



## Department Policy No. HR-227-10

<b>Subject:</b>	Weapons in the Workplace
<b>Former Number:</b>	New
<b>Authorizing Source:</b>	Revised Code of Washington 9.41
<b>Information Contact:</b>	Human Resources Director Building #33 (253) 512-7941
<b>Effective Date:</b>	February 1, 2010
<b>Revised:</b>	June 1, 2012
<b>Mandatory Review Date:</b>	June 1, 2016
<b>Approved By:</b>	 Timothy J. Lowenberg, Major General The Adjutant General Washington Military Department Director

### Purpose

To establish the Washington Military Department (WMD) policy on possession of privately-owned weapons in the workplace.

### Scope

This policy applies to all state employees to include contract and temporary employees (referred to herein as “state employees”), and volunteers; (1) while acting within the scope of their employment or volunteer or contract relationship with the WMD (referred to herein as “scope of employment or engagement”) *or* (2) while on property owned, occupied or managed by the Washington Military Department (hereafter referred to as “WMD property”). The only exceptions to this policy are commissioned law enforcement officers, WMD security guards and persons who have been given written permission by the WMD Director (“The Adjutant General”) to carry a weapon while acting within the scope of their employment or engagement with the WMD or while on WMD property.

## **Definitions**

**Prohibited Weapons:** Any form of weapon or explosive, the possession, display or control of which is restricted under any local, state or federal law, policy or regulation including but not limited to all firearms, knives or other weapons regulated by law. Examples include pistols, revolvers or any other firearm, any knife having a blade longer than 3 inches, any razor with an unguarded blade, any metal pipe or bar intended to be used as a club, any explosive, and/or any weapon containing poisonous or injurious gas.

**Military Department Property:** All property owned, leased, occupied, managed or controlled by the WMD and all access routes to and from such property that are under State ownership or control.

**Scope of Employment or Engagement:** Any period of time, regardless of location, in which an employee including a contract or temporary employee, volunteer, contractor, or vendor, is engaged in any act or omission that is related to their employment or engagement with the WMD.

## **Policy**

This policy does not apply to commissioned law enforcement officers, WMD security guards or persons who have been given written permission by The Adjutant General to carry a weapon or explosive within the scope of their employment or engagement with the WMD or while on WMD property. The WMD prohibits all other state employees, and volunteers from possessing, displaying or controlling any prohibited weapon while acting within the scope of their employment or engagement with the WMD or while on WMD property or access routes to or from such property.

This prohibition applies regardless of whether the person is licensed to carry such a weapon. Regardless of location, this policy also prohibits the possession of weapons by such persons at WMD-sponsored functions, including but not limited to parties, picnics and other social functions.

Chemical dispensing devices such as pepper sprays that are lawfully sold and used for personal protection are not considered weapons and are not prohibited by this policy. If you have a question about whether an item is covered by this policy, please call the Human Resource Director. You will be held responsible for ensuring that any item you possess is not prohibited by this policy.

Employees on Camp Murray who have Fort Lewis hunting permits may keep hunting weapons (shotgun or rifle) in their vehicles on Camp Murray, so long as that weapon is carried in the vehicle in accordance with state law (secured and unloaded). Employees shall provide a valid hunting permit upon request.

## **A. Searches**

The WMD reserves the right to search any employee, vehicle or object while such person, vehicle or object is on WMD property. Objects subject to search may include vehicles, lockers, desks, purses, briefcases, baggage, toolboxes, lunch sacks, clothing, and any other object in which a prohibited weapon might be concealed. Searches may be conducted by WMD management officials authorized by The Adjutant General, WMD security officers or local authorities. If an employee is present and refuses to consent to the search of their person, vehicle or object such refusal may result in discipline up to and including termination of employment for refusal to cooperate.

## **Exceptions**

Any state employee, to include contract and temporary employees, or volunteers who possess a valid Washington concealed pistol license and wishes to carry a concealed handgun on WMD property or within the scope of their employment or engagement with the WMD, must first make a written request addressed to The Adjutant General via the Human Resource Director.

The request must state the reason for requesting the exception to policy and include verifiable proof that the individual has been licensed to carry the concealed weapon in question. The request can be denied or approved, with or without restriction(s) or limitation(s), in the sole and unrestricted exercise of The Adjutant General's discretion.

If permission is granted it may also be restricted, limited or revoked by The Adjutant General at any time and with or without notice to the grantee in the sole and unrestricted exercise of The Adjutant General's discretion. If The Adjutant General grants the applicant permission to carry a licensed, concealed weapon within the scope of the applicant's employment or engagement with the WMD or while on WMD property, such written permission must be kept on the grantee's person and must be promptly produced to any WMD supervisor or representative upon request.

The grantee must also keep the approved weapon concealed on their person and under their direct personal control at all times. Grantees are strictly prohibited from brandishing or displaying their weapon or using the weapon in any manner that a reasonable person might consider threatening or intimidating.

Any unauthorized use or display of such a weapon is grounds for immediately revoking the approval to carry the weapon on WMD property or within the scope of the grantee's employment or engagement with the WMD. In the case of an employee, such conduct may be grounds for discipline up to and including immediate termination of employment, removal, and debarment from reentering WMD property.

Any change in the status of a person's concealed weapon permit shall immediately terminate any permission previously granted by The Adjutant General for carrying or

possessing a weapon in the scope of the person's employment or engagement with the WMD or while on WMD property.

## **B. Violations**

Failure to abide by the terms and conditions of this policy may be grounds for discipline for employees up to and including termination of employment.

If you become aware of anyone violating this policy, you should immediately report it to the WMD Director, Human Resource Director, or WMD Security Office.