legal basis for it.
 - Management at RRCR is failing to report assaults on their staff to BCLC.
- In November 2017, BCLC retained Paladin to conduct a workplace review at RRCR. Paladin provided a report summary to the Attorney General and GPEB's General Manager on March 19, 2018. The report findings include:
 - There were both reported and alleged unreported incidents at RRCR;

- RRCR required staff to sign a non-disclosure/confidentiality agreement. The legal basis for the agreement is unknown as RRCR did not provide a copy to Paladin.
- On March 23, 2018 GPEB launched a follow-up investigation based on RRCR's potential failure to report incidents to GPEB as required under s. 86(2) of the GCA and s. 34(1)(t) of the Gaming Control Regulation (GCR).¹
- GPEB prepared two status updates summarizing initial findings to the Attorney General prior to completing a final report in October 2018 (Cliff 551561 and 553017). Those initial findings concerned the 17 incidents of potential non-reporting.

Outcome of GPEB's Final Report

- The primary findings of the final report indicate:
 - All incidents that met the threshold for reporting to police were reported as required by RRCR.
 - There was no evidence suggesting attempts by RRCR senior management to suppress disclosure or avoid reporting incidents to GPEB, BCLC, or to the police of jurisdiction.
 - Of incidents that Paladin identified as unreported, one was deemed to not meet the standard for reporting, six lacked sufficient detail for follow up, and one was found to be reported to and handled appropriately by RRCR Human Resources. For the remaining nine incidents, investigative follow up occurred with systemic concerns being identified, resulting in the subsequent recommendations.
 - RRCR did not strictly adhere to GPEB reporting standards as per s. 86 (2) of the GCA and s.34(1)(t) of the GCR.
 - Improper categorization of incidents in the CRS iTrak system, insufficient training, and discretion mistakenly being exercised by lower level managerial staff (i.e. VIP managers / Gaming Managers) on reporting requirements contributed to possible incidents of non-reporting.
 - A confidentiality statement implemented by RRCR may have been misconstrued as a non-disclosure agreement which in turn may have contributed to non-reporting.

¹ S. 86(2) of the GCA requires BCLC and service providers notify GPEB's General Manager (GM) about any activity in connection to gambling involving the commission of an offence under a gambling related provision of the Criminal Code (CC) or the commission of an offence under the GCA. S. 34(1)(t) of the GCR requires service providers report to the GM any activity at or near a gaming facility that may be contrary to the CC, the GCA or GCR.

- Preferential treatment or the appearance of preferential treatment for VIPs is prevalent in RRCR's workplace culture. Deference was paid by RRCR to VIP patrons to the detriment of front line gaming workers.

The final report provides eight recommendations to address the identified issues:

1. The general manager of GPEB provide an updated letter outlining reportable offenses to all service providers and BCLC;
2. All incident reports entered into the CRS iTrak system clearly detail any Police of Jurisdiction involvement;
3. Formalize training on the correct categorization of incidents in the CRS iTrak system;
4. Training for frontline gaming staff on GPEB's reporting requirements;
5. Institution of a Player Code of Conduct at all service providers;
6. Proactive reporting to GPEB by both service providers and BCLC of subsequent information related to incidents GPEB has previously identified in its investigations;
7. Establishment of minimum patron exclusion requirements/periods from gaming facilities that require both BCLC and service providers to adhere to; and
8. Service provider compliance officers be mandated to determine if an incident reported to an HR department requires a s. 86(2) report to be generated and forwarded to the general manager.

GPEB intends to address the recommendations by establishing an action plan which will include stakeholder debriefs and letters being sent to all service providers and BCLC outlining reporting requirements. It is recommended that discussions be held with BCLC and service providers to work collaboratively to address the recommendations.

OTHER MINISTRIES IMPACTED/CONSULTED:

- No consultation required.

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Attachment: Appendix A – Report of Findings

**Ministry of the Attorney General
Gaming Policy and Enforcement Branch
Compliance Division**

REPORT OF FINDINGS

CONFIDENTIAL

This document is the property of the Gaming Policy and Enforcement Branch (Compliance Division). It is confidential and shall not be released or disclosed in whole or part without the prior consent of the General Manager or a delegated authority.

Complaint:

Incidents of Non-Reporting
River Rock Casino Resort
Great Canadian Casinos Inc.
GBC ID: 164798
Address: 8811 River Road, Richmond, BC
Project ICARUS (Paladin File)
GPEB File # 98827

BACKGROUND:

On 2018 03 19, the British Columbia Lottery Corporation (BCLC) forwards a letter to Gaming Policy and Enforcement Branch Assistant Deputy Minister concerning allegations regarding Great Canadian Gaming Corporation's (GCGC) operations at the River Rock Casino Resort (RRCR). As per the letter (see **Appendix A**), in October of 2017, the Attorney General directed BCLC to investigate said aforementioned allegations with specific attention paid to the following:

- QUOTE -

1. Whether or not there have been reported and unreported incidents of sexual harassment and/or sexual assaults on floor staff and if so, what actions were taken by the service provider and BCLC.
2. Whether or not BCLC or River Rock have required staff to sign some kind of non-disclosure agreement, and if so, what the text of that agreement is and the legal basis for it; and
3. Whether management at River Rock is failing to report assaults on their staff to BCLC.

- END QUOTE -

As a means of complying with the Minister's direction to address the allegation, BCLC engaged the services of Paladin Security to undertake the workplace review of the RRCR. The received letter further advised that Paladin has completed their work and pursuant to s.86(2) of the Gaming Control Act (GCA), BCLC is writing to inform that the possibility exists "GCGC and/or its employees have failed to meet their reporting responsibilities as set out in s.86(2) of the GCA and s.34 of the Gaming Control Regulations".

On 2018 03 22, GPEB Investigators review a copy of the Paladin Security Summary report (provided to GPEB by BCLC on 2018 03 19) concerning the preliminary overview of Paladin Security's workplace review of the RRCR (the summary report has been saved to file). The document outlines the methodology undertaken by Paladin Security, the investigative thresholds and parameters utilized by Paladin staff, and the preliminary summary findings of the workplace review.

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On 2018 03 23, an encompassing 86(1) Demand is sent to BCLC requesting information pertaining to the Paladin Security workplace review (Investigator's note – via conversation with BCLC on 2018 04 06, it is agreed that the initial 86(1) Demand will stand for the duration of the investigation and additional demands could be made directly to the BCLC Manager of Investigations).

On 2018 05 02, GPEB Investigators receive the final report from Paladin Security via BCLC (saved to file). Examination and assessment of the report by GPEB Investigators reveal that Paladin Security has concluded, based on their findings concerning the three priority questions posed to them by BCLC (see beginning of document for the specific questions), that thirty-two (32) incidents of reported and seventeen (17) incidents of unreported sexual assault, assault, assault with a weapon, and sexual harassment have occurred. In addition, Paladin Security concluded that managers at the River Rock Casino Resort (RRCR) may have been aware of serious assaults and may not have reported them appropriately. Finally, Paladin Security has concluded that members of the Human Resources Department at the RRCR may have asked numerous staff members to sign a document that appears to be a form of non-disclosure agreement (referred to as a "confidentiality statement"). Requests made by Paladin Security to obtain a copy of the "confidentiality statement" and any supporting documentation / files were denied by the RRCR.

Please note, the investigative actions discussed in this Report of Findings are regulatory in nature, with focus on the nexus to Integrity of Gaming and the reporting processes adhered to by the River Rock Casino Resort (RRCR) and BCLC. While the RRCR is the focus of the report herein, any recommendations provided are intended to apply globally to all Service Providers including BCLC where applicable. Please note that, where possible, names have been removed to protect the anonymity and privacy of all participant parties.

GPEB INVESTIGATIVE FOCUS

GPEB LMD Compliance Investigations commenced Project ICARUS on 2018 03 23 in response to allegation that the River Rock Casino Resort (RRCR) may not be meeting reporting obligations as set out in s.86(2) of the GCA and s.34 of the Gaming Control Regulations. More specifically, GPEB Investigators were tasked with investigating the findings of the workplace review conducted by Paladin Security at the behest of the British Columbia Lottery Corporation (BCLC).

GPEB Investigators investigative priority focused on the following:

- Determine if any unreported incidents as identified in the Paladin Security final report necessitated immediate police of jurisdiction notification.
- Determine if the Service Provider and/or BCLC adhered to reporting standards identified by the General Manager – GPEB under Section 86 (2) – Gaming Control Act and 34 (1) (t) – Gaming Control Regulation.
 - Confirm whether reported and unreported incidents as identified in the Paladin Security final report were reported to GPEB as required.
 - Where necessary, interview witnesses, involved gaming staff, and management/HR personnel.
 - Identify historical evidence (statements, documentation, video etc.) and secure said evidence, if found, pertaining to unreported incidents from all stakeholders.
 - Determine what applicable Service Provider policies and procedures were in place at the time of unreported incidents under review.
- Determine the use and purpose of any non-disclosure agreement (NDA) / confidentiality statement possibly in use at the RRCR and what effect, if any, the NDA / confidentiality statement had on the reporting process to GPEB.
- Identify any systemic issues that may be at play within the reporting process to GPEB.

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GPEB Investigators determined reportable incidents by reference to letters issued by the GPEB General Manager wherein it outlines to BCLC and all registered Gaming and eGaming Service Providers the reporting and notification requirements expected by the General Manager (see Appendix B). The following is an excerpt from the 2015 07 17 letter (most recent letter still in place) which outlines pertinent reporting / notification requirements:

- QUOTE –

The reporting/notification requirements under Section 86(2) and 34(t) includes **but is not limited to**, the following conduct, activities or incidents:

- a) Cheating at Play which includes collusion between players, or dealers;
- b) Thefts, meaning included theft affecting the integrity of the game; thefts from the house or a lottery retailer site; thefts by a registered gaming worker; thefts of IVS tickets; and thefts committed against charitable gaming;
- c) Money Laundering including Suspicious Currency transaction or suspicious Electronic fund transfers;
- d) Loan Sharking;
- e) Robbery which involves a gaming facility or a patron leaving the gaming facility;
- f) Threats by or of a Registered Gaming Worker;
- g) Assault by or of a Registered Gaming Worker;
- h) Conducting unauthorized lottery schemes;
- i) Counterfeit Gaming Chips;
- j) Minors found in or participating in gaming activities in a gaming facility;
- k) Minors playing Play Now;
- l) Persons legally prohibited from gaming facilities;
- m) Unregistered gaming service providers;
- n) Fraud including passing counterfeit lotto tickets, casino chips or involving a lottery scheme; and
- o) Personation or False Identification incidents which include attempts to claim prizes or payouts.

- END QUOTE –

GPEB Investigators requested copies of all available General Manager letters sent to Service Providers for the time period of which incidents as identified by Paladin Security spanned (approximately 2009 to present) and utilized the letter in place at the time when reviewing incidents for whether it could be deemed reportable. It is of note that in all General Manager letters provided to Service Providers reviewed (saved to file), all list Assault and Threats by or of a registered gaming worker as a reportable incident to GPEB. While harassment (including sexual) and bullying are not specifically outlined in any General Manager letter, it is of note that all letters have the clause "but not limited to" included in the letter body; as such, incidents of harassment and bullying involving registered gaming workers could be considered reportable to GPEB in certain circumstances.

When determining incidents requiring investigative follow-up, GPEB Investigators focused on the seventeen (17) "unreported" incidents identified in the Paladin Security final report. All incidents were reviewed for information that presented the greatest avenues for investigative follow-up. RRCR gaming workers were identified from unreported incidents as interview candidates based on the level of detail provided on the incident to Paladin Security, the recency of the account, and the likelihood of corroboration. Findings related to reported and unreported incidents will be discussed later in this document.

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In total, GPEB Investigators reviewed approximately 7600 documents (submitted by Paladin Security, BCLC, and the RRCR), conducted several interviews (15+ hours of interview footage) with registered gaming workers ranging from front line RRCR gaming staff to RRCR HR personnel to RRCR/GCGC management, made numerous follow-up inquiries, and provided various stakeholders with updates regarding progress throughout the investigative process.

Investigative Challenges

The timeliness of the investigation has been primarily impacted by the large volume of information requiring investigative review. As indicated above, GPEB Investigators reviewed more than 7600 documents which often consisted of vague or unclear information. Each alleged reported and unreported incident as identified in the Paladin Security final report in addition to additional incident information received from BCLC's corresponding review required detailed analysis and assessment in order to determine if the incident in question required an 86(2) Report be provided to GPEB and, if so, determine if, in fact, an 86(2) Report was received by GPEB.

In addition, some individuals identified for potential interview by GPEB investigators demonstrated reluctance to participate in GPEB's investigation. GPEB investigators had difficulty contacting, and in some cases were unable to contact, potential interview candidates due to outdated or inaccurate contact information. While GPEB has regulatory authority to compel cooperation, this power is traditionally used to compel gaming workers who are the subject of complaint and / or witness to an incident involving alleged gaming worker misconduct. While efforts were made to contact said individuals (including liaising with RRCR HR), if an interview candidate denied or did not respond to repeated GPEB requests for interview, GPEB investigators did not exercise their power to compel participation as a means of respecting the rights of the victim.

Criminal Code of Canada

The following Criminal Code sections and definitions were utilized when reviewing identified unreported incidents for whether the incidents in question met the elements of an offense.

Criminal Code Section 264 – Criminal Harassment ¹

Definition:

264 (1) No person shall, without lawful authority and knowing that another person is harassed or recklessly as to whether the other person is harassed, engage in conduct referred to in subsection (2) that causes that other person reasonably, in all the circumstances, to fear for their safety or the safety of anyone known to them.

Prohibited conduct

- (2)** The conduct mentioned in subsection (1) consists of
- (a)** repeatedly following from place to place the other person or anyone known to them;
 - (b)** repeatedly communicating with, either directly or indirectly, the other person or anyone known to them;
 - (c)** besetting or watching the dwelling-house, or place where the other person, or anyone known to them, resides, works, carries on business or happens to be; or
 - (d)** engaging in threatening conduct directed at the other person or any member of their family.

¹ <http://laws-lois.justice.gc.ca/eng/acts/c-46/page-61.html#docCont>

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Criminal Code Section 264.1 – Uttering Threats ²

Definition:

264.1 (1) Every one commits an offence who, in any manner, knowingly utters, conveys or causes any person to receive a threat

- (a) to cause death or bodily harm to any person;
- (b) to burn, destroy or damage real or personal property; or
- (c) to kill, poison or injure an animal or bird that is the property of any person.

