

Guns in the Workplace

1. Current Law in Texas
 - a. Section 52.061 *et seq.* of Texas Labor Code
 - b. Have to let employee bring guns to public OR private employer under these conditions:
 - i. If firearm is legal;
 - ii. In employee’s locked car; and
 - iii. In employer’s parking lot.
 - c. Employer is NOT REQUIRED to let employee bring gun INSIDE A BUILDING.
 - d. Exceptions
 - i. Company vehicles being used for work, unless gun-toting is part of job;
 - ii. School districts;
 - iii. Private schools offering classes in one or more grades from prekindergarten through grade 12;
 - iv. Charter schools;
 - v. Property subject to an oil and gas lease that prohibits weapons;
 - vi. Chemical manufacturers and oil and gas refineries, unless parking area is outside of secure and restricted area;
 - vii. Universities?
 - e. Liability of employer or employer’s agent for damage caused by firearm that employer is required to allow under law
 - i. Immune UNLESS “grossly negligent”
 1. No duty to patrol parking lot or inspect cars.
 2. No duty to investigate whether employee’s weapon is legal.
 - f. Liability of employer for firing or disciplining employee who has legally possessed firearm in locked car in parking lot?

2. Potential changes to law

HB 1896	Ken King	Relating to firearm training and authority of certain employees of school district or open-enrollment charter school to carry or possess a handgun on certain school premises.
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3. Policies
 - a. Prohibit employees from bringing guns onto the premises;
 - b. Procedures to terminate employment for policy violations.