

To Post or Not to Post ...

Regulations on Guns & Weapons in the Workplace



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Overview: Guns-at-Work Laws

- In 2016, 500 out of 5,190 fatal workplace injuries in the U.S. were homicides
- Each year, 2 million U.S. workers report they are victims of workplace violence
- There is no federal law that specifically regulates weapons in the workplace
- OSHA General Duty Clause: Employers must provide a safe working environment
- 31 states have passed “guns-at-work” laws
 - ✓ Some allow employers to totally ban weapons at work, including in parking lots
 - ✓ Some allow employers to ban weapons inside the buildings, but not in company parking lots (“parking lot states”)
 - ✓ Many require employers to post specific postings/signs to enforce any type of ban

States with Guns-at-Work Legislation

- 31 states have some type of guns-at-work law

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|------------------------|----------------|------------------|
| ▪ Alabama* | ▪ Indiana* | ▪ New Mexico |
| ▪ Alaska* | ▪ Kansas* | ▪ North Carolina |
| ▪ Arizona* | ▪ Kentucky* | ▪ North Dakota* |
| ▪ Arkansas* | ▪ Louisiana* | ▪ Ohio* |
| ▪ Colorado | ▪ Maine* | ▪ Oklahoma* |
| ▪ District of Columbia | ▪ Michigan | ▪ South Carolina |
| ▪ Florida* | ▪ Minnesota* | ▪ Tennessee* |
| ▪ Georgia* | ▪ Mississippi* | ▪ Texas* |
| ▪ Idaho | ▪ Missouri* | ▪ Utah* |
| ▪ Illinois* | ▪ Nebraska* | ▪ West Virginia* |
| | | ▪ Wisconsin* |

** Parking lot states*

- In other states, employers typically may develop their own policies prohibiting employees from bringing weapons to work; postings should reinforce your policy

Alabama

- Employers can prohibit employees from carrying handguns *into the building*
- Parking lot state — Employers cannot prohibit employees from storing a legally owned handgun in the employee's private motor vehicle in the employer's parking lot when:
 - ✓ the handgun is lawfully possessed;
 - ✓ the vehicle is operated or parked in a location where it is permitted to be;
 - ✓ the firearm is kept out of plain sight when the employee is in the car; and
 - ✓ when the employee is not in the car, the gun is stored inside a locked compartment or container
- No specific signs are required
 - ✓ You may post generic “No Weapons” signs at building entrances
 - ✓ Parking lot signage would require different verbiage

Alaska

- Parking lot state - Employers cannot prohibit employees from storing a lawfully owned handgun in a locked, privately owned vehicle in an employee designated parking area, like a parking lot or garage
- Employers can prohibit employees from carrying handguns *into the building* if they post signs at each entrance
- Signage is required to enforce weapons ban inside the buildings, but the law does not require a specific type of sign
 - ✓ You may post generic “No Weapons” signs at building entrances
 - ✓ Parking lot signage would require different verbiage

Arizona

- Parking lot state - Employers cannot prohibit employees from storing a legally owned handgun in a locked, privately owned vehicle as long as the handgun is not visible from outside the motor vehicle
- Exception: You can prohibit employees from storing handguns in their vehicles if:
 - ✓ Your parking lot is secured by a fence or other barrier;
 - ✓ Access is limited by a guard or other security measures; and
 - ✓ You provide temporary and secure storage for the handguns (the temporary storage must be monitored and readily accessible on entry into the premises and allow for the immediate retrieval of the firearm on exit from the premises)
- Employers can prohibit employees from carrying handguns *into the building*
- No specific signs are required
 - ✓ You may post generic “No Weapons” signs at building entrances
 - ✓ Parking lot signage would require different verbiage

Arkansas

- Parking lot state – Employers cannot prohibit employees from storing a legally owned handgun in a locked, privately owned vehicle in the employer’s parking lot when the handgun:
 - ✓ is lawfully possessed;
 - ✓ is stored out of sight inside a locked private motor vehicle;
 - ✓ is stored inside a locked personal handgun storage container that is designated for the safe storage of a handgun; and
 - ✓ the employee has in his or her possession the key to the personal handgun storage container
- Employers can prohibit employees from carrying handguns *into the building* if they post a sign that specifically says that “carrying a handgun is prohibited”