Criminal Code Section 266 – Assault ³

Definition:

265 (1) A person commits assault when

- (a) without the consent of another person, he applies force intentionally to that other person, directly or indirectly;
- (b) he attempts or threatens, by act or a gesture, to apply force to another person, if he has, or causes that other person to believe on reasonable grounds that he has, present ability to effect his purpose; or
- (c) while openly wearing or carrying a weapon or an imitation thereof, he accosts or impedes another person or begs.

Criminal Code Section 267 – Assault with a Weapon or causing bodily harm ⁴

Definition:

See above definition of assault in addition to:

267 Every one who, in committing an assault,

- (a) carries, uses or threatens to use a weapon or an imitation thereof, or
- (b) causes bodily harm to the complainant,

Criminal Code Section 271 – Sexual Assault ⁵

Definition:

Sexual Assault occurs when a person commits an Assault (see definition for Assault above – Section 265 CCC) in circumstances of a sexual nature that violates the sexual integrity of the complainant.

Non-Criminal Misconduct:

Canada Labour Code Section 247.1 - Sexual Harassment⁶

Definition:

Sexual harassment means any conduct, comment, gesture or contact of a sexual nature

- (a) that is likely to cause offence or humiliation to any employee; or
- (b) that might, on reasonable grounds, be perceived by that employee as placing a condition of a sexual nature on employment or on any opportunity for training or promotion.

² <http://laws-lois.justice.gc.ca/eng/acts/c-46/page-61.html#docCont>

³ <http://laws-lois.justice.gc.ca/eng/acts/c-46/page-62.html#docCont>

⁴ <http://laws-lois.justice.gc.ca/eng/acts/c-46/page-62.html#docCont>

⁵ <http://laws-lois.justice.gc.ca/eng/acts/c-46/page-63.html#docCont>

⁶ <http://laws-lois.justice.gc.ca/eng/acts/L-2/page-46.html#h-100>

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Bullying and Harassment⁷

Definitions (taking from the collective agreement between GCGC and the BCGEU – See Appendix C)

Harassment is defined as conduct or comment which is known or ought reasonably to be known as objectionable or unwelcome, that serves no legitimate work-related purpose, and that is based on a Prohibited Ground, and which also has one or more of the following attributes: (a) it detrimentally affects an employee in the work environment, or (b) it has adverse job-related consequences such as reduced job security, or a negative impact on career advancement. Harassment includes sexual harassment.

Bullying behavior is defined as persistent, unwanted, offensive, humiliating or intimidating behavior (verbal comments actions or gestures) that affects an employee's self-confidence, dignity or psychological or physical integrity, and which results in a harmful work environment. Bullying tends to be a large number of incidents over a long period of time, but a single serious incident of such behavior may also constitute bullying.

ASSOCIATED POLICY (GPB)

The following are pertinent sections of the Gaming Control Act and Gaming Control Regulations related to the Report of Findings discussed herein:

Gaming Control Act Section 86 (2) – The lottery corporation, a registrant and a licensee must notify the general manager immediately about any conduct, activity or incident occurring in connection with a lottery scheme or horse racing, if the conduct, activity or incident involves or involved

- (a) the commission of an offense under a provision of the Criminal Code that is relevant to a lottery scheme or horse racing, or
- (b) the commission of an offense under this Act

Gaming Control Regulations 34 (1) – Subject to subsection (2), it is a condition of registration of a gaming worker

- (t) unless the gaming services provider is a lottery retailer to which subsection (2) (a) applies or is a hospitality retailer to which subsection (2) (b) applies, immediately report to the general manager any conduct or activity at or near a gaming facility that is or may be contrary to the *Criminal Code*, the Act or any regulation under the Act.

Gaming Control Act Section 97 (2.1) – A registrant, a licensee or an eligible organization who contravenes section 86(1) or (2) commits an offense.

Gaming Control Act Section 98 (2) – A person who commits an offense under section 97 (2) (b) or (c) or (2.1) is liable,

- (a) in the case of the corporation on a first conviction, to a fine or not more than \$100 000 and on each subsequent conviction, to a fine of not more than \$200 000, and
- (b) in the case of an individual
 - (i) on a first conviction, to a fine of not more than \$100 000 or to imprisonment for not more than 6 months or to both, and
 - (ii) on each subsequent conviction, to a fine of not more than \$200 000 or to imprisonment for not more than 12 months or to both.

⁷ <http://former.bcgeu.ca/sites/default/files/collective-agreements/17033221.pdf>

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SCOPE OF INVESTIGATION:

As mentioned previously, GPEB Investigator priority focused on three (3) main areas of investigation:

- 1) Determine if any unreported incidents as identified in the Paladin Final report necessitated police of jurisdiction notification.
- 2) Determine if the Service Provider and/or BCLC adhered to reporting standards identified by the General Manager – GPEB under Section 86 (2) – Gaming Control Act and 34 (1) (t) – Gaming Control Regulation.
- 3) Determine the use and purpose of any non-disclosure agreement (NDA) / confidentiality statement possibly in use at the RRCR and what effect, if any, the NDA / confidentiality statement had on the reporting process to GPEB.

While each avenue of investigation will be discussed in detail below, it is first necessary to discuss the responsibility the Service Provider and BCLC has to report incidents of concern and, specifically report incidents to GPEB.

The Reporting Process

Section 86(2) of the Gaming Control Act (GCA) clearly states that the lottery corporation (BCLC), a registrant (the Service Provider / registered gaming workers) and a licensee must notify the general manager (GPEB) immediately about any conduct, activity, and/or incident involving the commission of an offense under a provision of the Criminal Code relevant to a lottery scheme or horse racing in addition to the commission of an offense under the GCA. This reporting requirement is further stated in Section 34 (t) of the Gaming Control Regulations (GCR) wherein a condition of registration of a gaming worker is to immediately report to the general manager (GPEB) any conduct or activity at or near a gaming facility that is or may be contrary to the Criminal Code, the Act, or any regulation under the Act.

BCLC Policy and Procedures

Service Providers have additional policies and procedures regarding the reporting process that are outlined in the following section of the *BCLC Casino and Community Gaming Centre Standards, Policies and Procedures Section 1-10.1 General – Incident Reporting and Escalation* (see **Appendix D**). Please note that relevant sections as it relates herein have been highlighted:

- QUOTE –

1 INCIDENT REPORTS – GENERAL

- 1.1 An Incident Report in the Casino Reporting System (CRS) shall be completed for any:
 - 1.1.1 Breach of BCLC Casino and Community Gaming Centre Standards, Policies and Procedures;
 - 1.1.2 Incidents of theft, cheating at play, unattended children or other criminal code violation;
 - 1.1.3 s.15

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1.1.4 s.15

1.1.5

1.1.6 Damage to property belonging to the Service Provider or BCLC;

1.1.7 Situations that could cause concern for the safety or well-being of casino or community gaming centre patrons, staff, or BCLC employees;

1.1.8 Police, Fire Department, or other emergency services attendance;

1.1.9 s.15

1.1.10

1.1.11 Other unusual/irregular circumstances of a significant nature; and

1.1.12 Where required by BCLC Casino and Community Gaming Centre Standards, Policies and Procedures.

1.2 See ESCALATION OF INCIDENTS for required notification protocols.

2 INCIDENT REPORTS - STANDARDS AND PROCEDURES

2.1 Incident Reports shall include all relevant information. This includes but is not limited to:

2.1.1 s.15

2.1.2

2.1.3

2.1.3.a

2.1.4

2.1.5

2.1.6

2.1.7 Confirmation that GPEB has been notified (if applicable).

2.2 Incident Reports shall be created by:

2.2.1 s.15

2.2.2

2.3 s.15

2.4

2.4.1

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2.4.1.a s.15

3 REPORTING TO GPEB

3.1 The Service Provider has a legal obligation to prepare and send the "Section 86 GC Act Report" to GPEB Investigation Division immediately as per GPEB instructions.

[...]

3.2 s.15

3.3 At casinos: a copy of the report shall also be emailed to BCLC Security and Surveillance at GPEBreports@bclc.com.

3.4 At community gaming centres: a copy of the report shall also be emailed to BCLC Security at 'ALL-Bingo&CGCInvestigators@BCLC.com.

3.5 At facilities with manned surveillance, the Surveillance department shall compile and submit the Section 86 GC Act Report to GPEB and BCLC.

3.6 s.15

4 ESCALATION OF INCIDENTS – SERIOUS/URGENT

4.1 If a serious incident occurs that has caused or could cause substantial concern for the well-being of site staff or patrons (including but not limited to armed robbery, bomb threat, fire, evacuation, serious criminal activity involving police) or impact the ability to provide gaming (including but not limited to natural disaster or system-wide/ site-wide technical failure), including CCTV system failure, the Service Provider shall complete the following:

4.1.1 Ensure Police, Fire Department, Ambulance or other Emergency Services are contacted if warranted by the incident and/or emergency plan;

4.1.2 Email:

4.1.2.a s.15

4.1.2.b GPEB as described in REPORTING TO GPEB above.

4.1.2.c s.15

4.1.3 s.15

- END QUOTE -

GCGC / RRCR Policy

Site policies and procedures in place at the RRCR regarding the reporting process and what constitutes a reportable offense (specifically referenced to Workplace Violence) can be found in the River Rock Employee Handbook (Section 2.13 – Preventing Violence in the Workplace – See **Appendix E**) and the Great Canadian – Human Resources Policies and Procedures (Section 9.0 – Violence in the Workplace – See **Appendix F**). The River Rock Employee Handbook states

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that “All employees shall follow the procedures implemented for their protection, and immediately report all instances of violence. If you notice or are advised of any aggressive or threatening behavior, immediately contact the nearest Security Officer to report it”. The Great Canadian – Human Resources Policies and Procedures document contains the following excerpt regarding Workplace Violence:

- QUOTE –

2 Workplace Violence Defined

BC’s *Operational Health and Safety Regulations* define “violence” in the workplace as the attempted or actual exercise by a person, **other than a co-worker**, of any physical force so as to cause injury to a worker, and includes any threatening statement or behavior which gives a worker reasonable cause to believe that he or she is at risk of injury.

Workplace violence includes:

- **threatening behavior** – such as shaking of fists, destroying property or throwing objects
- **verbal or written threats** – any expression of an intent to inflict harm
- **verbal abuse or harassing behavior** – when it includes threats or behavior which give the worker reasonable cause to believe that the worker is at risk of injury
- **verbal abuse** – swearing, insults or condescending language
- **physical attacks** – hitting, shoving, pushing or kicking

- END QUOTE -

It is of note that all workplace violence scenarios as described above would constitute a reportable offense to GPEB as per the Gaming Control Act and Gaming Control Regulations.

GPEB investigation further revealed that RRCR has a Whistle Blower Policy in place that employees at all levels can utilize. The following excerpt is contained in the Whistle Blower Policy section of the GCGC Corporate Ethics & Conduct Manual (see **Appendix G - pg.10**):

- QUOTE -

Employees are required to inform the Compliance Officer immediately and directly of any actual, perceived, or potential breaches of company policies and applicable Federal and Provincial laws. Reports should normally be made through the reporting chain of command. However, if you feel uncomfortable reporting to your immediate supervisor, you can raise the matter with the Compliance Officer directly.

You are required to raise any concerns about accounting matters, internal accounting controls, auditing matters, or related questionable practices with your immediate supervisor or the person you normally report to. However, if you are uncomfortable with reporting a particular matter to your supervisor, you may report it to any other member of the Corporation's management team or to the Compliance Officer directly.

All disclosures of perceived breaches of any company policies and applicable Federal and Provincial laws or other genuine concerns regarding accounting matters, internal accounting controls, auditing matters, or related questionable practices will be held in confidence.

The management team has been specifically instructed to deal with any reports received in a timely, effective way and to maintain confidentiality.

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GPEB investigation revealed that the RRCR does not have a specific policy in place informing as to when it would be necessary from a corporate standpoint to inform the POJ of an incident. Interviews conducted with Surveillance and Security personnel revealed that the perspective of the RRCR as an employer is that the onus to contact the POJ rests with the victim of the incident in question. The option to inform the POJ will be provided to the victim; however, if the victim states that they do not wish to do so, the victim's decision would be respected. RRCR personnel did indicate that if a situation arose where an "immediate danger" was posed (i.e. a physical altercation breaks out), the RRCR would call the POJ.

While assessing unreported incidents for the possible need to inform the POJ was a focus for investigators, all incidents as identified in the Paladin Security final report were reviewed. On several occasions, it was noted by GPEB investigators that information pertaining to whether the POJ were notified of an incident was not contained in every report.

GPEB RECOMMENDATION - GPEB believes that all incidents entered into the CRS iTrak system should clearly indicate if the POJ were notified, who offered the opportunity to inform the POJ, who contacted the POJ, and who (i.e. victim) declined the offer to inform the POJ (if applicable). In all instances where a CRS iTrak report is opened, the CRS iTrak report should clearly indicate the information as required in the policies and procedures regarding the reporting process that are outlined in sections of the BCLC Casino and Community Gaming Centre Standards, Policies and Procedures Section 1-10.1 General – Incident Reporting and Escalation (i.e. time POJ were notified, time POJ arrived, attending officers' name(s), police file number (if applicable), etc.).

Reported and Unreported Incidents

GPEB Investigators were tasked with determining if the Service Provider and/or BCLC adhered to reporting standards identified by the General Manager – GPEB under Section 86 (2) – Gaming Control Act and 34 (1) (t) – Gaming Control Regulation.

On 2018 05 17, GPEB Investigators sent a request to BCLC asking that BCLC confirm they accept the findings of the Paladin Security final report and can attest to the accuracy of the findings from a BCLC perspective. Specifically, BCLC was asked to provide the following:

- Confirmation that the thirty-two (32) incidents deemed reported to BCLC by Paladin Security could be confirmed as "reported". In order to do so, BCLC was asked to provide the corresponding incident CRS iTrak report(s) information, un-redacted subject/employee profiles, witness/victim statements, etc. In addition, BCLC was asked to provide the notification wherein the RRCR provided the corresponding 86(2) Report to GPEB 86 Reporting LMD, additional stakeholders and BCLC.
- Confirmation that the seventeen (17) incidents deemed unreported to BCLC by Paladin Security can be confirmed as unreported. In order to do so, BCLC was asked to define the steps taken by BCLC to confirm an incident as "unreported". In addition, BCLC was asked to confirm if any incidents deemed unreported to BCLC by Paladin Security, had been found to be reported. If so, BCLC was then asked to provide the steps taken to deem the incident reported and provide the corresponding CRS iTrak incident number and associated documentation.

On 2018 05 23, BCLC responds with the following:

- QUOTE –

Define the steps taken by BCLC to confirm an incident as "un-reported"

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Throughout the course of the Review, Paladin Investigators contacted BCLC Manager, Investigations [...] with requests for clarification on information that became known through interviews. [BCLC] confirmed via CRS iTrak that an associated incident was or was not reported to BCLC and the details, if applicable.

