

SUBJECT: Weapons in the Workplace

NUMBER: 50-010-05

DIVISION: Chief Human Resources Office

EFFECTIVE DATE: 4-28-17

APPROVED: Signature on file with the Chief Human Resources Office

POLICY STATEMENT:

The Oregon state government is committed to providing a safe and secure environment for employees and visitors. This policy outlines prohibited conduct and procedures for reporting a violation of this policy.

AUTHORITY:

ORS 240.145(3); 240.250; 276.004, OAR 125-155-0500(5)(e)

APPLICABILITY:

All employees, including limited duration and temporary employees, board and commission members, volunteers, and others working in an agency, unless this policy conflicts with an agency's collective bargaining agreement.

For non-employees/visitors, refer to the attached Weapons in the Workplace Guide.

ATTACHMENTS:

[Risk Management Active Shooter Preparedness Worksheet](#)
[State Owned Parking Meter Map](#)
[Guide for Weapons in the Workplace](#)

DEFINITIONS:

Firearm: A weapon, by whatever name known, which is designed to expel a projectile by the action of powder. See ORS 166.210(3).

Handgun: Any pistol or revolver using a fixed cartridge containing a propellant charge, primer and projectile, and designed to be aimed or fired otherwise than from the shoulder. See ORS 166.210(5).

Weapon: Includes weapons of any kind as defined in ORS 166.360, including any destructive device as defined in ORS 166.382. These items include, but are not limited to, firearm, dirk, dagger, ice pick, slingshot, metal knuckles or any similar instrument or knife (except for an ordinary pocket knife with a blade less than four inches in length), mace, tear gas, pepper mace or any similar deleterious agent as defined in ORS 163.211, electrical stun gun or similar instrument, club, bat, baton, billy club, bludgeon, knobkerrie, nunchaku, nightstick, truncheon or any similar instrument. This further includes any weapon, device, instrument, material or substance which under the circumstances in which it is used, intended or attempted to be used or threatened to be used, is readily capable of causing death or serious physical injury or specifically designed for and presently capable of causing death or serious physical injury.

Workplace: All property and facilities owned, leased, rented or otherwise occupied by the Oregon state government including grounds, buildings, parking structures and lots, vehicles and other equipment and any site where an employee enters on behalf of the

employee's employment with Oregon state government except for an employee's home (including employees who live in state housing) or as authorized by specific law, collective bargaining agreement, policy, rule, or statute.

See also State HR Policy 10.000.01 Definitions

POLICY

- (1) This policy prohibits weapons in the workplace unless an employee is permitted to carry, handle, operate or transport a weapon as part of the employee's assigned duties in the course and scope of the employee's employment. **A permit to carry a concealed handgun does not give an employee the authority to use or carry a handgun into the workplace.**
- (2) The agency director administers this policy as the agency's Weapons in the Workplace policy.
 - a. An agency with employees permitted to carry, handle, operate or transport a weapon as part of the employee's assigned duties may write an agency-specific policy to supplement this statewide policy.
 - b. An agency with employees permitted to carry, handle, operate or transport a weapon as part of the employee's assigned duties shall provide adequate and reasonable training to the employee on authorized use and how to properly carry, handle, operate or transport weapons used in the course and scope of the employee's assigned duties.
 - i. Agencies have the authority to determine what trainings are adequate and reasonable.
 - ii. These trainings shall become part of the employee's training record.
- (3) Agencies shall take the following measures to promote a weapons-free environment:
 - a. Offer training and opportunities to ask clarifying questions on this policy and any agency-specific policy related to weapons in the workplace. A component of the training shall include the proper procedures for reporting an alleged violation of this policy or any supplemental agency-specific policy;
 - b. Create a guide and procedures or modify the sample guide and procedures attached to this policy for employees who may be faced with an emergency or hostile situation;
 - c. Provide employees a copy or electronic access to State HR Policy 50-010-05 Weapons in the Workplace; and
 - d. Document employees' acknowledgment that they read the policy;
 - i. The agency decides the form of the acknowledgment, such as electronic, signed or other document acknowledgment.
 - ii. The agency shall maintain the acknowledgment in a consistent manner.
- (4) The following items are excepted from this policy:
 - a. Serving utensils when used for eating, serving, etc.;
 - b. Self-defense sprays carried for personal protection. Such items shall be stored out of sight and in the employee's personal belongings, i.e., purse, briefcase, etc. The spray must be contained in a commercially manufactured capped aerosol device containing no more than 4 ounces of spray with less than 10% concentration of capsicum.

- c. Sporting equipment stored in vehicles for personal use, i.e., baseball bats, martial arts equipment, golf clubs, etc. Firearms, biological or chemical weapons or any explosive devices are not considered sporting equipment for the purposes of this policy.
- d. Employees who possess a valid concealed handgun license (CHL) issued pursuant to ORS 166.291 and 166.292 may secure personal firearms in a closed and locked container designed for the storage of firearms inside their personal vehicle.
- e. Agencies have the authority to determine what constitutes an excepted weapon utilizing the exceptions listed above.