

WEAPONS IN THE WORKPLACE

RISK MANAGEMENT FOR MANAGEMENT LIABILITY/EMPLOYMENT PRACTICES

Employers must address concerns about weapons and violence in their work environments. At a time when nearly all states have passed concealed weapon laws, it is recommended that employers consider implementing a Weapons-in-the-Workplace policy. Leaders are responsible for taking reasonable measures to protect their employees from workplace violence. This Communiqué offers risk management guidelines to implement and administer a Weapons-in-the-Workplace policy fairly in your organization and generally protect against violence in the workplace.

SAMPLE WEAPONS- IN-THE-WORKPLACE POLICY

XYZ prohibits and does not tolerate weapons on XYZ property, or during any XYZ-related activity. Weapons include, but are not limited to, visible and concealed weapons, including those for which the owner holds the necessary permits. Weapons can include firearms/guns, knives or swords with a blade longer than three inches, explosive or chemical materials, or any other objects that could be used to harass, intimidate or injure another individual, employee, volunteer, manager or supervisor.

Employees who violate this policy will be subject to disciplinary actions, up to and including employment termination.

Reporting Procedure

Any employee who is subject to, or observes, violent behavior or threat of violent behavior, a firearm or other weapon, or any situation that appears to be potentially dangerous, must immediately report such action to his/her supervisor, department director, human resources department or Administrator. The reporting person is not required to directly confront the person who is the source of the report, question or complaint before notifying any of the individuals listed. Nevertheless, the reporting person is required to make a reasonable effort to report policy violations or make workplace violence or threats of violence known should they exist.

Risk Management Tips for Violence Prevention

Instituting a Weapons-in-the-Workplace policy is part of a larger program to prevent violence in the workplace. Consider the following risk management tips for maintaining a comprehensive program for violence prevention for your organization:

- Conduct criminal background checks for all employees and volunteers (both current and potential members and applicants).
- As part of the selection and hiring process, conduct criminal background checks for all employees and volunteers.
- Provide periodic training and education for all members regarding preventing violence in the workplace, including domestic violence.

- Encourage members to report threats and incidents of violence promptly both within and outside the organization.
- Develop an emergency response plan pertaining to workplace violence.
- Complete a worksite risk analysis/assessment to identify where the organization may be vulnerable and determine what steps can be taken to reduce risk.
- Make an Employee Assistance Program (EAP) available that can help personnel appropriately deal with personal and professional issues that can lead to reduced work productivity, stress, depression, violence and other problems.
- Advertise the EAP or other resources for victims of domestic violence.
- Take precautionary measures when a member is terminated from the organization (i.e., conducted in a secure setting with a witness present; when necessary, develop a strategy for exiting the premises with concern for security and the departing member's dignity).
- Post signs around the organization's facilities warning members and visitors that weapons should not be carried onto the property unless needed for law enforcement, or other official job duties.
- Consider implementing visitor procedures.

SUMMARY

It is important to understand why you might adopt a Weapons-in-the-Workplace policy. Recognize that these guidelines are intended to help keep your employees and clients safe and comfortable. Additionally, these guidelines may help you to avoid the unnecessary risk of intentional or accidental shootings.

Gun laws differ from state to state so it is necessary to be aware of the laws in your particular state. State specific information can be found by visiting the National Rifle Association (NRA) website at:

<https://www.nraila.org/gun-laws/state-gun-laws/>

Because a Weapons-in-the-Workplace policy may infringe on the rights of some employees or draw legal concerns, it is strongly recommended that you consult with an attorney when adopting this type of policy.