Further to the above, due to the sometimes limited information provided to Paladin during the interviews, BCLC was unable to confirm whether or not these incidents were reported to GPEB as required.

On s.22 April s.22 2018 s.22 , [BCLC] met with Paladin Investigator [...] at BCLC Vancouver office.

[Paladin Security] provided all outstanding information that became known through interviews and was looking to substantiate details with CRS iTrak Incident files. Information ranged in specificities and included dates, times, locations, patrons, and River Rock Casino Resort (RRCR) staff.

With [Paladin Security] present, [BCLC] searched CRS iTrak a number of ways to identify existing incidents, verify names (RRCR staff and patrons) and locations, and the level at which the matter was reported.

Every best effort was made by [BCLC] to identify CRS iTrak incidents to substantiate the information provided by [Paladin Security]; however, in seventeen (17) cases, a corresponding incident was not located.

Caveat: CRS incidents for these events might exist in iTrak under scoring that [BCLC] were unable to locate.

Confirm if any incidents deemed “un-reported” to BCLC by Paladin, have been found to be, in fact, reported

To date, we have not identified any CRS iTrak reports for incidents deemed “un-reported” by Paladin.

Caveat: CRS incidents for these events might exist in iTrak under scoring that [BCLC] were unable to locate.

- END QUOTE -

Paladin Security within their workplace review adopted the operating definition of “reported” in terms of whether the incident in question was reported to BCLC. The gauge to determine a reported incident was whether a corresponding CRS iTrak incident number / file existed in the BCLC CRS iTrak system. Any incident that was reported to anyone other than BCLC was considered by Paladin Security to be an “unreported” incident.

GPEB requirements necessitated different operating definitions of “reported” and “unreported” as compared to Paladin Security. As the Paladin Security final report did not address whether incidents were reported to the necessary GPEB body as required under the Gaming Control Act (GCA), each reported and unreported incident as identified in the Paladin Security final report required individual analysis and assessment by GPEB Investigators to determine if the incident was, in fact, reported to GPEB.

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Reported incidents were determined based on whether an 86(2) Report was generated and submitted to GPEB by the Service Provider and / or BCLC. As such, an incident deemed "reported" by Paladin Security was not considered reported to GPEB unless a corresponding 86(2) Report could be found.

Conversely, an unreported incident was determined to be an incident that met reporting thresholds as per the General Manager letter provided to Service Providers and BCLC that did not generate an 86(2) Report to GPEB. Please note that if an incident deemed "unreported" by Paladin Security was revealed in Paladin conducted interviews to be an incident being brought forward for the first time, that incident was not deemed unreported by GPEB. GPEB Investigators concluded that an incident could not be deemed unreported unless the complainant / gaming worker had already attempted to inform the Service Provider of the incident in question, allowing the Service Provider the opportunity to follow proper reporting protocol as discussed in this document.

Reported Incidents

The Paladin Security final report identified thirty-two (32) "reported" incidents of assault, sexual assault, uttering threats, sexual harassment, etc. However, upon review, GPEB determined that the number of incidents files were, in fact, twenty-five (25). GPEB review and assessment of incidents identified as reported in the Paladin Security final report revealed that Paladin Security determined the number of incidents based on the number of gaming workers involved in an incident and not on the number of CRS iTrak reports created. By way of example, Paladin Security classified an incident wherein two RRRCR employees were subject to an assault s.22 by the same patron as two separate instances of assault. While true, only one CRS iTrak report (iTrak #17-32802) categorized as "Assault" was generated in the CRS iTrak system regarding the incident. This incident, in turn, generated one 86(2) Report to GPEB.

For purposes of GPEB review, GPEB determined the number of reported incidents based on the 86(2) Report received in relation to a specific CRS iTrak incident number. As such, GPEB determined a working number of twenty-five (25) incidents reported to BCLC (with one duplicate incident report). GPEB conducted searches for the corresponding 86(2) Report associated with these twenty-five (25) CRS iTrak reports and in five (5) instances s. Assault, s. Assault w/ Weapon s. Sexual Harassment) the corresponding 86(2) Report could not be found in GPEB records. In review of these five (5) incident reports, GPEB Investigators noticed that the incidents in question had been categorized within the CRS iTrak system in a matter not reflective of the actual offense (i.e. as a Site Barring and not Assault).

On 2018 05 23, information contained in a cover letter received from BCLC concerning a large GPEB information demand further confirmed GPEB suspicion regarding incident categorization. Information contained in the cover letter stated that the following incidents did not generate an 86(2) Report due to the type of scoring associated with the incident at the time of occurrence:

S86(2) Not Sent Due To Incident Type	Type
IN20140050628	Ban > Site Barring
IN20160046374	Ban > Site Barring
IN20160051565	Ban > Site Barring
IN20170001619	Ban > Site Barring
IN20170009982	Gaming > Tables > Customer Complaint

On 2018 05 31, GPEB sends the following correspondence to BCLC demanding further information in relation to the categorization of CRS iTrak incidents:

- QUOTE -

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As GPEB continues with the investigation related to the workplace review conducted at the RRCR, the following information is required:

- All documentation as it relates to the process / procedures for categorizing incidents in the CRS/I-TRAK system.
- Documentation as to who is responsible for scoring / categorizing an incident in addition to who is making the decision as to how an incident is scored / categorized?
- What training is provided for the scoring / categorizing of incidents in the CRS/I-TRAK system? Provide specific training documentation.
- Are incidents reviewed (by BCLC, the Service Provider) to ensure proper scoring / categorization of incidents take place? If so, provide documentation outlining the review process.
- In the previous information demand it was stated that the following incidents did not generate an 86(2) report due to the incident type scoring:

[...]

- END QUOTE -

On 2018 06 05, BCLC provided a response to GPEB inquires regarding incident categorization. As per BCLC, outside of what is noted in BCLC's Casino and Community Gaming Centre Standards, Policies and Procedures (CCGCSPPs), BCLC Investigations does not provide Service Providers (SP) with prescriptive documentation outlining processes or procedures for categorizing CRS iTrak incidents. In addition, BCLC CCGCSPPs do not provide instructions on how to categorize incidents, outline who is responsible for scoring / categorizing an incident, nor who makes the decision to categorize an incident. However, as per the BCLC CCGCSPPs, the SP is responsible for "creating" an incident report in CRS iTrak. Furthermore, as per BCLC, the onus is placed on the SP to provide staff with training on how to score / categorize CRS iTrak incidents and BCLC does not provide prescriptive documentation outlining such training requirements. It was further stated by BCLC that while BCLC s.15

s.15

s.15 ; however, when noted, any scoring/categorization issues would be addressed accordingly.

Specifically, to the five (5) incidents noted to have not generated an 86(2) Report to GPEB as required by the GCA, BCLC provided the following:

- QUOTE –

While the scoring of these Incidents may not equate to Section 86(2) Reporting, the SP is responsible for reporting "any real or suspected conduct, activity or incident that affects the integrity of gaming at a gaming facility" as outlined in CCGCSPP Section: 1-10.1 General – Incident Reporting and Escalation 3 REPORTING TO GPEB. Therefore, regardless how these specific incidents were scored, it does not supersede the requirement for the SP to report to BCLC or GPEB.

- END QUOTE –

To further confirm that the five (5) incidents in question did not generate an 86(2) Report to GPEB, on 2018 08 22, GPEB sends an 86(1) Demand to the RRCR asking that the RRCR provide official notification, including the date sent, wherein the RRCR provided the corresponding 86(2) Report for the five (5) incidents noted herein on pg. 14/15). On 2018 09 07,

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GCGC / RRCR responds that the 86(2) forms requested are not available as they were not sent to GPEB for reasons unknown.

Further GPEB investigation revealed that an additional three (3) CRS iTrak reports did not generate 86(2) Reports to GPEB. On 2018 09 12, GPEB sent an 86(2) Demand to BCLC requesting their corresponding incident file number (#17-69928) related to the Paladin workplace review (saved to file). In a document entitled "Guardian Progress Report 2 2018MAR05 (DRAFT)", it is stated that BCLC reviewed sixty-one (61) terms of reference incident files in relation to the Paladin file. These incident files were further grouped into forty-one (41) specific incident folders (as per Appendix 4 of the BCLC file). As sixteen (16) of the incidents folders had been previously provided to GPEB, on 2018 09 19, GPEB requested that incident folders seventeen (17) to forty-one (41) be provided in addition to confirmation that the incidents were reported as required as GPEB searches for corresponding 86(2) Reports returned negative results in six (6) instances.

On 2018 09 21, BCLC responds with the following:

- QUOTE -

GPEB reporting emails could not be located in our systems for the following incidents:

- IN20160015134
- IN20160049875
- IN20160073259
- IN20170024675
- IN20170058451
- IN20170062853

- END QUOTE -

Further GPEB review of the details of the six (6) CRS iTrak reports revealed that in three (3) instances, the incident would be deemed reportable to GPEB.

IN20160015134 – Possible Assault (Scored as Gaming)

IN20160073259 – Sexual Harassment

IN20170058451 – Possible Assault (Scored as Barring)

GPEB Investigators confirmed with the RRCR Surveillance department on 2018 09 24 that Section 86 (2) Reports were not generated for the three (3) above noted incidents. RRCR Surveillance furthered that "no emails were sent to BCLC as they were notified via iTrak as soon as the report was opened, written, and saved. BCLC Investigators conducted their reviews and entered their findings in the incident files".

In relation to the two incidents of assault, categorization issues (as discussed earlier in the report herein) are the contributing factors to non-reporting. As such, GPEB Investigators have concerns regarding incident categorization in the CRS iTrak system. Seven (7) incidents identified as being reported to BCLC over the course of GPEB investigation into the Paladin Security final report have been confirmed to not have generated an 86(2) Report to GPEB. While, in these instances, the evidence suggests the lack of reporting stemmed from improper categorization and not intent on the part of the RRCR to suppress reporting, investigation clearly revealed that deficiencies in the categorization and the training on categorization of incidents exists.

GPEB RECOMMENDATION - GPEB Investigators recommend that consideration be given to the provision of formalized training regarding incident categorization. Individuals responsible for opening CRS iTrak instances must be fully cognizant incidents reflect the predicate offense.

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Incidents must be reviewed to ensure proper incident categorization by both the Service Provider and by BCLC upon BCLC review, to ensure incidents reportable to GPEB will be reported as required under the GCA.

In relation to the incident of Sexual Harassment, while the incident was scored as a Criminal Event, review of the incident suggests it was a patron on patron encounter wherein the suspect displayed extremely belligerent behavior. Further review of the incident report states that RCMP was involved in this incident and entries in the report made by both the Service Provider and BCLC state that the suspect was barred from the RRCR for one (1) year for sexual harassment, undesirable behavior, belligerence towards security, uttering threats, and causing a police incident. Despite this information, no 86(2) Report appears to have been sent to GPEB. Evidence suggests that in this instance the incident (patron to patron sexual harassment) was not reported to GPEB by the Service Provider because the offense of harassment was not specifically listed in the General Manager's letter outlining reportable offenses. The evidence does not indicate this matter was intentionally suppressed.

Unreported Incidents

The Paladin Security final report identified seventeen (17) "unreported" incidents of assault, sexual assault, uttering threats, harassment, and sexual harassment. As stated earlier, an unreported incident was determined by GPEB Investigators to be an incident that met reporting thresholds as per the General Manager letter provided to Service Providers and BCLC that did not generate an 86(2) Report to GPEB. If an incident deemed "unreported" by Paladin Security was revealed in Paladin conducted interviews/questionnaires to be an incident being brought forward for the first time, that incident was not deemed unreported by GPEB. As such, GPEB disqualified one (1) alleged incident of threats as the incident appeared to not have been brought forward to a RRCR supervisor in the first instance and was being disclosed for the first time by the employee in a questionnaire interview provided to Paladin Security. GPEB Investigators operated under the assumption that an incident could not be deemed unreported unless the complainant / gaming worker had already attempted to inform the Service Provider of the incident in question, allowing the Service Provider the opportunity to follow proper reporting protocol as discussed in this document.

When determining incidents requiring investigative follow-up, GPEB Investigators focused on the remaining sixteen (16) alleged unreported events. All incidents were reviewed for information that presented the greatest avenues for investigative follow-up. From the sixteen (16) incidents, six (6) alleged unreported incidents were assessed by GPEB as lacking sufficient detail (i.e. third party account, vague information, no time frame provided, no victim, or the victim / complainant / gaming worker expressed the desire to not report the matter further), while one (1) incident (alleged s.22 harassment) was found to have been reported to and handled by RRCR HR. The remaining nine (9) incidents involving six (6) RRCR complainants / gaming workers were selected for further investigation. Incidents were selected based on the level of detail provided on the incident to Paladin Security, the recent nature of the account, if the account was first hand, and the likelihood of incident corroboration. These nine (9) incidents broke down into one (1) alleged sexual assault, four (4) alleged sexual harassments, three (3) alleged assaults, and one (1) alleged incident of uttering threats.

As mentioned above, six (6) RRCR complainants / gaming workers were identified within the nine (9) incidents selected for investigative follow-up. Many of the complainant / gaming workers identified for interview by GPEB investigators demonstrated reluctance to respond to GPEB requests for interview. GPEB investigators had difficulty contacting interview candidates due to outdated or inaccurate contact information. In relation to three (3) alleged incidents, GPEB investigators were unable to reach the two (2) involved complainants / gaming workers. In relation to the one (1) alleged assault wherein GPEB Investigators were unable to reach the complainant /

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gaming worker, s.22

s.22

s.22

It is of note that information received from the RRCR HR department on 2018 09 21 indicates that the complainant / gaming worker brought forward the issue to the RRCR Table Games Management department in s.22 2017 and the incident was handled as an instance of employee inappropriate behavior. GPEB did receive an 86(2) Report (#18-41345) on 2018 09 03 in relation to the same complainant / gaming worker experiencing the same issue s.22 Statements received by GPEB indicate that the complainant / gaming worker described a harassment issue (not assault) between themselves and another employee. This issue was subsequently handled by RRCR HR.

GPEB Investigation further revealed that four (4) incidents were found to be allegations of employee to employee harassment (sexual or otherwise) and involved s.22 RRCR employees raising allegations against the s. RRCR supervisors. Sexual harassment, harassment, and bullying are not referenced as a reportable offense as per the General Manager letter provided to Service Providers. Although it could be argued that employee on employee harassment and bullying of any kind could be deemed reportable under the "but not limited to" clause outlined in the same letter, staff indicate the failure to specifically name these offenses as reportable has caused confusion.