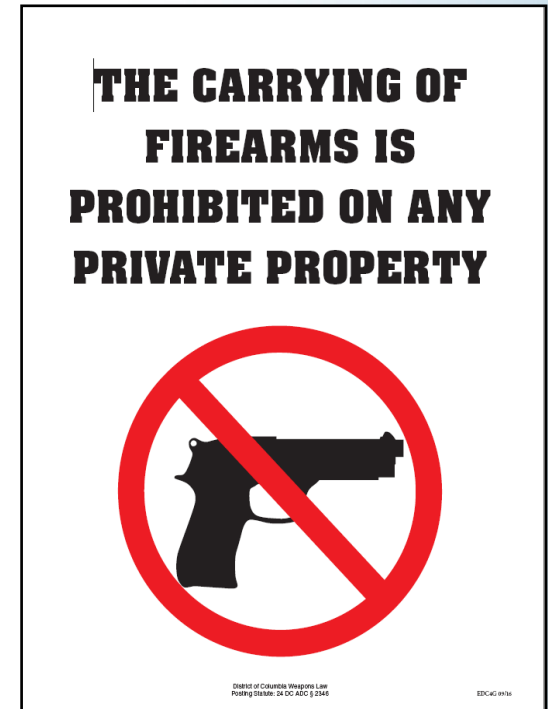
Colorado

- Employers can prohibit employees from carrying handguns anywhere on company property, including company parking lots
- No specific signs are required
- You may post generic “No Weapons” signs anywhere on your premises



District of Columbia

- Employers can prohibit employees from carrying handguns anywhere on company property, including company parking lots
- However, to do so, you must post a specific sign at each entrance
 - ✓ The sign must state that “the carrying of firearms is prohibited on any private property”
 - ✓ Each sign must be at least 8X10 inches with at least 36 point type



Florida

- Parking lot state - Employers cannot prohibit employees from storing a legally owned handgun in the employee's private motor vehicle in the employer's parking lot when:
 - ✓ the handgun is lawfully possessed;
 - ✓ the vehicle is operated or parked in a location where it is permitted to be; and
 - ✓ the firearm is locked inside the private motor vehicle
- Employers can prohibit employees from carrying handguns *into the building*
- No specific signs are required
 - ✓ You may post generic "No Weapons" signs at building entrances
 - ✓ Parking lot signage would require different verbiage

Georgia

- Parking lot state - Employers cannot establish, maintain, or enforce any policy that prohibits employees from storing a licensed concealed firearm in the employee's vehicle on company property
- Employers can prohibit employees from carrying handguns *into the building*
- No specific signs are required
 - ✓ You may post generic “No Weapons” signs at building entrances
 - ✓ Parking lot signage would require different verbiage

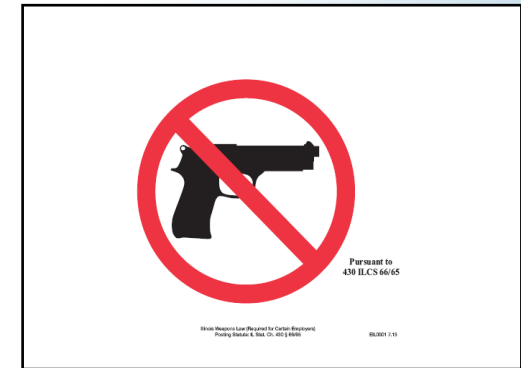
Idaho

- Employers can prohibit employees from carrying handguns anywhere on company property, including company parking lots
- No specific signs are required
- You may post generic “No Weapons” signs anywhere on your premises



Illinois

- Employers can prohibit employees from carrying handguns *into the building* if they post a sign at each entrance
 - ✓ Signs must include reference to 403 ILCS 66/65 and include a handgun in black ink surrounded by a red circle with a diagonal slash across the handgun
- Parking lot state - Employers cannot prohibit employees from storing a handgun in the employee's private motor vehicle in the employer's parking lot when:
 - ✓ the handgun is lawfully possessed;
 - ✓ the vehicle is operated or parked in a location where it is permitted to be; and
 - ✓ the firearm is locked in a case or container inside the private motor vehicle



Indiana

- Parking lot state - Employers cannot adopt or enforce any rule or policy that prevents an employee from storing handguns:
 - ✓ in the locked trunk of the employee's vehicle;
 - ✓ in the glove compartment of the employee's locked vehicle; or
 - ✓ otherwise out of plain sight in the employee's locked vehicle
- Employers can prohibit employees from carrying handguns *into the building*
- No specific signs are required
 - ✓ You may post generic "No Weapons" signs at building entrances
 - ✓ Parking lot signage would require different verbiage

Kansas

- Parking lot state - Employers cannot prohibit employees from storing a handgun in the employee's private motor vehicle in company parking lot
- Employers can prohibit employees from carrying handguns *into the building* if they post a sign at each entrance
 - ✓ Sign must be on white background and include a graphic design that depicts a handgun in black ink, in a circle with a diagonal slash across the handgun in red ink, and must have no text or other markings within the one-inch area surrounding the graphic design



Kentucky

- Parking lot state - Employers cannot prohibit employees from storing legally concealed handguns in an employee owned vehicle on company property
- Employers can prohibit employees from carrying handguns *into the building*, but *only if* they post signs at each entrance
- Signage is required to enforce weapons ban inside the buildings, but the law does not require a specific type of sign
 - ✓ You may post generic “No Weapons” signs at building entrances
 - ✓ Parking lot signage would require different verbiage

Louisiana

- Parking lot state - Employers cannot prohibit employees from storing lawfully possessed handguns in a locked, privately owned vehicle on company property
- Exception: You CAN prohibit employees from storing handguns in their vehicles if:
 - ✓ your parking lot is limited or restricted by a fence, gate, security station or other means; and
 - ✓ you either provide facilities for the temporary storage of unloaded firearms or provide an alternate parking area reasonably close to the main parking area where employees may store firearms in locked, privately owned vehicles
- Employers can prohibit employees from carrying handguns *into the building*
- No specific signs are required
 - ✓ You may post generic “No Weapons” signs at building entrances
 - ✓ Parking lot signage would require different verbiage

Maine

- Parking lot state - Employers cannot prohibit employees from storing lawfully possessed handguns in a locked, privately owned vehicle on company property
- Employers can prohibit employees from carrying handguns *into the building*
- No specific signs are required
 - ✓ You may post generic “No Weapons” signs at building entrances
 - ✓ Parking lot signage would require different verbiage

Michigan

- Employers can prohibit employees from carrying handguns anywhere on company property, including company parking lots
- No specific signs are required
- You may post generic “No Weapons” signs anywhere on your premises



Minnesota

- Parking lot state - Employers cannot prohibit employees from storing lawfully possessed handguns in an employer parking lot
- Employers can prohibit employees from carrying handguns *into the building* if they post a sign at each entrance
 - ✓ Signs must contain specific language shown, in lettering at least 1.5 inches in height



Mississippi

- Employers can prohibit employees from carrying handguns *into the building* if they post a sign at each entrance
 - ✓ Signs must state that the “carrying of a pistol or revolver is prohibited”
- Parking lot state - Employers cannot prohibit employees from storing lawfully possessed handguns in a locked vehicle on company property
- Exception: You may prohibit employees from storing firearms in parking areas where access is limited or restricted through the use of a fence, gate, or security station



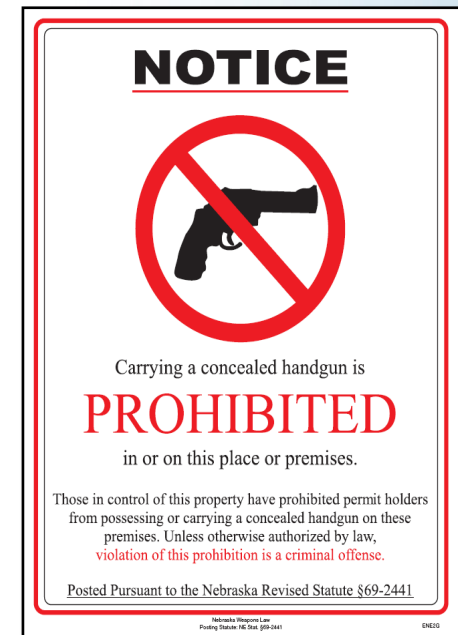
Missouri

- Parking lot state - Employers cannot prohibit employees from storing handguns in a locked vehicle on company property
- Employers can prohibit employees from carrying handguns *into the building* if they post a sign at each entrance
 - ✓ Signs must be 11X14 inches, with letters of not less than one inch



Nebraska

- Parking lot state - Employers cannot prohibit employees from storing handguns in a locked vehicle on company property, as long as the handgun is locked inside the glove box, trunk or other compartment of the vehicle
- Employers can prohibit employees from carrying handguns *into the building* if they post a sign at each entrance
 - ✓ Signs must state that “carrying a concealed handgun is prohibited in or on this place or premises”



New Mexico and North Carolina

- Employers can prohibit employees from carrying handguns anywhere on company property, including company parking lots, *by posting conspicuous signs*
- Signage is required to enforce weapons ban, but the law does not require a specific type of sign
- You may post generic “No Weapons” signs anywhere on your premises



North Dakota

- Parking lot state - Employers cannot prohibit employees from possessing a legally owned firearm that is locked in a private vehicle in a company parking lot
- Employers can prohibit employees from carrying handguns *into the building*
- No specific signs are required
 - ✓ You may post generic “No Weapons” signs at building entrances
 - ✓ Parking lot signage would require different verbiage

