

Guns in the Workplace: Protect Your Mission



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Last week a *RISK eNews* reader wrote to inquire about the intersection of “conceal and carry” laws and the desire of a nonprofit to provide a violence and weapon-free workplace. All 50 states, but not the District of Columbia, have adopted laws that generally permit individuals to carry loaded and concealed firearms if the individual has been issued a permit to do so by the state. Yet highly publicized incidents of workplace violence involving intruders and employees have prompted many employers to strictly prohibit staff, customers and visitors from bringing firearms into the workplace or onto property owned by the employer. Are these employer restrictions permitted under conceal and carry laws?

The simple answer is “yes.” Owners of private property, including private employers, may prohibit the carrying of concealed firearms on property under the owner’s control. A private employer, including a private nonprofit organization, may adopt rules to ensure a safe environment for staff, service recipients and visitors. A nonprofit’s rules may also include the specific prohibition of weapons—even legally acquired and licensed firearms—in the workplace.

Banning Weapons While Respecting the Law

Here are some tips for nonprofits that seek to seek to ban weapons in the workplace without violating “conceal and carry” laws.

1. Be careful not to adopt a policy that is overly broad or tries to extend a prohibition against carrying concealed weapons onto property that your nonprofit doesn’t own. In addition, recognize that most states do allow individuals with concealed weapon permits to store weapons out of view in a locked vehicle.
2. Keep in mind that in most cases, firearms, including concealed weapons, are not allowed on government or public school property.
3. To ban weapons in buildings owned by your nonprofit, make certain you understand and following the specific requirements for posting signs at entryways.
4. If your nonprofit is a tenant and does not own the property or facilities where you conduct business, speak to your landlord about the issue of facility security and find out the landlord’s position on the issue. Inquire about the landlord’s willingness to ban weapons and post the required signage.
5. As with any new or updated policy, make certain that your ‘no weapons policy’ is disseminated to all personnel. Don’t assume veteran or new staff members will read a policy contained in a lengthy handbook.

6. Encourage any staff member, volunteer, service recipient or other stakeholder to address questions about the policy to a designated point of contact, such as the Director of Human Resources or Chief Operating Officer. Eliminate any unnecessary barriers to posing questions about the policy, such as requiring that questions be submitted in writing.
7. Review your workplace safety or workplace violence policy to make certain that it is consistent with any new policy prohibiting weapons in the workplace.

Articles and Resources on 'Conceal and Carry' Laws

- [www.mondaq.com/unitedstates/x/277430/Contract+of+Employment/Prohibited+Areas+And+Employment+Implications+Under+Illinois+New+ Concealed+Carry+Act](http://www.mondaq.com/unitedstates/x/277430/Contract+of+Employment/Prohibited+Areas+And+Employment+Implications+Under+Illinois+New+Concealed+Carry+Act)
- www.ehs-support.com/wp-content/uploads/State-laws-on-bringing-weapons-on-employer-premises.pdf
- www.usacarry.com/concealed_carry_permit_information.html

Melanie Lockwood Herman is Executive Director of the Nonprofit Risk Management Center. She welcomes your ideas about any risk management topic, suggestions for best-in-class risk management, and questions about the Center's resources at Melanie@nonprofitrisk.org or 703.777.3504. The Center provides risk management tools and resources at www.https://nonprofitrisk.org/ and offers [consulting assistance](#) to organizations unwilling to leave their missions to chance.