GPEB RECOMMENDATION - GPEB Investigators recommend that consideration be given by GPEB to update the General Manager letter outlining to Service Providers and BCLC reportable offenses to GPEB. Such additions should include Sexual Harassment, Harassment, and Bullying in all instances wherein the offense is Patron – Employee. Instances where the responsibility rests with the Service Provider HR department for incident follow-up (Employee – Employee) or when the offense is Patron – Patron, the offense would be reportable to GPEB when the nexus to the integrity of gaming is present or when the harassment / bullying crosses criminal boundaries.

GPEB RECOMMENDATION - GPEB Investigators further recommend that Service Provider Compliance Officers be mandated to review Human Resource related files in order to determine if incidents reported to the HR department require an 86(2) Report be generated and forwarded to GPEB.

GPEB Investigators were able to speak to four (4) RRCR complainants / gaming workers regarding one (1) incident of alleged sexual assault, two (2) alleged assaults, and one (1) alleged incident of uttering threats. In all four (4) instances, the incident described by the complainant / gaming worker occurred in the VIP Salon area and / or involved a known VIP patron. As stated earlier, no complainant / gaming worker interviewed by GPEB requested POJ involvement.

GPEB Investigators spent considerable time ascertaining the circumstances surrounding the alleged sexual assault. Investigation revealed that the dealer in question did report the incident wherein a patron allegedly played "footsie" with the dealer to both a dealer supervisor and VIP manager. It was further alleged that written statements by both the dealer and dealer supervisor were completed regarding the incident; however, GPEB Investigators were unable to locate and secure these statements. Interviews with both the dealer supervisor and VIP manager confirmed that the dealer did report the incident; however, discrepancies exist between parties concerning the timing of when the reporting took place. In interview with GPEB, the VIP Manager who received the dealer's report stated that they decided not to open a CRS iTrak incident as this manager indicated that a significant amount of time had transpired between the alleged incident and the dealer making them aware, the dealer expressed that they were "fine", the manager could not see any visible signs of distress from the dealer, and the patron had left the facility hours earlier. The VIP Manager in question did not inform Security of the incident and did not inform Surveillance. GPEB Investigators believe that this incident qualifies as an incident

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reportable to GPEB and, as such, should have generated an 86(2) Report. Evidence collected revealed that the VIP Manager exercised discretion when evaluating the circumstances of the alleged event and made the decision not to report the incident further. In addition, when asked if they were aware of incidents that would necessitate a report to GPEB, the VIP Manager stated that they were not. There is insufficient evidence to suggest the VIP Manager intentionally suppressed the reporting of this incident to GPEB. s.22

s.22

GPEB Investigators examined the remaining two (2) incidents of alleged assault and the one (1) incident of uttering threats. In one (1) alleged incident of assault, the incident described that the "player" button from the baccarat table bounced off the table after being thrown by a VIP patron and hit the dealer in the chest. No injury was incurred by the dealer. Investigation revealed that the dealer in question did report the incident to an unidentified gaming manager (gaming worker was unable to recall the manager's full name; however, indicated this individual is no longer employed at the RRCR). This gaming manager reportedly informed the VIP Manager on duty at the time. The VIP Manager in question reportedly checked on the dealer's well-being and when asked by the dealer if the patron would be asked to leave, the VIP Manager reportedly indicated that as the patron was leaving s.22 the next day, a 24-hour barring would not serve a purpose. In interview with GPEB investigators, the identified VIP Manager was unable to recall the specific incident in question; however, the VIP Manager speculated that in this scenario, the dealer may have indicated that they were "fine" and resolved the issue by speaking to the patron and providing a verbal warning. Evidence collected revealed the VIP Manager exercised discretion when evaluating the circumstances of the alleged event and made the decision to not report the incident further. There is insufficient evidence to suggest the VIP Manager intentionally suppressed the reporting of this incident.

In the other alleged incident of assault, it was described that a VIP patron repeatedly attempted to "cut the shoe" of cards at a baccarat table in a violent manner wherein, on one attempt, the patron narrowly missed hitting the dealer's hand with the cut card. In interview with GPEB, the dealer in question indicated that they were not touched by the patron; however, they did indicate that they felt uneasy and "a little scared" by the patron's behavior. According to the dealer, after the incident a Guest Services representative came over to check on their well-being to which the dealer responded that they were not happy about what happened; however, indicated that they were fine. The dealer further stated that they did not initiate a formal report as they assumed that since a dealer supervisor (Investigator's note – the dealer could not recall the supervisor's identity) was present for the incident, something would be done. There is insufficient evidence to suggest that the unnamed supervisor intentionally suppressed the reporting of this incident to GPEB.

Regarding the incident of threats, it was described that a VIP patron was uttering threatening remarks to the dealer in a foreign language. Investigation revealed that the dealer allegedly reported the incident to their dealer supervisor and that dealer supervisor cautioned the patron concerning their behavior. When the patron continued making comments, the dealer supervisor contacted the gaming / floor manager who began monitoring the situation. During interview with GPEB, the dealer stated that the floor manager did not speak to the patron directly and stated to the dealer that they did not observe the reported behavior from the patron. Again, there is insufficient evidence to suggest the floor manager intentionally suppressed the reporting of this incident. s.22

In all instances described above, GPEB Investigators believe an 86(2) Report should have been generated and provided to GPEB. However, it was made clear via investigation that incidents reportable to GPEB must be routed through either the Surveillance or Security department. The responsibility for opening CRS iTrak incident files and subsequently forwarding 86(2) Reports to

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GPEB when required falls to Surveillance. As such, if neither of these departments are informed, the proper reporting process will not be triggered. In conversations with managers responsible for Security and Surveillance, it was stated that if Surveillance and/or Security was not notified of an incident an incident would not get reported to GPEB as required.

GPEB RECOMMENDATION - GPEB Investigators recommend training for all front-line gaming staff with the initial focus on VIP Managers and Gaming Managers regarding reporting requirements to GPEB. All gaming staff must be made aware that discretion cannot be exercised under any circumstances when dealing with incidents reportable to GPEB. Front line managerial staff (i.e. VIP / Gaming Managers) holds the responsibility to ensure that all reportable incidents are "Reported Up" as required.

VIP Preferential Treatment

One recurrent theme identified in both the Paladin Security final report and GPEB investigation involved the treatment and behavior of VIP patrons. GPEB investigation revealed that a divide in opinion on how VIPs are treated appears to exist between those holding a management position and those holding a front-line position. All front-line gaming staff (dealers and dealer supervisors) spoken to over the course of GPEB investigation expressed that it is common knowledge that VIP patrons receive preferential treatment. As one gaming worker stated, "Upstairs, they are treated like gods to the casino".

Those holding a management position were more likely to insist that VIP patrons are treated the same particularly when a VIP would be involved in an incident involving a gaming worker. However, it is of note that many individuals spoken to over the course of investigation suggested that, in the past, VIP were given preferential treatment. One manager suggested that a reason for the perception of preferential treatment of VIPs could stem from a lack of feedback provided to front line gaming staff as to the actions undertaken regarding reported incidents. Furthermore, as GPEB investigation progressed, it was indicated by the RRCR that they are instituting a more robust feedback system with employees and provided GPEB Investigators with correspondence provided to RRCR management that further stresses reporting responsibilities that must be adhered to by RRCR staff particularly regarding instances of workplace violence.

Nevertheless, several RRCR employees expressed that deference was paid by the RRCR to VIP patrons to the detriment of front line employees and this deference may have contributed to a culture of non-reporting by front line gaming workers. Employees stated that a formal directive was never provided indicating that preferential treatment must be afforded to VIPs; however, it appears that it has become accepted common knowledge among employees that a different standard of rules are in place in the VIP Salons. As one s.22 employee expressed, one (1) VIP player can cover the same amount of money as the main gaming floor, the casino wants to keep these players and they will try everything before resorting to asking them to leave. It was made clear via GPEB investigation that preferential treatment or the appearance of preferential treatment for VIPs permeates the RRCR's workplace culture.

GPEB RECOMMENDATION - GPEB Investigators recommend that a clear Patron Code of Conduct is implemented at all Service Provider locations. This Code of Conduct should clearly outline the behavior and conduct expected of all patrons (including VIPs) and clearly outlines the consequences a patron will face if they were to be found in violation. The Patron Code of Conduct must be communicated in all common languages understood by clientele and be included in both updated BCLC policy and procedure documentation in addition to Service Provider policies.

Over the course of GPEB investigation into the findings of the Paladin Security workplace review, GPEB investigation did not uncover evidence suggesting attempts by RRCR Senior management to suppress disclosure or avoid reporting incidents to GPEB, BCLC, or to the police of jurisdiction.

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All individuals spoken to over the course of GPEB investigation expressed that they had never been pressured or coerced into not reporting incidents of concern.

ADDITIONAL ISSUES IDENTIFIED

Provision of Information

One (1) additional issue identified during GPEB investigation centered on access to fulsome information. While all parties engaged during investigation were cooperative and responsive to GPEB inquiries, on 2018 08 27, GPEB Investigators noticed a possible discrepancy in information provided by BCLC in April of 2018 when compared to information received on 2018 08 23 regarding a specific reported incident s.15

s.15

s.15 The document received on 2018 08 23 contained an additional related incident number in the related incidents section and an entry dated 2017 12 07. This entry pre-dated the initial document request of 2018 03 26.

Follow-up with BCLC concerning the discrepancies resulted in the knowledge that a miscommunication appeared to have occurred. GPEB's 2018 03 26 information demand sent to BCLC requesting "the individual ITRAK reports, subject profiles, and media attachment associated to the 16 CRS folders..." This request was interpreted by BCLC to mean GPEB was requesting the exact information BCLC provided to Paladin Security.

Because of the miscommunication, GPEB provided the following information demand to BCLC on 2018 08 31:

- QUOTE –

In the last disclosure provided by BCLC it was stated that our initial 86(1) Demand (dated March 26th, 2018) to BCLC was fulfilled to reflect the exact information provided to Paladin Security as part of the 16 CRS files quoted in their Summary report (ie "as your request pertained to the specific files of the 16 CDR folders....").

However, the line contained in the 86(1) Demand ("The individual ITRAK reports, subject profiles, and media attachment associated to the 16 CRS folders (Paladin Summary Report pg. 2)") states that GPEB was seeking all information "associated to" the CRS folder and, as such, the information should have been reflective of the date that GPEB made the request to BCLC (March 26th, 2018).

As such, GPEB is now requesting that all I-TRAK reports (including related incidents associated with the I-TRAK reports, un-redacted subject profiles, media attachments) associated with the Paladin report be re-sent to GPEB and be reflective of the date requested. In this instance, the data provided must reflect the state of the incident as of today's (2018 08 31) date.

[...]

- END QUOTE –

BCLC provided the requested re-send of information on 2018 09 07. GPEB review of that documentation revealed that several incidents reports contained entries that pre-dated the initial

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GPEB request. GPEB Investigators noted that the additional information would not have altered the investigative path; however, the above highlights an on-going concern with incident reporting. GPEB is not proactively made aware of updates, additional information, etc., available concerning incidents wherein GPEB investigators have previously demanded information.

GPEB RECOMMENDATION* - GPEB Investigator's recommend that proactive provision of incident material be provided to GPEB as additional material becomes available. Once a GPEB Investigator has made their interest in an incident known via 86(1) Demand to either the Service Provider or BCLC, that 86(1) Demand will be a standing request where information is then provided to GPEB proactively until incident conclusion.

Minimum exclusions

An second issue identified by GPEB Investigators centered on how exclusions are administered by both the Service Provider and BCLC, particularly when applied to VIP patrons. GPEB review of reported incidents revealed incidents where exclusions given to patrons did not appear to meet minimum guidelines provided in BCLC policy and procedures. On 2018 08 22, GPEB sends the following demand to BCLC:

- QUOTE -

As GPEB continues with the investigation related to the workplace review conducted at the RRRCR, the following information is required:

- The policies and procedures in place regarding minimum requirements for barring/exclusion used by either the Service Provider and/or BCLC.
- Any documentation wherein it is outlined if discretion is allowed when determining a barring / exclusion from a gaming centre.
- It has come to GPEB's attention that incidents have occurred where it appears that adherence to the minimum guidelines for exclusion has not been exercised. Please provide the rationale for the following incidents where the minimum guidelines for exclusion do not appear to have been adhered to:
 - o 20170067299
 - o 20170035975

[...]

- END QUOTE -

The following clarification is provided to BCLC on 2018 08 23:

- QUOTE -

As per our conversation this morning, regarding rationale and any documentation regarding discretion when it comes to exclusions barrings, what I'm looking for is any documentation / reasoning that is in place that outlines when the minimum guidelines might be deviated from (both from a BCLC perspective and the Service provider). As such, I'd also be looking for any direction or policy that has been provided to Service Providers from BCLC in relation to the minimum requirement / guidelines for exclusions. In addition, I'd be looking for any information that may exist regarding if BCLC requires Service Providers to adhere to the minimum guidelines regarding exclusions and any direction BCLC has provided to Service Providers regarding the handling of instances of Harassment (exclusions, etc.).

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Regarding the two specific ITRAK reports, I would need any materials that outlined what exclusion the patron received and what rationale was used if the exclusion did not meet the minimum guidelines as outlined in the BCLC policies and procedures.

- END QUOTE –

On 2018 08 23, GPEB receives documentation from BCLC in relation to minimum exclusions (See **Appendix K**) and the following exclusion rationale / procedure:

- QUOTE -

Please note, the BCLC CCGCSPP and BCLC Internal CCGCSPP pertains to BCLC Prohibitions only. BCLC supports Service Provider decisions on site-initiated barrings but do not provide direction as Service Providers have site-specific discretion of their property.

BCLC CCGCSPP Section 8-2.1, Subsection 6 (Casino and Community Gaming Centre Exclusion Minimum Guidelines), are not mandatory requirements. Investigators submit ban requests on a case-by-case basis, dependent on the specifics of each incident in question and any pertinent historical details. Investigators are expected to provide their rationale for the ban request in the associated report(s). All ban requests are approved by the Manager, Investigations or designate.

[...]

-END QUOTE –

However, review of the BCLC corresponding incident file number (#17-69928) related to the Paladin workplace review (received 2018 09 14 - saved to file) revealed that BCLC identified similar issues regarding the reporting process and the application of barrings / investigative response. In a document entitled "Guardian Progress Report 2 2018MAR05 (DRAFT)", it is stated that BCLC "assessment of River Rock and BCLC Casino Operations related to the Terms of Reference uncovered deficiencies relating to inadequate investigations; inconsistent and incorrect application of River Rock site barring's and BCLC Provincial Prohibitions, including non-compliance in report documentation requirements and file management." The same document states that a review of the top 100 VIP players at the River Rock Casino revealed disparity and inconsistency on the application of site and BCLC Provincial Prohibitions. One notable discrepancy involved a VIP patron who assaulted two RRRCR employees. The patron in question initially received a six (6) month BCLC Provincial Prohibition which deviates from the one (1) year assault minimum guideline contained in BCLC policy. The six (6) month provincial prohibition was then reduced to a six (6) month site barring and subsequently reduced further to a three (3) month site barring after a GCGC Senior Management request to review the BCLC barring.