- Parking lot state - Employers cannot prohibit an employee who has been issued a valid concealed handgun license from storing a firearm when both of the following conditions are met:
 - ✓ Each firearm remains inside the person's privately owned motor vehicle while the person is physically present inside the motor vehicle, or each firearm is locked within the trunk, glove box, or other enclosed compartment or container within or on the person's privately owned motor vehicle; and
 - ✓ The vehicle is in a location where it is otherwise permitted to be
- Employers can prohibit employees from carrying handguns *into the building*
- No specific signs are required
 - ✓ You may post generic “No Weapons” signs at building entrances
 - ✓ Parking lot signage would require different verbiage

Oklahoma

- Parking lot state - Employers cannot establish a policy that has the effect of prohibiting employees from storing handguns in a locked vehicle on company property
- Employers can prohibit employees from carrying handguns *into the building* if they post signs around the property informing employees of the ban
- Signage is required to enforce weapons ban inside the buildings, but the law does not require a specific type of sign
- You may post generic “No Weapons” signs at your building entrances



South Carolina

- Employers can prohibit employees from carrying handguns in the workplace, including company parking lots, if they post specific signs
- The signs must:
 - ✓ Be posted at the entrance to each building where you are prohibiting employees from carrying a concealable weapon;
 - ✓ Be clearly visible from outside the building;
 - ✓ Contain the words “NO CONCEALABLE WEAPONS ALLOWED” in black one-inch tall uppercase type at the bottom of the sign, and centered between the lateral edges of the sign;
 - ✓ Contain a black silhouette image of a handgun inside a circle seven inches in diameter with a diagonal line that is two inches wide and runs from the lower left to the upper right at a forty-five-degree angle from the horizontal; and
 - ✓ Be placed not less than forty inches and not more than sixty inches from the bottom of the building’s door



Tennessee

- Parking lot state - Employers cannot prohibit employees from storing handguns in employee owned vehicles if the firearm is lawfully possessed, the vehicle is permitted to park in the location, and the firearm is stored in the vehicle in a place hidden from ordinary observation
- Employers can prohibit employees from carrying handguns *into the building* if they post a sign at each entrance
 - ✓ Signs must state “no firearms allowed” and must include the phrase “as authorized by T.C.A. § 39-17-1359”



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- OCULTAS ARMAS DE FUEGO PROHIBIDAS**
CONFORME A LA SECCION 30.06 DEL CODIGO PENAL (TRESPASSAR LA LICENCIA CON MÚLTIPLES PERSONAS BAJO DEL SUB-CAPITULO 411, CODIGO DE LICENCIAS)
- CONCEALED HANDGUNS PROHIBITED**
PURSUANT TO SECTION 30.06, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH A CONCEALED HANDGUN) PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A HANDGUN THAT IS CARRIED OPENLY
- PROHIBIDO LLEVAR ARMAS DE FUEGO ABIERTAMENTE**
CONFORMIDAD CON LA SECCION 30.07, CODIGO PENAL (TRASPASO POR LICENCIA LLEVANDO ABIERTAMENTE), BAJO EL SUB-CAPITULO 411, GOBIERNO (LEY PORTAR ARMAS), NO SE PERMITIRÁ EN ESTA PROPIEDAD UN ARMA DE FUEGO ABIERTAMENTE
- OPENLY CARRIED HANDGUNS PROHIBITED**
PURSUANT TO SECTION 30.07, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH AN OPENLY CARRIED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A HANDGUN THAT IS CARRIED OPENLY

Utah

- Parking lot state - Employers cannot prohibit employees from storing lawfully possessed handguns in an employer parking lot
- Employers can prohibit employees from carrying handguns *into the building*
- No specific signs are required
 - ✓ You may post generic “No Weapons” signs at building entrances
 - ✓ Parking lot signage would require different verbiage

West Virginia

- Parking lot state (new law effective June 8, 2018) - Employers cannot prohibit employees from storing lawfully possessed handguns in an employer parking lot
- Under the new law, employers can prohibit employees from carrying handguns *into the building*
- No specific signs are required
 - ✓ You may post generic “No Weapons” signs at building entrances
 - ✓ Parking lot signage would require different verbiage



- Parking lot state - Employers cannot prohibit employees from storing lawfully possessed handguns in an employer parking lot
- Employers can prohibit employees from carrying handguns *into the building*
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Developing a *Weapons-at-Work Policy*

- Check your state and local laws
- Clearly state the policy's purpose
- Define terms such as “weapon,” “firearm,” “handgun,” and “possess”
- Clarify whether the policy applies only to employees or to all persons entering your premises
- Explain what areas of the premises are covered
- Set procedures for employees to report threats or violent acts
- Establish a disciplinary process for employees who violate the policy
- Distribute the policy and have employees sign an acknowledgment
- Conspicuously post notices enforcing your no weapons policy
- Assign a dedicated internal resource to monitor your state/local laws



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