

How to Create and Iterate Firearms and Weapons Policies



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Resource Type: Articles

Topic: HR Risk and Employment Practices

Safety at work is top-of-mind for employees across the diverse nonprofit sector. In some workplaces, employees feel comfortable sharing their concerns about the risk of workplace violence, mass shootings, terrorism, and other events that potentially put them in harm's way. In other situations, employees keep their concerns to themselves.

Strong views about guns in the U.S. make the very topic of weapons touchy and 'off limits' in many workplaces. Yet regardless of how individual team members feel about guns, unaddressed fear of being the random or targeted victim of gun violence makes it impossible to work productively and ensure the focus a nonprofit mission deserves. And while no set of strategies or protective practices forecloses the risk of violence involving a firearm, a weapons policy may provide clarity and a sense of safety to your team.

Fit to Suit

There is no single weapons policy that is appropriate for all private sector nonprofit employers. Each organization must determine what rules and expectations are mission appropriate. Employers that implement weapons policies must reflect on their commitments to workplace security, employee privacy, and much more. This article explores what to consider as your nonprofit decides whether to adopt a weapons policy, and what that policy should include if you do.

Federal and State Law Considerations

There is no federal law that limits or restricts the right of private, nonprofit employers to allow, encourage, restrict, or prohibit weapons in the workplace.

Some state laws provide a conditional right to bring firearms to the workplace. These laws sometimes include caveats. State laws may:

- [require that firearms be stored in a locked vehicle](#) (examples include Ohio and Oklahoma)
- [prohibit employers from requiring that employees disclose that they own weapons](#)
- [prohibit retaliation against employees who own or use guns](#), and
- [require private businesses that restrict weapons to post notices](#) (Alaska, Illinois, Kansas, Minnesota,

Start with Your Purpose

As you develop a firearms or weapons policy for your agency, it's important to decide whether you will:

- Strictly prohibit the possession of weapons in the workplace, or
- Provide guidance or restrictions on the possession of weapons in the workplace.

If your decision is to permit the possession of weapons, you may need to remind employees and constituents that permission to bring a weapon (concealed carry) is a privilege that may be restricted, changed or withdrawn at any time. A safety-oriented policy that permits the possession of firearms should set forth clear rules, such as:

Any employee who brings a gun to work must:

- Follow all federal, state and local laws regarding firearms possession and use
- Maintain a valid concealed carry permit if required by state or local laws
- Keep the gun safely holstered at all times
- Keep the gun safety mechanism on at all times
- Maintain possession of the gun at all times, unless a designated gun locker is available on premises
- Keep the gun concealed at all times

If your agency permits employees to carry firearms, also consider a "no brandishing" rule. For example:

"Employees who bring guns to work may never: 1) use a weapon to intimidate or threaten a co-worker, and 2) open carry a gun in the workplace."

Scope Your Policy

The scope section of your policy should define what items (weapons) the policy refers to, to whom the policy applies, and where the policy applies.

What: Explain what constitutes a weapon or dangerous weapon under the policy. Examples include:

- Firearms, explosives, knives, and other weapons that might be considered dangerous or that could cause harm (source: SHRM)
- Any device from which a projectile may be fired by an explosive, metal knuckles, any spring blade knife, or any instrument that can be used as a club and poses a reasonable risk of injury

Whom: Describe who the policy covers. For example: "This policy covers all persons staffing or participating in our programs. A license to carry a weapon does not supersede this policy."

Where: Describe where your policy applies. Some leadership teams may decide the policy applies on the nonprofit organization's owned or rented premises. Others may decide the policy applies anywhere work is being performed, to include events at public or private facilities, or while visiting the homes or premises of individual or institutional clients. If your agency permits staff to carry, subject to local and state laws, consider including a "Firearms and Business Travel" section of your policy reminding staff that:

"Employees must respect the firearms policies of other businesses they visit, and follow all state and local laws regarding firearm possession and carry while traveling to other locales as part of their assigned duties."

Involve Internal Constituents in Policy Design

The NRMCM team believes involving staff with diverse perspectives in policy design is the best way to ensure varying points of view are considered early on. Doing so also increases the likelihood that the policy will be well received and supported. Could this involvement stir up strong emotions or reveal differences in perspective? Possibly. Will involving a team mean that it will take longer to draft a policy? Certainly. Although you may be tempted to assign policy drafting to a single team member and hope that others will support that final product, this approach limits the perspectives that are key to developing the best policy for your agency and building support for that policy slowly and thoughtfully.