BCLC's documentation does note that "there is no authority in BCLC Policy, the Gaming Control Act, or other provincial statute, which allows the Service Provider to impose a ban greater than 24 hours. Referenced in Gaming Control Act, Section 93(1)(b)". While the Gaming Control Act does not provide authority for a Service Provider to impose a site barring greater than 24 hours, as with other business establishments, a Service Provider would have the ability to decline service and entry to their site to anyone deemed by the site as undesirable. As such, minimum exclusion requirements should be implemented by both the Service Provider and BCLC.

GPEB RECOMMENDATION - Establish minimum exclusion requirements that are adhered to by both the Service Provider and BCLC. Prior to any deviation being sought regarding an exclusion decision by BCLC or the Service Provider, GPEB must be consulted and be provided with the rationale before the outcome is decided. The registered gaming worker who approves

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the exclusion deviation without consultation with GPEB will be subject to potential GPEB review. Employee well-being must be the paramount consideration when determining exclusions.

Confidentiality Statement / Non-Disclosure Agreement

GPEB Investigators were tasked with determining the use and purpose of any non-disclosure agreement (NDA) / confidentiality statement alleged to be in use at the RRCR. On 2018 08 09, GPEB Investigators conducted an interview with an employee of the RRCR HR department. During this interview, HR confirmed the use of a document referred to as a “confidentiality statement” and furthered that the document was put in place by s.22 HR Director as an extension of the existing confidentiality policy in place at RRCR (Investigator’s note – the confidentiality policy referred is contained in the GCGC Corporate Ethics and Conduct Manual – See **Appendix G – pg. 5**). According to HR, employees would sign a confidentiality statement for the purpose of deterring employees from discussing ongoing HR related investigations and further confirmed that punitive language was contained in the document. HR stated that the documents use was discontinued in 2018 due to the Paladin Security workplace review as it was realized by the HR department that the confidentiality statement may have been misconstrued as the non-disclosure agreement referenced in the complaint that prompted the review.

On 2018 s.22 HR Director was interviewed at GPEB offices. Information obtained during this interview revealed that through consultation with GCGC’s Casino Nova Scotia (CNS), s.22 HR Director implemented the confidentiality statement for use in HR investigations. This form/statement was already in use at the Halifax property and the form was sent to the RRCR. Using the discretion afforded by the position, s.22 HR Director instituted the confidentiality statement and this implementation did not require approval from additional senior management at the RRCR. It was further confirmed by GPEB Investigators that the statement was only used for HR related investigations and would only be signed by employees taking part in those investigations. This form would be explained to the employee before signature and if they declined to sign, the investigation would still go ahead.

All HR personnel spoken to during investigation stated that the form would be clearly discussed with any employee who was being asked to sign. One HR staff member stated that they would find it “hard to believe” that an employee would not have understood the document as each employee would be given verbal instructions and time to read the document before signing. Furthermore, HR personnel stated that they have never felt pressure to not report incident as required and s.22 HR Director advised that HR would tell employees that they would be supported if the employee wished to report an incident further (i.e. to the police of jurisdiction).

To seek additional clarification regarding the use of the confidentiality statement, on 2018 08 16, GPEB forwards the following 86 (1) information demand to the RRCR:

- QUOTE –

GPEB is currently conducting an investigation into the workplace review conducted by Paladin Security of the River Rock Casino Resort. As part of our investigation, GPEB requires the following information:

- copies of non-disclosure agreements or confidentiality statements currently or previously in use by any department (HR, Surveillance, Security, etc.) at the RRCR.
- copies of any confidentiality policy currently or previously in use at the RRCR.
- any documentation (email, hard copy, letter, etc.) regarding the implementation of a confidentiality statement utilized (past and present) by RRCR (i.e. HR, Senior Management, etc.).
- legal documentation regarding the use / implementation / approval chain of the aforementioned non-disclosure agreements / confidentiality statements.

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- END QUOTE -

On 2018 08 22, the RRCR provides various documents regarding RRCR policies regarding non-disclosure / confidentiality including the GCGC Corporate Ethics and Conduct Manual (see **Appendix G**), the Employee Confidentiality Statement Template (see **Appendix I**), the Security and Surveillance Confidentiality Agreement, the Security Code of Conduct, the Privacy and Privacy Breach Policies, and the Social Media Policy. Please note that all documents not already included in the appendices of this report have been saved to file.

On 2018 08 27, the RRCR HR provides additional information regarding the implementation of the confidentiality statement. According to HR, no formal implementation process was required for the confidentiality statement s.15

s.15 HR further confirms that the confidentiality statement was shared with RRCR from the Casino Nova Scotia (CNS) property and provides documentation indicating that the form was received by RRCR from CNS in February of 2016. It was again noted by HR that the intent of the confidentiality statement used by HR was to ensure the integrity of any internal investigations. Please see **Appendix J** for a copy of the confidentiality statement provided to the RRCR by CNS.

In response to GPEB inquiries concerning the discontinuation of the confidentiality statement, RRCR HR advises GPEB on 2018 08 31 that the confidentiality statement used by the HR team at the RRCR was discontinued effective 2018 01 09. RRCR HR furthered that no formal communication was sent out regarding the discontinuation of the statement as the decision only impacted the work flow of three HR employees (HR Manager and two advisors). RRCR HR additionally stated that upon learning that a confidentiality statement was in place and learning about the perceived interpretation of the statement, RRCR HR senior management immediately held a meeting with the greater HR team to advise every one of the concerns and advise the statement was to be discontinued immediately.

GPEB investigation further revealed that a non-disclosure agreement is contained in the GCGC Corporate Ethics and Conduct Manual Review of this document revealed that the language contained appears to relate to the non-disclosure of RRCR intellectual property, marketing material, etc. An excerpt from the document states the following (See **Appendix G - pg. 9** for the complete document section):

- QUOTE -

NON-DISCLOSURE AGREEMENT

As a condition of your employment with Great Canadian, you must agree to the following Non-Disclosure Agreement. Your signature on the Acceptance Certificate in this Manual is considered to evidence your acceptance of this Agreement:

"In consideration of my employment with the Corporation, I agree to the following:

1. I am under no obligation to anyone that would be an impediment to my entering into this Agreement or which imposes any restrictions on the activities or duties that may be assigned to me from time to time by the Corporation.
2. Except as expressly permitted in writing by the Corporation, I will not at any time during or after my employment with the Corporation:
 - disclose or authorize the disclosure of any confidential information to anyone other than authorized officers or employees of the Corporation

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- use any confidential information for non-Corporation purposes or other non-permitted purposes.
- 3. "Confidential information," for the purposes of this Agreement means all information, including trade secrets, methods, techniques, or processes, of a business, planning, marketing, technical, or other nature that derives actual or potential value from not being generally known, or reasonably ascertainable whether developed by the Corporation or received by the Corporation from a third party in circumstances which oblige the Corporation to protect such information from unauthorized use and/or disclosure.
- 4. This Agreement and my acknowledgement of the Corporation's rights does not apply to anything that does not use confidential information and does not result from any work performed by me which is not performed for the benefit of the Corporation.

[...]

- END QUOTE -

On 2018 09 11, RRCR HR confirmed that every employee is required to sign off on the Corporate Ethics and Conduct Manual (containing the NDA) upon hire, upon promotion, and annually.

Upon review of the non-disclosure agreement, the contained language in this document would not suppress disclosure of incidents to the necessary body (i.e. GPEB, POJ).

All individuals interviewed as part of GPEB investigation were asked if they were required to sign a non-disclosure agreement or confidentiality statement. Consistent with findings in the Paladin Security final report, often interview subjects would be of the impression that GPEB was asking about material related to workplace confidentiality. Documents often referred to by interview subjects would focus on social media policy and other documentation related to position specific confidentiality / code of conduct / non-compete clause. No one spoken to during GPEB investigation claimed to have signed a document where it was stated that they could not report an incident of concern to the necessary authorities. However, it is of note that front line gaming staff spoken to during investigation, often indicated that they were unaware as to the specific language contained in documents they were required to sign. GPEB investigators did not uncover any evidence to suggest that a non-disclosure statement was employed by the RRCR management to purposely suppress the reporting of incidents.

FINDINGS IN GENERAL:

- The RRCR has not strictly adhered to reporting standards identified by the General Manager – GPEB under Section 86 (2) – Gaming Control Act and 34 (1) (t) – Gaming Control Regulation.
- Based on GPEB assessment, the seventeen (17) unreported incidents as identified in the Paladin Security final report would not meet the elements of an offence necessitating immediate Police of Jurisdiction notification.
- Surveillance holds the responsibility to send 86(2) Reports to GPEB. If Surveillance is not informed of a reportable incident (i.e. threats), the incident will most likely not be reported to GPEB as required.
- Incidents of improper categorization, training concerns, and / or discretion mistakenly exercised by lower level managerial staff (i.e. VIP managers / Gaming Managers) are contributing factors in the incidents of non-reporting.
- RRCR instituted an HR document, known as a confidentiality statement, that was used by RRCR HR to ensure the integrity of any internal HR investigations. This form was provided to the RRCR by GCGC's Casino Nova Scotia in February of 2016. Concerns

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arising from the Paladin Security workplace review wherein the confidentiality statement may have been misconstrued as the non-disclosure agreement raised in the complaint prompted the RRCR to discontinue use of the confidentiality statement in January 2018.

- No one spoken to during GPEB investigation claimed to have signed a document where it was stated that they could not report an incident of concern to the necessary authorities
- Preferential treatment or the appearance of preferential treatment for VIPs permeates the RRCR's workplace culture. Deference was paid by RRCR to VIP patrons to the detriment of front line gaming workers.
- GPEB investigation did not uncover evidence suggesting attempts by RRCR Senior management to suppress disclosure or avoid reporting incidents to GPEB, BCLC, or to the police of jurisdiction.
- Between 2010 and end of August 2018 the RRCR has sent approximately 17,581 Section 86(2) Reports to GPEB. When one considers the 17 alleged unreported incidents and the 8 reported incidents that did not generate an 86(2) Report to GPEB from the same time range, the percentage of potential unreported incidents amounts to 0.142%. This fact strongly suggests the RRCR, as a corporation, is paying due diligence to its reporting requirements under Sec. 86(2) of the GCA. Please note that the amassed number includes all 86(2) notifications including SFT, SOF, Prohibitions, etc.

RECOMMENDATIONS:

1. All incidents entered into the CRS iTrak system should clearly indicate if the POJ were notified, who offered the opportunity to inform the POJ, who contacted the POJ, and who (i.e. victim) declined the offer to inform the POJ (if applicable). In all instances where a CRS iTrak report is opened, the CRS iTrak report should clearly indicate the information as required in the policies and procedures regarding the reporting process that are outlined in sections of the *BCLC Casino and Community Gaming Centre Standards, Policies and Procedures Section 1-10.1 General – Incident Reporting and Escalation* (i.e. time POJ were notified, time POJ arrived, attending officers' name(s), police file number (if applicable), etc.).
2. Consideration is given to the provision of formalized training regarding incident categorization. Individuals responsible for opening CRS iTrak instances must be fully cognizant incidents reflect the predicate offense. Incidents must be reviewed to ensure for proper incident categorization by both the Service Provider and by BCLC upon BCLC review, in order to ensure incidents reportable to GPEB will be reported as required under the GCA.
3. Consideration is given by GPEB to update the General Manager letter outlining to Service Providers and BCLC reportable offenses to GPEB. Such additions should include Sexual Harassment, Harassment, and Bullying in all instances wherein the offense is Patron – Gaming Worker. Instances where the responsibility rests with the Service Provider HR department (Gaming Worker – Gaming Worker) or when the offense is Patron – Patron, the offense would be reportable to GPEB **when** the nexus to the integrity of gaming is present or when the incident crosses criminal boundaries.
4. In relation to the recommendation #3, Service Provider Compliance Officers be mandated to review Human Resource related files in order to determine if incidents reported to the HR department require an 86(2) Report be generated and forwarded to GPEB.
5. Training for all frontline gaming staff with the initial focus on VIP Managers and Gaming Managers regarding reporting requirements to GPEB. All gaming staff must be made aware that discretion cannot be exercised under any circumstances when dealing with incidents reportable to GPEB. Front line managerial staff (i.e. VIP / Gaming Managers)

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holds the responsibility to ensure that all reportable incidents are "Reported Up" as required.

6. A clear Patron Code of Conduct is implemented at all Service Provider locations. This Code of Conduct should clearly outline the behavior and conduct expected of all patrons (including VIPs) and clearly outlines the consequences a patron will face if they were to be found in violation. The Patron Code of Conduct must be communicated in all common languages understood by clientele and be included in both updated BCLC policy and procedure documentation in addition to Service Provider policies.
7. Proactive provision of incident material is provided to GPEB as additional material becomes available. Once a GPEB Investigator has made their interest in an incident known via 86(1) Demand, that demand will be a standing request.
8. Establish minimum exclusion requirements that are adhered to by both the Service Provider and BCLC. Prior to any deviation being sought regarding an exclusion decision by BCLC or the Service Provider, GPEB must be consulted and be provided with the rationale before the outcome is decided. The registered gaming worker who approves the exclusion deviation without consultation with GPEB will be subject to potential GPEB review. Employee well-being must be the paramount consideration when determining exclusions.

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CONCLUSIONS:

GPEB LMD Compliance Investigations commenced Project ICARUS on 2018 03 23 in response to allegation that the River Rock Casino Resort (RRCR) may not be meeting reporting obligations as set out in s.86(2) of the GCA and s.34 of the Gaming Control Regulations. More specifically, GPEB Investigators were tasked with investigating the findings of the workplace review conducted by Paladin Security at the behest of the British Columbia Lottery Corporation (BCLC).

GPEB investigation revealed that the RRCR has not strictly met reporting requirement standards identified by the General Manager – GPEB under Section 86 (2) – Gaming Control Act and 34 (1) (t) – Gaming Control Regulation. While the percentage of incidents identified as unreported to GPEB is miniscule in comparison to the overall number of reports generated and sent to GPEB by the RRCR, it does not negate the fact that reportable offenses to GPEB have not been reported as required by section 86(2) of the Gaming Control Act and 34(t) of the Gaming Control Regulations.

Based on GPEB review of all incidents, review of the Criminal Code, and consultation with retired law enforcement personnel (current GPEB Investigators), it was assessed that unreported incidents as identified in the Paladin Security final report did not meet the criteria necessitating POJ notification.

