

**STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION
POLICY STATEMENT
ON
POSSESSING FIREARMS AND DANGEROUS WEAPONS AT WORK**

Policy 5.1.1

Effective: 09/09/2013

Revision: N/A

PURPOSE

To address issues and concerns created by personnel of the Department of Administration (the "Department") possessing firearms and dangerous weapons in the workplace.

AUTHORITY & REFERENCES

Nevada Revised Statutes (NRS) 202.253 to 202.449; NRS 202.500 to 202.840 and Nevada Administrative Code (NAC) 202.

POLICY

- A. The Department of Administration does not authorize its employees to carry any loaded or unloaded firearms or dangerous weapons of any kind in their workplace, in a State motor vehicle, or in any other place while on duty except as provided below.
- B. The Department strongly discourages employees from carrying concealed weapons in the workplace. The duties and responsibilities of positions within the Department do not create the need to possess or use a firearm. The Department of Administration does not grant permission to its employees to carry concealed weapons while on the premises of the public building in which they are employed except as permitted by NRS 202.3673 (4) (c). As a result, an employee who possesses a valid concealed weapons permit, and who chooses to carry a concealed weapon on the premises of the building in which they are employed does so outside the course and scope of their employment with the Department of Administration, and does so in their personal capacity only.
- C. All Department facilities shall be marked with signs prohibiting firearms on the premises. The signs shall be posted at each public entrance, and shall state: PURSUANT TO NRS 202.3673, NO FIREARMS ARE ALLOWED IN THIS PUBLIC BUILDING.

D. An employee of the Department who has a valid concealed firearm permit (CCW) and elects to carry the concealed firearm in accordance with NRS 202.3673, shall:

1. Do so at his or her own peril and without authorization of the Department. The Department is also not responsible for the firearm or any consequences arising from the presence of the firearm in the workplace. It is the policy of this agency that any display or use of the firearm by an employee in the course of their duties is strictly prohibited.
2. Be responsible at all times for the firearm they bring on the premises. The employee shall keep the firearm in his or her possession and control at all times and ensure the firearm remains secure and completely concealed from the public and other employees view while on the premises.
3. Ensure he or she thoroughly understands that the provisions of this policy and the privileges granted by the permit apply on the premises of a public building as described in NRS 202.3673.
4. Understand that if his or her job requires him or her to enter public buildings other than the one in which he or she works that he or she must have written permission from the person in control of the public building or their designee before entering the public building with a concealed weapon if that public building has a metal detector at each public entrance or a sign posted at each public entrance indicating that no firearms are allowed in the building.

E. Causes For Disciplinary Actions, Up To and Including Dismissal:

1. Exposing, drawing, or firing a firearm while on duty or on state property.
2. Failure to maintain control and security of the firearm at all times while on duty in the public building of which he or she is employed.
3. Unauthorized bringing to workplace a firearm or other implement generally construed to be a weapon. *Department of Administration's Prohibitions & Penalties, H. Other Acts of Misconduct or Incompatibility, #8.*
4. Violation of this policy or any state or federal law or regulation regarding the use and or possession of a firearm or dangerous weapon arising out of an incident while the employee is on duty or on the agency's property.

DEFINITIONS

- A. Dangerous Weapons Those weapons described in Chapter 202 of the NRS.

- B. Public Building Any building or office space occupied by: (1) any component of the Nevada System of Higher Education and used for any purpose related to the System; or (2) The Federal Government, the State of Nevada or any county, city, school district or other political subdivision of the State of Nevada and used for any public purpose.

- C. Workplace Any building, office, or location, or any part thereof, specifically intended to serve as a place where work is performed by an employee during the course of a workday, including, without limitation, irregular shifts, or any other building, office, vehicle or location at or in which an employee is authorized to perform work by the agency with which he or she is employed. The term includes parking lots, garages or vehicle depots that are owned or leased by the State. The term does not include a location that constitutes an employee's usual and customary living quarters, except when the living quarters are also used to care for children pursuant to a state program or as otherwise authorized by the State. (NAC 284.0875)

- D. CCW A permit to carry a concealed firearm issued pursuant to the provisions of NRS 202.3653 to 202.369, inclusive.

POLICY COMMUNICATION

This policy will be communicated to all employees and an employee should ask for clarification if needed.

This policy is not a substitute for relevant law or regulation nor does it establish additional rights beyond those provided in law and regulation. This policy is intended to be used in conjunction with State law and the Rules for State Personnel Administration (NRS & NAC 284).



Jeff Mohlenkamp, Director

9/09/13

Issue Date

**DEPARTMENT OF ADMINISTRATION'S
POSSESSING FIREARMS AND DANGEROUS WEAPONS AT WORK**

ACKNOWLEDGEMENT FORM

Division: _____ Budget Acct/Agency Org: #: _____

Employee ID # _____

I, _____, have received the Department of Administration Policy regarding firearms and dangerous weapons. If I am a permit holder, I am fully aware of the rights and restrictions contained in the Nevada Revised Statutes and Federal law and I understand that if I choose to carry my firearm on my person to my place of employment, I do so at my own risk and without the authority of the Department of Administration.

The duties of my employment do not require me to carry a firearm and the Department of Administration does not require nor authorize me to carry a firearm. I further understand that any usage of my firearm is my responsibility and outside the course and scope of my employment. I fully understand the State of Nevada will **not** provide any legal services to defend any legal matter arising from the presence or use of my firearm.

I understand that it is my responsibility to comply with this policy and non-compliance could result in disciplinary action.

Signature of Employee

Date

Signature of Division Head or Representative

Date