



OREGON YOUTH AUTHORITY

Policy Statement

Part 0 – Mission, Values, Principles



Subject:

Weapons in the Workplace

Section – Policy Number:

0-6.0

Supersedes:

0-6.0 (9/11)
I-C-7.4 (8/96)
I-D-3.0 (8/96)

Effective Date:

02/27/2017

Date of Last Revision:

05/01/2019

Related Standards and References:

- [ORS 166.360 through 166.380](#) (Possession of Weapon or Destructive Device in Public Building or Court Facility)
- [OAR 125-155-0500\(5\)\(e\)](#) (Prohibiting Firearms in State Vehicles)
- Department of Administrative Services (DAS), Chief Human Resources Office (CHRO), statewide policy [50-010-05 Weapons in the Workplace](#)
- DAS CHRO Weapons in the Workplace [Toolkit](#)
- [OYA policy](#): 0-5.0 (Violence-Free Workplace)
II-A-1.2 (Preserving Chain of Evidence)

Related Procedures:

- None

Policy Owner:

Human Resources Manager

Approved:

Fariborz Pakseresht, Director

I. PURPOSE:

This policy provides guidelines regarding weapons in the workplace to ensure safety in OYA facilities and offices.

II. POLICY 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.

III. **POLICY:**

State law prohibits state employees from carrying weapons into state workplaces in most instances. As a safety practice, OYA prohibits weapons in its facilities and offices. This policy also protects staff from personal liability and the agency from litigation related to staff carrying weapons while on duty.

Staff may contact OYA's Human Resources Office staff if they have questions regarding weapons in the workplace.

IV. **GENERAL STANDARDS:**

A. In the workplace

1. Staff are prohibited from carrying or otherwise having within their possession or control a weapon while on state duty or at any other time while in a state-owned or controlled building, office, vehicle, or on state property. This includes state-owned or leased parking structures and lots.

A permit to carry a concealed weapon does not give authority to use or carry a weapon on the job or into the workplace, concealed or openly. See the storage exception listed in section C below.

2. Staff must follow OYA policy 0-5.0 (Violence-free Workplace) when responding to a threatening person who is carrying a weapon, and contact law enforcement (dial 911).

B. Within facilities

1. Staff may not bring a weapon (including a pocket knife), firearm, handgun, self-defense spray, or ammunition into an OYA facility.
2. Staff must direct law enforcement personnel to secure their weapons outside the perimeter of the facility, or in a designated secured locker.

3. Only the facility superintendent/camp director or officer-of-the-day (OD) may authorize law enforcement personnel to enter a facility with a weapon, and only during an emergency situation.
4. Staff must report violations of this policy in writing to facility security staff or the appropriate manager, with a copy to the superintendent or camp director.
5. If a visitor, volunteer, or contractor violates this policy, staff must immediately notify security staff or the appropriate manager. Security staff or the appropriate manager must instruct the visitor, volunteer, or contractor to leave the facility. If the visitor, volunteer, or contractor refuses to leave, staff must notify law enforcement.
6. Items confiscated during youth searches that meet the definition of a weapon must be secured as directed in OYA policy II-A-1.2 (Preserving Chain of Evidence).

C. Exceptions

The below-listed items are allowable in the workplace under the specified conditions.

1. Serving utensils when used for eating or serving.
2. Self-defense sprays (mace, pepper spray) carried for personal protection.
 - a) Self-defense sprays are not allowed within the perimeter of an OYA facility.
 - b) In allowable workplaces, self-defense sprays must be stored out of sight and in the owner's personal belongings (e.g., purse, briefcase).
 - c) The self-defense spray must be contained in a commercially manufactured capped aerosol device containing no more than four ounces of spray with less than 10% concentration of capsi-cum.
3. Sporting equipment stored in vehicles for personal use (e.g., baseball bats, martial arts equipment, golf clubs). Firearms, biological or chemical weapons, and any explosive device are not considered sporting equipment for the purposes of this policy.
4. Staff who possess valid concealed handgun licenses (CHL) issued pursuant to ORS 166.291 and 166.92 may secure personal firearms inside their personal vehicles in closed and locked containers designed for the storage of firearms.

Added 5/1/17,
per DAS policy
50-010-05

D. Training

1. New OYA staff must review this policy during the new hire orientation process.
2. Supervisory staff must ensure their staff review this policy annually and complete the online Annual Policy Acknowledgement review in iLearn.
3. Staff may also complete available iLearn courses regarding statewide DAS CHRO Weapons in the Workplace policy.

V. LOCAL OPERATING PROTOCOL REQUIRED: NO