



April 24, 2007

Senator William J. Raggio
Nevada Senate
401 S. Carson Street
Carson City, NV 89701

Dear Senator Raggio,

Assembly Bill 248, passed by the Assembly yesterday, ignores certain facts pertaining to tip earners in general. First, the bill ignores the fact that Las Vegas gaming establishments have a worldwide reputation of being the best in the business and that our success speaks for itself. Second, the bill clearly creates a new and separate class of gaming employees who engage customers without utilizing gaming devices. Further, the bill, purported to be based in "policy" appears to create policy for one and only one category of tip earners. It completely ignores restaurant hosts and hostesses, bar backs, bus persons, and all tip earners who pool tips with those fellow employees who assist them in earning the tips in the first place.

Management actions engaged in by Wynn Las Vegas have resulted in superior customer service and a small, temporary, diminution in dealer compensation (less than 10%), and, if left unfettered by legislative intervention, will certainly provide more and better income for dealers as well as for a broader class of employees. This bill is a clumsy attempt to fix something that's not broken and may have the potential of interfering with the way the hospitality industry has worked in Nevada for years. We fear that creating a single class of employees for the purpose of tip pooling could be construed as discriminatory. If this measure is truly based in "policy," it could easily creep into all areas of gaming and hospitality operations, impacting our food and beverage servers, housekeepers, and other team members who, along with management, have established cooperative systems of generating and sharing tips among themselves.

The bill appears to have been speedily crafted, leaving out salient issues critical to not only our employees, but gaming and hospitality employees throughout the state. We would suggest that if the legislature would allow those who have proven to be successful to continue to create that success, our employees would be better off in the long run. Our dealers enjoy the highest earnings in the industry and those earnings are a direct result of both our carefully innovated management practices as well as our dealers' dedication to customer service. To deny the sharing of tips with those who assist, facilitate and accommodate the earning of those tips is an intrusion into the management practices that have provided for the success of our dealers to date. Without the strategically implemented management practices, our dealers would not be enjoying the benefits of the increased tip earnings they have enjoyed of late.

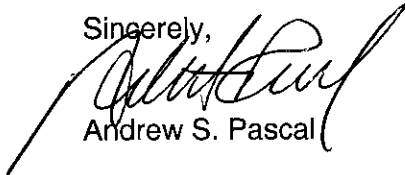
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We would implore the Senate to take heed of the dangers implicit in attempting to legislate the day to day affairs of the largest and most successful industry in our state. We would further suggest that interfering in the management practices that have resulted in a highly compensated workforce will certainly result in unintended consequences for all gaming and hospitality employees.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew S. Pascal". The signature is fluid and cursive, with a long horizontal stroke extending to the left.

Andrew S. Pascal

cc: Senator Mark E. Amodei (Chair, Senate Judiciary Committee)
Senator Randolph J. Townsend (Chair, Senate Committee on Commerce and Labor)
Senator Dina Titus (Senate Minority Leader)