Use Clear Language

A common mistake in policy drafting is to use legalistic or formal language, or jargon that people covered by the policy may not understand. Keep in mind that ambiguity can lead to varying interpretations, confusion, and unintended policy violations. Also, review other workplace policies at your nonprofit to identify the tone and style that you customarily use. Apply that same style in your weapons policy.

Note Exceptions

A weapons policy will often include exceptions for persons who may be permitted to have a firearm, such as security personnel, or representatives of law enforcement agencies.

Highlight Employee Responsibilities

Consider describing employee responsibilities under the policy. For example:

- Employees should report any violations of the policy to HR or any member of management.
- Employees who make reports in good faith are protected against retaliation of any kind.
- Employees who have questions about any aspect of the policy should speak to HR or any member of management.

Describe Enforcement and Consequences

Indicate how you will enforce the policy, and what will happen if an employee violates the policy. For example:

- We reserve the right to search organization property, including vehicles, workstations, and desks. Any staff member, volunteer, client or visitor who violates this policy is subject to discipline, including dismissal or ineligibility for future participation.
- Employees who are found to have violated this policy are subject to discipline, up to and including termination from employment.
- Any employee found to be in violation of this policy will be terminated without notice.

Final Thoughts

A weapons or firearms policy is one element in an organization's overall commitment to workplace safety. As is true with any new workplace policy or practice, engaging team members with varying perspectives and roles helps build support early on. Yet it's important to recognize that team members may have very strong views about guns, shaped by their own personal experiences. An effort to formulate a weapons policy should focus on what makes sense for your unique nonprofit at this time. It is possible for a policy that permits—or prohibits—weapons in the workplace to be respectful of differing views.

Melanie Lockwood Herman is Executive Director of the Nonprofit Risk Management Center. Reach her with questions or thoughts about this article at melanie@nonprofitrisk.org or 703-777-3504.

Resources:

[“Workplace Gun Policies: What Employers Need to Know, by Emmanuel V.R. Boulukos, May 5, 2021](#)

[“Position/Policy Statement – Safe Firearms,” National Safety Council](#)

[“Parking Lot Laws: Their Content and Applicability,” Duke Center for Firearms Law](#)

[“Can Your Employees Bring Firearms to Work?,” Wyatt Employment Law Report](#)

[“Changes in Gun Laws Affect the Workplace,” Society for Human Resource Management](#)

SAMPLE #1

Prohibition of Weapons in the Workplace Policy

In order to provide a safe, welcoming environment for our staff, volunteers, clients, participants and guests, ABC Nonprofit prohibits the wearing, transporting, storage or presence of firearms and other dangerous weapons in any ABC facility, office, or program site.

An employee who is found to be in possession of a firearm or other weapon while on ABC business may face discipline, up to and including termination. A client, participant, or visitor who violates this policy may be deemed ineligible for participation in future ABC programs, and may be reported to the authorities.

Possession of a valid concealed weapons permit is not an exemption under this policy.

Firearms or other dangerous weapons include:

- Any device from which a projectile could be fired by an explosive
- Any simulated firearm operated by gas or compressed air
- Sling shots
- Sand clubs
- Metal knuckles
- Spring blade knives, or knives that are opened by an outward or downward thrust or movement
- Any instrument or device that can be used as a club and poses risk of serious injury

This policy does not apply to:

- Members of a law enforcement agency engaged in their official duties
- Employees of a security agency engaged in their official duties
- Members of an official U.S. or state military unit engaged in official duties.

If You See Something, Say Something

Please alert a member of management or security if you believe someone is in possession of a weapon prohibited under this policy.

SAMPLE #2

Weapons in the Workplace Policy

ABC Nonprofit permits staff members who have a concealed carry permit to bring their weapon to the workplace. We prohibit the open carry of firearms and other dangerous weapons in any ABC facility, office, or program site.

Permission to bring weapons to the workplace is a privilege that can be restricted, changed, or revoked at any time by management. Employees who are found to have violated this policy are subject to discipline, up to and including termination from employment.

Any employee who brings a gun to work must:

- Follow all federal, state and local laws regarding firearms possession and use
- Maintain a valid concealed carry permit if required by state or local laws
- Keep the gun safely holstered at all times
- Keep the gun safety mechanism on at all times
- Maintain possession of the gun at all times, except if a designated gun locker is available on premises
- Keep the gun concealed at all times

Furthermore, employees who bring guns to work may never:

- use a weapon to intimidate or threaten a co-worker, and
- open carry a gun in the workplace.