GPEB investigation revealed that RRCR instituted an HR document, known as a confidentiality statement, which was used by RRCR HR to ensure the integrity of any internal HR investigations. Concerns arising from the Paladin Security workplace review prompted the RRCR to discontinue use of the confidentiality statement in January 2018. No one spoken to during GPEB investigation claimed to have signed a document where it was stated that they could not report an incident of concern to the necessary authorities.

Evidence collected identified several issues surrounding training concerns, the flow of information, and the reporting process to GPEB followed by both the Service Provider and BCLC in addition to systemic concerns surrounding the perceived workplace culture at the RRCR. GPEB has provided recommendations for consideration herein that aim to address GPEB concerns regarding these processes and concerns. Section 97 (2.1) of the GCA states that “a registrant, a licensee or an eligible organization who contravenes section 86(1) or (2) commits an offense”; however, this investigation did not uncover evidence suggesting attempts by RRCR Senior management to suppress disclosure or avoid reporting incidents to GPEB, BCLC, or to the police of jurisdiction. Individuals spoken to over the course of GPEB investigation expressed that they had never been pressured or coerced into not reporting incidents of concern.

Evidence uncovered over the course of GPEB investigation suggests that errors in incident categorization, lack of training, and discretion mistakenly exercised by lower level managerial staff (i.e. VIP managers / Gaming Managers) are contributing factors resulting in incidents of non-reporting. These factors give rise to a reasonable defense if a prosecution were pursued under section 98(2) of the Gaming Control Act. GPEB investigators believe the institution of the aforementioned recommendations is the most suitable remedy under the circumstances.

Prepared by:

Original Signed
Heather Samson
Investigator

LMD Compliance Division

Approved by:

Original Signed
Richard Akin
Manager Investigation /
Intelligence

LMD Compliance Division

Approved by:

Original Signed
Robert Stewart
Senior Regional Director

LMD Compliance Division

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Compliance Division**

ACRONYMS

BCGEU – BC Government and Service Employees Union

BCLC – British Columbia Lottery Corporation

BCLC CCGCSPP – BCLC Casino and Community Gaming Centre, Policy and Procedure

GCA – Gaming Control Act

GCGC – Great Canadian Gaming Corporation

GCR – Gaming Control Regulations

GPEB – Gaming Policy and Enforcement Branch

NDA – Non- Disclosure Agreement

RRCR – River Rock Casino Resort

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Compliance Division**

Appendix A – Letter to GPEB (dated 2018 03 19)

March 19, 2018

Gaming Policy & Enforcement Branch
Ministry of the Attorney General
3rd Floor - 910 Government Street
Victoria, BC V8W1X3

Attention: John Mazure
Assistant Deputy Minister

Dear John:

Re: Investigations into Allegations regarding Great Canadian Gaming Corporation's Operations at River Rock

In October 2017, the Attorney General directed BCLC to investigate allegations regarding Great Canadian Gaming Corporation's (GCGC) operations at River Rock and determine, specifically:

1. Whether or not there have been reported and unreported incidents of sexual harassment and/or sexual assaults on floor staff and if so, what actions were taken by the service provider and BCLC;
2. Whether or not BCLC or River Rock have required staff to sign some kind of non-disclosure agreement, and if so, what the text of that agreement is and the legal basis for it; and
3. Whether management at River Rock is failing to report assaults on their staff to BCLC.

BCLC engaged Paladin Security to undertake the investigation and that work is now complete. As a result and pursuant to s. 86(2) of the *Gaming Control Act* (GCA), we are writing to inform you that there is a possibility that GCGC and/or its employees have failed to meet their reporting responsibilities as set out in s. 86(2) of the GCA and s. 34(t) of the Gaming Control Regulation. We have enclosed a copy of the Final Summary Report for your reference.

Should GPEB decide to undertake an investigation pursuant to s. 81 of the GCA, BCLC will, as usual, be ready to fully cooperate with GPEB's effort.

BCLC takes very seriously the matters raised in the Final Summary Report and would like to undertake proactive communication with our service providers about their GCA reporting obligations. However, we do not want any such communication to prejudice, in any way, any investigation that GPEB may undertake. Accordingly, we will await your direction as to when we may appropriately communicate with our service providers about their GCA reporting obligations.

Thank you for your immediate attention to this matter.

Yours truly,

s.22

Jim Lightbody
President & CEO

cc: Richard Fyfe, Deputy Attorney General
Doug Scott, Associate Deputy Minister
Rob Kroeker, CCO & VP, Legal, Compliance, Security, BCLC
Brad Desmarais, VP, Casino & Community Gaming, BCLC

Enclosure(s) x 1



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Appendix B – General Manager Letter (2015)



Know your limit, play within it.

July 17, 2015

Log: 344686

To: British Columbia Lottery Corporation
All Registered Gaming and eGaming Service Providers

**Re: Reporting to GPEB by Gaming Service Providers-Section 86(2) *Gaming Control Act*, and
Section 34(1) (t) *Gaming Control Regulation***

This Memorandum consolidates and replaces the Memorandum for the General Manager-Assistant Deputy Minister, Gaming Policy and Enforcement Branch (GPEB) dated July 26, 2012 in relation to legal reporting requirement for Gaming Service Providers.

GPEB is responsible for the overall integrity of gaming and horse racing in British Columbia, as outlined in Section 23 of the *Gaming Control Act* (GCA).

Section 86(2) of the GCA requires a registrant to notify the General Manager GPEB immediately, about any conduct, activity or incident occurring in connection with a lottery scheme or horse racing, if the conduct, activity or incident occurring in connection with a lottery scheme or horse racing involves or involved the commission of the offence under the *Criminal Code* that is relevant to a lottery scheme or horse racing or the commission of an offence under British Columbia's *Gaming Control Act*.

Section 34(1)(t) of the *Gaming Control Act Regulation* requires a services provider, unless they are a lottery retailer, to immediately report to the General Manager, GPEB any conduct or activity at or near a gaming facility that is or may be contrary to the *Criminal Code* of Canada, or British Columbia's *Gaming Control Act*, or *Gaming Control Regulation*.

It is imperative that Gaming Services Providers report such conduct and activities to the General Manager GPEB without delay. GPEB will immediately assess and determine if the reported matter requires regulator intervention. Gaming Services Providers will not internally share or distribute the reported matter without the approval of GPEB.

The reporting/notification requirements under Section 86(2) and 34(t) includes but is not limited to, the following conduct, activities or incidents:

- a) Cheating at Play which includes collusion between players, or dealers;
- b) Thefts, meaning included theft affecting the integrity of the game; thefts from the house or a lottery retailer site; thefts by a registered gaming worker; thefts of IVS tickets; and thefts committed against charitable gaming;
- c) Money Laundering including Suspicious Currency transaction or suspicious Electronic fund transfers;

Ministry of Finance

Gaming Policy and
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Location:
Third Floor, 910 Government Street
Victoria, BC
Web: www.gaming.gov.bc.ca

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- d) Loan Sharking;
- e) Robbery which involves a gaming facility or a patron leaving the gaming facility;
- f) Threats by or against a Registered Gaming Worker;
- g) Assault by or of a Registered Gaming Worker;
- h) Conducting unauthorized lottery schemes;
- i) Counterfeit Gaming Chips;
- j) Minors found in or participating in gaming activities in a gaming facility;
- k) Minors playing Play Now;
- l) Persons legally prohibited from gaming facilities;
- m) Unregistered gaming service providers;
- n) Fraud including passing counterfeit lotto tickets, casino chips or involving a lottery scheme; and
- o) Personation or False Identification incidents which include attempts to claim prizes or payouts.

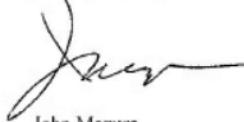
Gaming Services Providers will follow the reporting procedures found in attached Appendix "A" with respect to reporting matters under Section 86(2) of the *Gaming Control Act* and Section 34(1) (t) of the *Gaming Control Regulation*. Reported matters under Section 34(1) (t) of the *Gaming Control Regulation* will be forwarded to the Executive Director of Licensing, Registration and Certification Division, GPEB.

The Compliance Division, GPEB will continue to provide guidelines and procedures for the reporting of integrity issues as outlined in Appendix "A".

Your obligation to report integrity issues to GPEB does not relieve you of any contractual requirements to report matters to the BC Lottery Corporation.

I would appreciate you ensuring that this updated document is distributed to your compliance or governance staff. Your cooperation is appreciated.

Yours sincerely,



John Mazure
Assistant Deputy Minister

c.c. Len Meilleur, Executive Director Compliance Division
Angela Swan, Executive Director Licensing, Registration, and Certification Division
Brad Desmarais – VP Corporate Security and Compliance BCLC

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Appendix C - Collective Agreement between GCGC and the BCGEU

BCGEU and Great Canadian Casinos (River Rock) (09/2021)

Page 2

(16) "*Work or worked*" - except for probationary employees, means paid hours of work, forced early out and leaves where compensation is paid by the Employer pursuant to this agreement (such as bereavement leave, vacations, WCB, sick leave and paid holidays.)

(17) "*Work schedule*" - means the schedule of work shifts and days of rest.

ARTICLE 1 - INTRODUCTION

1.1 Purpose

The purpose of the collective agreement is to establish respectful and mutually beneficial relationships with the Employer, the Union, and the employees and set forth certain terms and conditions of employment which have been reached through collective bargaining.

Further, the purpose of this agreement is to facilitate the peaceful adjustment of all disputes and grievances in accordance with Article 7 - Grievance Procedure, to prevent strikes, lockouts, slowdowns or other interference with work, unnecessary expense and avoidable delays in carrying out the most efficient and effective operations of the Employer's business.

The parties recognize that guest satisfaction with the Employer and its employees is of paramount importance to the success of the business, and as such, the parties share a commitment to maintain and continue to enhance and improve the exceptional quality of services provided by River Rock Casino to its guests.

ARTICLE 2 - DISCRIMINATION, HARASSMENT AND BULLYING

(a) The Employer and the Union recognize the right that every employee is entitled to a work environment that is free from discrimination, harassment and bullying. The Employer and the Union also recognize the principles of the British Columbia *Human Rights Code* which prohibits discrimination and harassment because of the race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation or age of that person or because that person has been convicted of a criminal or summary conviction offence that is unrelated to the employment or to the intended employment of that person ("*Prohibited Grounds*").

(b) The Employer has a policy with respect to discrimination, harassment and bullying in the workplace which shall continue to apply.

(c) Discrimination includes refusing to employ or continue to employ, or discriminating against a person, regarding employment or any term or condition of employment, based on a Prohibited Ground.

(d) Harassment is defined as conduct or comment which is known or ought reasonably to be known as objectionable or unwelcome, that serves no legitimate work-related purpose, and that is based on a Prohibited Ground, and which also has one or more of the following attributes: (a) it detrimentally affects an employee in the work environment, or (b) it has adverse job-related consequences such as reduced job security, or a negative impact on career advancement. Harassment includes sexual harassment.

(e) Bullying behaviour is defined as persistent, unwanted, offensive, humiliating or intimidating behaviour (verbal comments actions or gestures) that affects an employee's self-confidence, dignity or psychological or physical integrity, and which results in a harmful work environment. Bullying tends to be a large number of incidents over a long period of time, but a single serious incident of such behaviour may also constitute bullying.

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**Appendix D – BCLC Casino and Community Gaming Centre Standards, Policy and
Procedure Re: Incident Reporting and Escalation**

BCLC Casino and Community Gaming Centre Standards, Policies and Procedures	Effective Date June 1, 2012	Section Page 1-10.1—1
	Last Revised Date October 2, 2017	Authorized by Vice President, Legal, Compliance, Security
Section: 1-10.1 General – Incident Reporting and Escalation		

Section: 1-10.1 General – Incident Reporting and Escalation

1 INCIDENT REPORTS - GENERAL

- 1.1 An Incident Report in the Casino Reporting System (CRS) shall be completed for any:
 - 1.1.1 Breach of BCLC Casino and Community Gaming Centre Standards, Policies and Procedures;
 - 1.1.2 Incidents of theft, cheating at play, unattended children or other criminal code violation;
 - 1.1.3 s.15,s.17
 - 1.1.4
 - 1.1.5
 - 1.1.6 Damage to property belonging to the Service Provider or BCLC;
 - 1.1.7 Situations that could cause concern for the safety or well-being of casino or community gaming centre patrons, staff, or BCLC employees;
 - 1.1.8 Police, Fire Department, or other emergency services attendance;
 - 1.1.9 s.15,s.17
 - 1.1.10
 - 1.1.11 Other unusual/irregular circumstances of a significant nature; and
 - 1.1.12 Where required by BCLC Casino and Community Gaming Centre Standards, Policies and Procedures.

[Amended 04/01/2013, 06/01/2013]

- 1.2 See ESCALATION OF INCIDENTS for required notification protocols.

2 INCIDENT REPORTS - STANDARDS AND PROCEDURES

- 2.1 Incident Reports shall include all relevant information. This includes but is not limited to:
 - 2.1.1 s.15,s.17
 - 2.1.2
 - 2.1.3
 - 2.1.4
 - 2.1.5
 - 2.1.6

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BCLC Casino and Community Gaming Centre Standards, Policies and Procedures	Effective Date June 1, 2012	Section Page 1-10.1—2
	Last Revised Date October 2, 2017	Authorized by Vice President, Legal, Compliance, Security
Section: 1-10.1 General – Incident Reporting and Escalation		

- 2.1.7 Confirmation that GPEB has been notified (if applicable).
 - 2.2 Incident Reports shall be created by:
 - 2.2.1 s.15,s.17
 - 2.2.2
 - 2.3 s.15,s.17
 - 2.4
 - 2.4.1 s.15,s.17
 - 2.4.1.a s.15,s.17
- [Amended 01/06/2017]
- 3 REPORTING TO GPEB
- 3.1 The Service Provider has a legal obligation to prepare and send the "Section 86 GC Act Report" to GPEB Investigation Division immediately as per GPEB instructions.
s.15,s.17

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BCLC Casino and Community Gaming Centre Standards, Policies and Procedures	Effective Date June 1, 2012	Section Page 1-10.1—3
	Last Revised Date October 2, 2017	Authorized by Vice President, Legal, Compliance, Security
Section: 1-10.1 General – Incident Reporting and Escalation		

s.15,s.17

3.2 s.15,s.17

3.3 At casinos: a copy of the report shall also be emailed to s.15,s.17
s.15,s.17

3.4 At community gaming centres: a copy of the report shall also be emailed to s.15,s.17
s.15,s.17

3.5 At facilities with manned surveillance, the Surveillance department shall compile and submit the
Section 86 GC Act Report to GPEB and BCLC.

3.6 s.15,s.17

[Amended 06/30/2015]

4 ESCALATION OF INCIDENTS – SERIOUS/URGENT

4.1 If a serious incident occurs that has caused or could cause substantial concern for the well-being
of site staff or patrons (including but not limited to armed robbery, bomb threat, fire, evacuation,
serious criminal activity involving police) or impact the ability to provide gaming (including but not
limited to natural disaster or system-wide/ site-wide technical failure), including s.15,s.17
s.1 the Service Provider shall complete the following:

4.1.1 Ensure Police, Fire Department, Ambulance or other Emergency Services are
contacted if warranted by the incident and/or emergency plan;

4.1.2 Email:

4.1.2.a s.15,s.17

4.1.2.b GPEB as described in REPORTING TO GPEB above.

4.1.2.c s.15,s.17

4.1.3 s.15,s.17

[Amended 04/01/2013, 06/01/2013, 01/06/2017]

s.15,s.17

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BCLC Casino and Community Gaming Centre Standards, Policies and Procedures	Effective Date June 1, 2012	Section Page 1-10.1—2
	Last Revised Date October 2, 2017	Authorized by Vice President, Legal, Compliance, Security
Section: 1-10.1 General – Incident Reporting and Escalation		

5.2.2 s.15,s.17

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Appendix E – River Rock Casino Resort Employee Handbook – Preventing Violence in the Workplace

2.12 SAFETY ESCORTS

Management or security personnel will provide to all guests and staff, a safety escort to vehicles parked on Company property, if requested.

2.13 PREVENTING VIOLENCE IN THE WORKPLACE

The possibility of violence in the workplace is an unfortunate reality. Great Canadian recognizes the potential for violent acts or threats directed against staff by persons other than Great Canadian employees. Every effort has been made to identify the sources of such actions and safe work practices/procedures have been developed to eliminate or minimize the risks to staff.

Management will ensure that all employees are aware of the hazards and are trained in the appropriate action to take for protection from acts or threats of violence. All employees shall follow the procedures implemented for their protection, and immediately report all incidents of violence.

If you notice or are advised of any aggressive or threatening behaviour, immediately contact the nearest Security Officer to report it and:

- State your name
- State the nature of the incident
- State the date and time of the incident
- Provide a description of the person(s) involved
- Give the EXACT location of the incident
- Inform your manager/supervisor of the incident as soon as possible
- Await arrival of Security personnel
- Document the incident and provide your notes to Security and your manager/supervisor as soon as possible

While it is important during any incident to maintain the integrity of your area of responsibility, your safety comes first - make sure to stay out of harm's way.

2.14 DEALING WITH DIFFICULT CUSTOMERS

As a guest service professional, it is inevitable that you will have to deal with an irate, unhappy or difficult guest at some point.

Remember to use your GEM skills.

Connect with the guest by offering to help and acknowledging they are upset;

Discover what is upsetting them by listening and showing empathy;

Deliver by taking ownership and accountability for the situation, maintaining control and handling the unexpected professionally;

Close by satisfying your guest, turning that moment into a GEM experience.

If you cannot calm the guest, or solve their problem, ask for the assistance of your supervisor/manager or a colleague.

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**Appendix F – Great Canadian – Human Resources Policies and Procedures - Section 9.0 –
Violence in the Workplace**

Health & Safety Program

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9.0 Violence in the Workplace

1 Purpose and Scope

The possibility of violence in the workplace is an unfortunate reality. Great Canadian recognizes the potential for violent acts or threats directed against staff by persons other than Great Canadian employees.

Great Canadian will ensure that all employees are aware of the hazards and are trained in the appropriate action to take for protection from acts or threats of violence.

2 Workplace Violence Defined

BC's *Occupational Health and Safety Regulations* define "violence" in the workplace as the attempted or actual exercise by a person, **other than a co-worker**, of any physical force so as to cause injury to a worker, and includes any threatening statement or behaviour which gives a worker reasonable cause to believe that he or she is at risk of injury.

Workplace violence includes:

- **threatening behaviour** – such as shaking of fists, destroying property or throwing objects
- **verbal or written threats** – any expression of an intent to inflict harm
- **verbal abuse or harassing behavior** – when it includes threats or behaviour which give the worker reasonable cause to believe that the worker is at risk of injury
- **verbal abuse** – swearing, insults or condescending language
- **physical attacks** – hitting, shoving, pushing or kicking

Workplace violence is not limited to incidents that occur at on-site business-related functions. It can include off-site business-related functions such as the following:

- conferences
- trade shows
- social events related to work
- away from work but resulting from work (for example, a threatening telephone call to an employee's home from a patron)

Threats

A threat against a worker's family that is a result of the worker's employment is considered a threat against the worker for the purpose of this policy. Where a threat is made against a worker's family, any person who becomes aware of the threat must report it to the person's supervisor or the employer, following which the Security Manager will be immediately informed. All threats against a worker or the worker's family will be treated as serious matters.

When the employer is made aware of a threat, the employer is required to notify the worker, if the worker is not already aware of the threat, and to notify the police or similar authority responsible

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for the protection of public safety. If the employer is unable to contact the worker, the employer will advise a family member so that appropriate precautions can be taken. The employer and any other persons involved are also required to cooperate in any investigations necessary to protect the worker or worker's family.

3 Risk Assessment

A risk assessment will be conducted for every department at each worksite as required. The risk assessment will be completed in conjunction with members from the Joint Health & Safety Committee, and the results will be reviewed at the following committee meeting.

The risk assessment will include:

- surveying employees about their experiences, and whether they are concerned for themselves or others;
- reviewing any incidents of violence by consulting existing incident reports, first aid records and Joint Health & Safety Committee records;
- conducting a visual inspection of the workplace and the work being carried out with a focus on the design and layout, as well as administrative and work practices.

The details will be reviewed, looking for trends and identifying the occupations and locations that are the most at risk. The results of the assessment will be recorded in order to assist with the establishment of safe work practices or procedures as required.

Risk assessment results will be analyzed for any training updates needed, including retraining or refresher courses.

All risk assessment results will be forwarded to the location's General Manager, Security and Human Resources, as well as to corporate Human Resources and Security. For a sample risk assessment format, see the [Violence in the Workplace Survey](#).

4 Responsibility to Instruct Workers

Great Canadian's management will inform workers who may be exposed to the risk of violence of the nature and extent of the risk.

The duty to inform workers includes a duty to provide information related to the risk of violence from persons who have a history of violent behaviour and whom workers are likely to encounter in the course of their work.

Great Canadian will instruct workers who may be exposed to the risk of violence in:

- a. the means for recognition of the potential for violence,
- b. the procedures, policies and work environment arrangements which have been developed to minimize or effectively control the risk to workers from violence,
- c. the appropriate response to incidents of violence, including how to obtain assistance, and
- d. procedures for reporting, investigating and documenting incidents of violence.

5 Preventing Violence in the Workplace

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The following Safe Work Practices have been developed and are implemented at each worksite (See the site-specific safe work practices):

- *Traveling to and from Work (including Pre-Arrival Planning, Arrival at your Parking Spot, Walking to and from Your Place of Business, Returning to your Vehicle, Public Transit)*
- *Working Alone*
- *Dealing with Difficult Customers*
- *Armed Robbery*
- *Emergency & Evacuation Procedures*

Also, review the *Emergency Action Guide* available at each location.

6 Implementation

Employees must immediately report incidents of violence in the workplace to Surveillance or the nearest Security Officer, and then to their direct supervisor. Incidents will be investigated and the results reviewed by the Joint Health & Safety Committee (see HS 5.0, Investigation of Incidents). Great Canadian will ensure that corrective actions are taken in response to incidents of violence in accordance with the BC *Workers' Compensation Act* and the BC *Occupational Health and Safety Regulations*.

Great Canadian will ensure that a worker reporting an injury or adverse symptom as a result of an incident of violence is advised to consult a physician of the worker's choice for treatment or referral. In addition, Great Canadian will ensure that an employee who is reporting an injury or adverse symptoms as a result of an incident of violence will be referred to critical incident stress counselling (see HS 17.0, Critical Incident Response). The incident will be reported and investigated as described for work-related injuries in HS 11.0, Occupational First Aid.

Violence in the workplace training will be provided to each new employee as a part of the Employee Orientation program.

7 Reference

This policy references the BC *Occupational Health and Safety Regulations*, as follows:

BC Occupational Health and Safety Regulations:

Part 4 – General Conditions
Section 4.27–4.31

8 Related Documents

- Safe Work Practices - VRL
- Safe Work Practices - RRCR
- Safe Work Practices - FSD

Control Information	
Document #:	BC-HS-9.0
Type:	Policy/Procedure

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APPENDIX G - RRCR Corporate Ethics & Conduct Manual



GREAT CANADIAN GAMING CORPORATION

CORPORATE ETHICS & CONDUCT MANUAL

This *Corporate Ethics & Conduct Manual* has been prepared by Great Canadian Gaming Corporation to provide an overview of the policies, standards, and guidelines that apply to all employees and service providers.

The *Corporate Ethics & Conduct Manual* includes the following sections:

- Message from the President & CEO
- I. Introduction
- II. Code of Conduct
- III. Confidentiality Policy
- IV. Conflict of Interest
- V. Non-Disclosure Agreement
- VI. Whistle Blower Policy

Once you have read this Manual, please sign the Acceptance Certificate declaring that you have read and understood the Manual and agree to abide by its contents. If you have any questions or concerns about anything in the Manual, please contact your management or human resources representative.

Great Canadian Gaming Corporation's Compliance Officer can be reached by phone at (604) 303-1000 or by email at complianceofficer@gcgaming.com.

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Great Canadian Gaming Corporation
Corporate Ethics & Conduct Manual

MESSAGE FROM THE PRESIDENT & CEO

The success of Great Canadian Gaming Corporation is built on a foundation of integrity and commitment to excellence. As a Corporation, and as employees and service providers, we must guide our conduct by our principles of honesty, integrity, and ethical behaviour.

Our goal is to act with a high level of ethics and integrity in our business dealings with our stakeholders (guests, colleagues, shareholders, suppliers, and communities). This is a Corporate priority and a shared responsibility for all employees and service providers as each one of our actions and decisions affects the Corporation and its reputation.

This *Corporate Ethics & Conduct Manual* outlines the responsibilities, obligations, and standards of ethical conduct expected of you during your employment with Great Canadian. Please read this document carefully and make it an integral part of the way you conduct business at Great Canadian. You play an important role in representing our organization. Guided by these standards of ethical conduct, we build trusted relationships with our stakeholders and the communities in which we live, work, and serve.

A handwritten signature in black ink, appearing to read 'Rod N. Baker'.

Rod N. Baker
President & Chief Executive Officer

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Great Canadian Gaming Corporation
Corporate Ethics & Conduct Manual

I. INTRODUCTION

This *Corporate Ethics & Conduct Manual* applies to all employees of Great Canadian Gaming Corporation, its subsidiaries and affiliates, collectively referred to as "Great Canadian" and in some cases "the Corporation". For the purposes of this Manual "employee(s)" includes both employees and service providers (those engaged under contract to provide services).

To maintain the reputation of Great Canadian in the marketplace and with its stakeholders, you are expected to maintain a high standard of integrity in all your business dealings. You are expected to act honestly, comply with the laws and regulations governing our businesses, and actively promote an ethical work environment.

Great Canadian's reputation depends on the integrity and sense of responsibility of its employees. The way in which you discharge that trust determines the success of the Corporation and the place of pride that it enjoys in the community.

The policies, standards, and guidelines set out here are based on generally accepted standards of ethical business conduct and applicable civil and criminal laws. However, the absence of guidance on a particular situation does not relieve you of the responsibility of acting ethically.

Failure to abide by the contents of this Manual may harm the Corporation's reputation in the community and put the Corporation at risk of legal action. For you, the consequences may include disciplinary action, up to and including dismissal, as well as possible civil and criminal penalties.

At the beginning of your employment, and annually thereafter, you will be required to read this Manual and sign the acceptance certificate confirming that you have read and understood the Manual and agree to abide by its contents. The signed certificate will be kept in your personnel file.

The Corporation reserves the right to change any of the terms of this *Corporate Ethics & Conduct Manual*, and will notify you of any changes. Signing and abiding by this Manual constitutes a term of your engagement as an employee.

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Great Canadian Gaming Corporation
Corporate Ethics & Conduct Manual

II. CODE OF CONDUCT

In discharging your duties, you are expected to comply with the following Code of Conduct:

"I will:

1. act at all times in the best interests of the Corporation acknowledging that the interests of the Corporation are more important than my personal interests,
2. exercise diligence, care, prudence, and common sense in my work,
3. act with integrity and be an effective representative of the Corporation,
4. deal with other employees, service providers, and customers openly, respectfully, honestly, and in good faith,
5. keep informed of the business and affairs of the Corporation and become generally knowledgeable of the Corporation's industry and operations,
6. keep informed of the policies of the Corporation and the laws, rules and regulations governing its affairs so that the conduct of the business and affairs of the Corporation are carried out in accordance with them,
7. communicate openly with management on the implementation of the Corporation's policies and strategies,
8. maintain an understanding of the business, social, and political environments within which the Corporation operates,
9. be fully available as a resource to the Corporation and use my abilities, experience, and influence constructively,
10. participate fully and frankly in discussions at meetings, and when called upon and when appropriate, encourage free and open discussion of the affairs of the Corporation,
11. make available to the Corporation all information that may be relevant to its efficient and proper conduct and operation,
12. protect confidential information and undisclosed material information from disclosure,
13. not enter into any transaction based on the use of confidential information of the Corporation to obtain, directly or indirectly, a personal benefit or advantage,
14. refer questions from the media to the appropriate spokesperson of the Corporation,
15. not engage in any gaming activity in any facilities operated by the Corporation, with the exception of wagering on horse racing which is permitted when off duty, and
16. disclose to my manager, or the person I normally report to, any financial or personal interest, direct or indirect, that may conflict with the interests of the Corporation or may have a bearing on any Corporation transaction or business, whether this interest arises from my personal affairs or employment with Great Canadian, and refrain from participating in such transactions or business."

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Great Canadian Gaming Corporation
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III. CONFIDENTIALITY POLICY

The purpose of the Confidentiality Policy is to prevent the improper use or disclosure of “material information” and “confidential information,” and to describe share trading prohibitions.

“Material information” means any information about the business, operations, or capital of the Corporation that would reasonably be expected to significantly affect the market price or value of the shares of the Corporation.

“Confidential information” means any information known or used by the Corporation in connection with its business or technology that is not known to the general public, including the Corporation’s know-how, trade secrets, technical information, customer information, financial information, and gaming information including training techniques, operating procedures, and information as to business opportunities, strategies, and research and development.

You must not use material or confidential information of the Corporation for your benefit or the benefit of family, friends, or business associates.

Employees who breach this Confidentiality Policy may face disciplinary action, including dismissal. Certain breaches of this Policy violate securities laws and constitute offences under the *Securities Act*. Moreover, such breaches expose the Corporation to regulatory action and civil liability. If the Corporation discovers that an employee has breached this Policy, it may refer the matter to the appropriate regulatory authorities, which could lead to penalties, fines, or imprisonment.

A. Authorized Spokespersons

Employees with access to material or confidential information are prohibited from communicating this information to anyone else, unless it is in the necessary course of business. The public disclosure of material or confidential information must be made only by individuals who have been authorized as spokespersons by the Corporation.

Do not respond to any inquiries for information from the financial community, shareholders, the media, or other external parties, or initiate any communications with them. Unless you are authorized to publicly disclose material or confidential information, do not disclose information under any circumstances to anyone outside the Corporation.

All requests for material or confidential information must be referred to one of the following authorized spokespersons:

- President & Chief Executive Officer (a “Senior Officer” of GCGC)
- Chief Financial Officer (a “Senior Officer” of GCGC)
- Chief Operating Officer (a “Senior Officer” of GCGC)
- Vice-President, Stakeholder Relations & Responsible Gaming (primary spokesperson for media-related enquiries)

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Great Canadian Gaming Corporation
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B. Maintaining Confidentiality

Within the Corporation, Senior Officers will limit access to material or confidential information to those employees who need to know the information to do their jobs, and those employees will be advised that the information is to be kept confidential.

When the Corporation needs to disclose material or confidential information outside of the Corporation during the normal course of business, the Senior Officer disclosing the information must tell those receiving it that they cannot pass the information on to anyone else or trade in the information until it has been generally disclosed. When appropriate, the receiving party will be asked to sign a confidentiality agreement before receiving the information.

To prevent the unintentional disclosure of material or confidential information, you must follow these guidelines:

1. keep documents and files containing material or confidential information in a safe place and make them available only to individuals who are authorized to access that information,
2. do not discuss this information in public places where you may be overheard, such as elevators, hallways, restaurants, airplanes, or taxis,
3. do not discuss this information on wireless devices without taking reasonable precautions to ensure that discussions will not be overheard or intercepted—the use of landlines is recommended,
4. do not read documents containing this information in public places without exercising proper care, and do not discard them anywhere other than on Corporation property where they can be shredded,
5. transmit documents by electronic means, such as by fax or email computer, only when it is reasonable to believe that the transmission can be made and received under secure conditions,
6. avoid unnecessary copying of documents containing material or confidential information, and remove those documents from conference rooms and work areas immediately after meetings have concluded or they are no longer needed,
7. shred extra copies of confidential documents or otherwise destroy them, and
8. restrict access to confidential electronic data by requiring user IDs and passwords.

C. Unintentional Disclosure

If you unintentionally release undisclosed material or confidential information to an outside party, you must report it immediately to your supervisor and to the Chief Financial Officer, or if unavailable, to the President & CEO. If an unintentional selective disclosure has occurred, the Corporation is required to immediately make a full public announcement, including contacting the TSX to halt trading pending the issuance of a news release.

So that no undisclosed material or confidential information is unintentionally disclosed, you are prohibited from participating in, hosting, or linking to chat rooms, newsgroup discussions, blogs, or social networking sites on matters relating to the Corporation's material and confidential business matters, activities, or securities.

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Great Canadian Gaming Corporation
Corporate Ethics & Conduct Manual

D. Trading Restrictions and Black Out Periods

It is illegal for employees to trade in securities of the Corporation when they know material or confidential information affecting the Corporation that has not been publicly disclosed. Except when it is in the "necessary course of business," it is also illegal for employees to inform others of material or confidential information about the Corporation that has not been publicly disclosed.

The Corporation designates "blackout periods," pending the release of material information to the public, and during which trading is restricted.

E. Quiet Periods

To avoid the potential for selective disclosure of information, or the perception of selective disclosure, the Corporation observes a quarterly "quiet period" during which no information on earnings or comments about the current quarter's operations or expected results are released. The quiet period begins on the first day of the month following the end of a quarter and ends with the issuance of a news release disclosing the results of that quarter.

IV. CONFLICT OF INTEREST

A. Conflict of Interest Policy

It is anticipated that employees may, from time to time, pursue business interests or participate in organizations outside of Great Canadian. If you do so, you must ensure that you are not in a real or perceived conflict of interest between your duties and obligations as an employee with Great Canadian and your outside interests.

Employees owe their primary business loyalty and fiduciary duty to the Corporation and must avoid engaging in any personal interests that may conflict with their employment with the Corporation.

You and members of your immediate family are not permitted to accept any entertainment, gift, or favours of material value offered by suppliers or others having business with the Corporation that arises because of your position with the Corporation. (Material value means \$500 for Directors and Senior Management and \$250 for all other employees of the Corporation.) Such gifts would appear to influence your objectivity or judgment or appear to create a favoured position for them with the Corporation. While costly gifts and hospitality are never to be accepted, gifts can also create a real or perceived conflict of interest and should be avoided in most circumstances. Report all material offers from suppliers or others having business dealings with the Corporation to the Compliance Officer.

You must avoid any business activities or other interests that create a conflict of interest that does or might interfere with your independent exercise of judgment and efforts on behalf of the Corporation and/or excessive demands on your time that deprive the Corporation of your best efforts on the job or interfere with your ability to fully perform your services for the Corporation.

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You must disclose promptly in writing to the Compliance Officer any outside business interests, whether direct or indirect, or profit participation, in the gaming industry, horse racing industry, or other industry in which Great Canadian has an interest, and any type of outside business that has, or may have, business dealings with the Corporation.

If you are unsure of whether you are in a conflict of interest, contact the Compliance Officer.

Where a conflict of interest exists or may arise, you may be requested to remedy that conflict of interest by disassociating yourself from that interest or resigning your employment with the Corporation.

This Policy in no way relieves you of your responsibility of complying with any laws, statutes, regulations, by-laws, rules, or specific instructions of the Board.

B. Conflict of Interest Agreement

As a condition of your employment with Great Canadian, you must accept the following Conflict of Interest Agreement. Your signature on the Acceptance Certificate in this Manual is considered to evidence your acceptance of this Agreement:

"I have read the Conflict of Interest Policy and hereby declare that I have reported any conflict of interest at the same time that I signed and executed the Acceptance Certificate contained in this Manual and I further declare that:

1. I have no interest in any private or personal business that may conflict with the duties and responsibilities owed to the Corporation by virtue of my being an employee of the Corporation.
2. I have not participated in, and do not currently contemplate participating in, any transaction, either as an individual or as a member of another organization in which I have a significant interest or control, that is the kind of transaction in which the Corporation normally engages unless otherwise disclosed below.
3. I am not a director or employee of, or otherwise engaged by, any other corporation, where in the opinion of the Corporation, a conflict of interest may arise.
4. I do not have any material direct or indirect ownership, interest, or profit participation in outside business enterprises that have, or are contemplating having, dealings with the Corporation unless otherwise disclosed below.
5. I have not accepted, and will not accept, any gift or hospitality of material value offered or tendered by virtue of my position as an employee of the Corporation that would unduly influence or impair my objectivity and judgment in undertaking my duties for the Corporation.
6. I will promptly, upon becoming aware of any actual or perceived conflict of interest, immediately notify the Compliance Officer of the Corporation of the actual or perceived conflict of interest and will exclude myself from involvement, consideration, or the approval process associated with such a transaction."

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V. NON-DISCLOSURE AGREEMENT

As a condition of your employment with Great Canadian, you must agree to the following Non-Disclosure Agreement. Your signature on the Acceptance Certificate in this Manual is considered to evidence your acceptance of this Agreement:

"In consideration of my employment with the Corporation, I agree to the following:

1. I am under no obligation to anyone that would be an impediment to my entering into this Agreement or which imposes any restrictions on the activities or duties that may be assigned to me from time to time by the Corporation.
2. Except as expressly permitted in writing by the Corporation, I will not at any time during or after my employment with the Corporation:
 - disclose or authorize the disclosure of any confidential information to anyone other than authorized officers or employees of the Corporation
 - use any confidential information for non-Corporation purposes or other non-permitted purposes.
3. "Confidential information," for the purposes of this Agreement means all information, including trade secrets, methods, techniques, or processes, of a business, planning, marketing, technical, or other nature that derives actual or potential value from not being generally known, or reasonably ascertainable whether developed by the Corporation or received by the Corporation from a third party in circumstances which oblige the Corporation to protect such information from unauthorized use and/or disclosure.
4. This Agreement and my acknowledgement of the Corporation's rights does not apply to anything that does not use confidential information and does not result from any work performed by me which is not performed for the benefit of the Corporation.
5. I will make prompt and full disclosure to the Corporation during and after my employment with the Corporation, and I will sign documents and provide such further assurances and other assistance as may be reasonably required by the Corporation acting reasonably to obtain, maintain, enforce, protect or grant any rights which I have assigned to or waived in favour of the Corporation and which the Corporation may desire in this regard in all countries in the world.
6. The Corporation agrees that general knowledge and experience gained by me prior to or during my employment with the Corporation, including general techniques, methods developed for or related to any initiatives for which no confidential information or trade secret information of the Corporation was used, may be used by me at any time before, during or after my engagement, subject to the provision that such general knowledge and experience may not be used if:
 - a specific agreement to the contrary is entered into by me and the Corporation
 - such knowledge and experience relates specifically to the confidential business or proprietary information of the Corporation
 - I am in breach of any of the Corporation's intellectual property rights or my covenants of non-disclosure and non-use.
7. I will keep and safeguard and will deliver to the Corporation upon termination of my employment or at any other time as may be requested by the Corporation, all things including notes, files, memoranda, or other electronically stored information described in paragraph 3. I further agree not to make or retain any copy, duplication, facsimile, reproduction, or replication of any of the foregoing.
8. This Agreement will supersede any and all previous oral or written communications, discussions or agreements between myself and the Corporation relating to the subject matter addressed in this Agreement.

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9. My acknowledgement and agreement to the foregoing is evidenced by my signature and execution of the Acceptance Certificate in this Manual."

VI. WHISTLE BLOWER POLICY

The Corporation is committed to maintaining the highest possible ethical standards in all its business practices. It therefore seeks to promote a climate of openness and accountability that encourages employees to come forward in good faith to disclose genuine concerns.

Employees are required to inform the Compliance Officer immediately and directly of any actual, perceived, or potential breaches of company policies and applicable Federal and Provincial laws. Reports should normally be made through the reporting chain of command. However, if you feel uncomfortable reporting to your immediate supervisor, you can raise the matter with the Compliance Officer directly.

You are required to raise any concerns about accounting matters, internal accounting controls, auditing matters, or related questionable practices with your immediate supervisor or the person you normally report to. However, if you are uncomfortable with reporting a particular matter to your supervisor, you may report it to any other member of the Corporation's management team or to the Compliance Officer directly.

All disclosures of perceived breaches of any company policies and applicable Federal and Provincial laws or other genuine concerns regarding accounting matters, internal accounting controls, auditing matters, or related questionable practices will be held in confidence.

The management team has been specifically instructed to deal with any reports received in a timely, effective way and to maintain confidentiality.

You will not be subject to any disciplinary action if you report an instance of actual or suspected wrongdoing in accordance with this, Whistle Blower Policy, provide information, or participate in an investigation.

Any attempt to intimidate or threaten employees to discourage them from reporting under this Whistle Blower Policy, or any retaliation against them, will not be tolerated and will result in appropriate disciplinary action.

If you feel it is not appropriate to report your concerns to a member of the management team, you are encouraged to report your concerns in writing (anonymously, if you wish) to the Audit, Risk and Finance Committee of the Corporation's Board of Directors in an envelope marked "Strictly Confidential" to the following address:

The Attention of the Chair of the Audit Committee
c/o The Compliance Officer
Great Canadian Gaming Corporation
95 Schooner Street
Coquitlam, BC V3K 7A8

or, by email to complianceofficer@gcgaming.com, or, by Telephone to (604) 303-1000.

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APPENDIX H – Report It Up Slides (provided by RRCR)


9/13/2018

For Internal Use Only


A Reminder...

- Criminal charges or criminal investigation, any civil litigation, allegations or fraud, theft, deceit or misrepresentation in which you are involved in
- Any wrongdoing
- Bankruptcy
- Change of name






REPORT IT UP



Failure to report may result in discipline, up to and including termination.



Report to:

Your Manager or Human Resources Manager
Or
Vice President, Corporate Security & Compliance,
Corporate Compliance / Surveillance


Great Canadian Gaming Corporation
95 Schooner Street
Coquitlam, BC V3K 6Z1

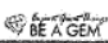
Email: corporatecompliance@gccanada.com






**Personal Information Protection Act
(PIPA)**






Privacy & Personal Information

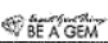
Great Canadian will only collect, use or disclose personal information necessary for the delivery of our services and to maintain compliance with the requirements of regulatory bodies



Gambling as a Great Canadian Employee

- No gambling at work
- At properties operated and/or managed by Great Canadian: can wager on horseracing when off-duty and not in uniform
- Great American Gaming Corporation employees are permitted to game in any Canadian operation and, vice versa





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APPENDIX I - Employee Confidentiality Statement Template (RRCR)



EMPLOYEE CONFIDENTIALITY STATEMENT

I, _____ understand that I
am participating in a meeting in which all information discussed is confidential.

I respect that failure to maintain the confidentiality of the meeting and information
shared in the meeting could seriously impact the work environment. As a result
of the importance of this, I further understand that any failure on my part to
uphold total confidentiality, now or at a later date, will lead to disciplinary action,
up to and including termination. I understand that if I have questions regarding
confidentiality and / or who I can discuss this information with I will consult either
the Human Resources Manager or Human Resources Director.

SIGNATURE OF EMPLOYEE

DATE

SIGNATURE OF WITNESS

DATE

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APPENDIX J - Employee Confidentiality Statement Template (CNS)



EMPLOYEE CONFIDENTIALITY STATEMENT

I, _____ understand that I
am participating in a meeting in which all information discussed is confidential.

I respect that failure to maintain the confidentiality of the meeting and information
shared in the meeting could seriously impact the work environment. As a result
of the importance of this, I further understand that any failure on my part to
uphold total confidentiality, now or at a later date, will lead to disciplinary action,
up to and including termination.

SIGNATURE OF EMPLOYEE

DATE

SIGNATURE OF WITNESS

DATE

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APPENDIX K – BCLC Policy and Procedures Re: s.15,s.17

s.15,s.17

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Withheld pursuant to/removed as

s.15;s.17