



# Unified Government Human Resources Guide

Effective 7-1-2017

## VIOLENCE-FREE WORKPLACE

- I. General: The Unified Government is committed to providing a safe environment for working and conducting business and will not tolerate violence or threats of violence by or against employees or members of the public while in a Unified Government building or workplace or in connection with the conduct of Unified Government business.
- II. Policy
  - A. Unified Government employees are prohibited from engaging in violence or threats of violence against other Unified Government employees or members of the public while in a Unified Government building or workplace or in connection with the conduct of Unified Government business. Employees who violate this policy will be disciplined, up to and including termination of employment.
  - B. Possession of any type of weapon is prohibited in the following Unified Government buildings (City Hall, Courthouse, Court Services and Police Headquarters) and workplaces. This rule does not apply to employees who must carry weapons as a condition of employment. This policy does not prohibit an employee who is legally qualified to carry a concealed handgun from carrying a concealed handgun while engaged in the employee's duties outside of a Unified Government building or workplace, including while driving a Unified Government vehicle or while in the employee's personal vehicle. Handguns must be completely concealed at all times. Handguns must be in the immediate control of the employee at all times and may not be left unattended at any time, including in a Unified Government vehicle. Nothing in this policy prohibits an employee's lawful possession of a handgun in a private vehicle, including a private vehicle parked on Unified Government property. Handguns left in a personal vehicle must be concealed and secured.
  - C. When work duties require visiting non-Unified Government locations where the carrying of a concealed handgun is prohibited, employees must abide by all applicable laws and regulations regarding concealed carry of handguns at those locations. In such situations, employees are responsible for securing handguns in a personal vehicle and are prohibited from securing or leaving a handgun in a Unified Government vehicle.
  - D. Employees have a right to conceal carry. The carrying of a concealed handgun is not within the course and scope of employment. If carrying a conceal handgun interferes, delays, or hinders the employees' ability to carry out or respond to work duties, employees will be subject to discipline. Any injury while working that is caused by the employee choosing to carry a concealed handgun will not be considered for workers' compensation or injury on duty claim. Any liability associated with the employee's decision to conceal carry will not be defended by the Unified



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Government and will be of a personal nature since the carrying of a concealed handgun is not part of the employee's scope of duties and responsibilities.

### III. Definitions

- A. "Concealed handgun" means a handgun that is carried on one's person or under one's control in such a manner as to not be visible to an ordinary person under normal circumstances. "Printing," where the outline of a handgun can be discerned beneath the employee's clothing, should be avoided.
- B. "Handgun" means a pistol or revolver that is designed to be fired by the use of a single hand and that is designed to or capable of firing fixed cartridge ammunition, or any other weapon that will or is designed to expel a projectile by the action of an explosive and that is designed to be fired by the use of a single hand.
- C. "Weapon" means "weapon" as defined by K.S.A. 72-89a01(h) and includes, but is not limited to, handguns, rifles, shotguns, explosive or incendiary devices, poison gas, bludgeons, switch-blade knives, and stun guns.

### IV. Prohibited Acts

- A Employees are prohibited from engaging in the following acts towards other employees or members of the public while in a Unified Government building or workplace or in connection with the conduct of Unified Government business:
  - 1. Violent confrontations.
  - 2. Assaultive acts.
  - 3. Threats of violence.
  - 4. Attempted or actual intimidation by physical gestures, verbal comments, or other actions intended to frighten or threaten another person.
  - 5. Battery.
  - 6. Harassment or abuse by use of communication equipment or modes such as, but not limited to, telephone, facsimile (fax) machine, texting, computers, e-mail, mail services, or social media such as Facebook and Twitter.
  - 7. Any communicated or reasonably perceived threat to destroy property.
  - 8. Any physical or verbal reference that an employee is in the possession of a weapon, including a concealed handgun, or any display of a weapon by an employee. This includes any situation in which a handgun is not reasonably concealed and can easily be detected by or is visible to others.
  - 9. The open carry of a handgun in any Unified Government building or workplace or while conducting the business of the Unified Government.



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10. The failure of an employee to keep a concealed handgun in his or her immediate possession and control, such as, but not limited to leaving a handgun in any Unified Government vehicle.
  11. The unlawful use in the workplace of a handgun by an employee.
  12. Possession in the workplace of a handgun by an employee who is not legally qualified to own or possess a handgun.
  13. Other behavior that, to a reasonable person, creates a hostile, intimidating, or fearful work environment.
- B. Employees shall abide by all rules issued by the chief judge of the judicial district concerning the carrying of weapons.
- V. Procedures:
- A. Employees must immediately report any threats or incidents of violence to their supervisor or department head.
  - B. The supervisor or manager must turn in an Incident Report Form to Human Resources within 24 hours.
  - C. If the perpetrator is a Unified Government employee, disciplinary action up to and including termination of employment will be followed.
  - D. If the perpetrator is not a Unified Government employee, the investigation will be turned over to the Police Department.
  - E. Human Resources will forward a copy of all Incident Report Forms to the County Administrator immediately upon receipt.
  - F. