



Bailey Cavalieri LLC
ATTORNEYS AT LAW

EMPLOYER ALERT

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YOUR WORKPLACE AND OHIO'S CONCEALED CARRY LAW

On January 9, 2004, Governor Taft signed Amended Substitute House Bill 12 authorizing Ohio county sheriffs to issue licenses allowing private citizens to carry concealed handguns. The new law will take effect in April, 2004.

Under the law, any Ohioan at least twenty-one (21) years of age may obtain a license to carry a concealed weapon after successfully passing a detailed criminal background investigation, demonstrating the absence of a history of mental illness, and completing an extensive safety training course.

The law prohibits concealed handguns in most state and federal buildings, including schools and courts. Private employers may also prohibit firearms, including licensed concealed firearms, on their property. The law allows employers to make their own decisions to prohibit or allow licensed persons to possess concealed weapons on their property. To avoid influencing this decision, the law grants limited immunity from liability to private employers for the consequences of their decision to allow or prohibit the presence of concealed handguns on their property.

In preparation for the new law, employers should revise or establish their written policy prohibiting employees from possessing weapons, including concealed handguns, on their premises. Such a policy may broadly prohibit weapons from all employer property, including company vehicles. Consideration should be given to also banning such weapons from personal vehicles while on company property. The policy should be prominently posted in the workplace and distributed to employees in the same manner as other employment policies.

Employers must also consider how they will treat customers, vendors, suppliers, and other visitors to the workplace who may be licensed to carry a concealed handgun. Generally, employers may prohibit the possession of any weapon in their workplace facility by conspicuously posting such a notice at all entrances to the facility used by such visitors. While business reasons may exist to allow visitors to retain licensed handguns in their vehicles while on company property, the notice should require such handguns to be secured in such locked vehicles.

To assist in addressing this new law, please contact the following Bailey Cavalieri LLC attorneys:

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