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## Labor & Employment

### Alert

# Guns in the Workplace

BY MICHAEL C. LORD AND  
ADRIAN MOORE-PLEASANT

Recently, with the support of the National Rifle Association, the states of Florida, Georgia and Oklahoma passed legislation that restricts a business' right to prohibit firearms in the workplace. In the past, many companies maintained policies that broadly prohibited weapons in the workplace. Under current law, however, employees in Florida and Georgia have a right to bring their guns and ammunition to work "for self-defense" as long as they keep the guns locked and concealed in their private vehicle. Many employers view these new laws as an infringement on their right to control company property (e.g., parking lots) and a danger to employee safety.

Businesses may take advantage of numerous exceptions in the law to maintain a firearm-free workplace. For example, in Georgia, the statute specifically excludes from coverage any "secure parking area which restricts general public access through use of a gate, security station or security officers." Under this exception, a

Georgia company could circumvent the new law by establishing a separate, secured parking area for employees that is not accessible to the general public. In addition, under both Georgia and Florida law, employees are entitled to carry a firearm only in their private vehicle. So, businesses may continue to prohibit employees from carrying a firearm in a company vehicle.

At this time, there is no current or pending legislation in North Carolina or Virginia to enact the "Guns at Work" laws that are so controversial in our sister states. However, employers should be aware that this movement is gaining momentum and may soon be at our doorstep. For more information about this issue, please contact Mike Lord, 919.981.4093 or [mlord@williamsmullen.com](mailto:mlord@williamsmullen.com) and Adrian Moore-Pleasant, 919.981.4082 or [amoorepleasant@williamsmullen.com](mailto:amoorepleasant@williamsmullen.com) each of whom are members of the Labor & Employment section of Williams Mullen.

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### Labor & Employment Team

**William P. Barrett**  
Co-Chair, Labor & Employment  
919.981.4043  
[wbarrett@williamsmullen.com](mailto:wbarrett@williamsmullen.com)

**David C. Burton**  
Co-Chair, Labor & Employment  
757.473.5354  
[dburton@williamsmullen.com](mailto:dburton@williamsmullen.com)

**Sean M. Gibbons**  
Co-Chair, Labor & Employment  
804.783.6499  
[sgibbons@williamsmullen.com](mailto:sgibbons@williamsmullen.com)

**D. Earl Baggett**

**Kimberly D. Bartman**

**Beth Hirsch Berman**

**Jonathan R. Bumgarner**

**M. Eve G. Campbell**

**Karen A. Doner**

**Edward M. Eakin, III**

**Alden J. Eldredge**

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**Lynn F. Jacob**

**Kendra J. Jarrell**

**Joshua M. Krasner**

**Linda S. Laibstain**

**Michael C. Lord**

**James V. Meath**

**Adrian Moore-Pleasant**

**Douglas M. Nabhan**

**Adele M. Neiburg**

**Sara B. Rafal**

**Melissa L. Saunders**

**King F. Tower**

**Frank P. Ward, Jr.**

**J. Nelson Wilkinson**

**Jeffrey D. Wilson**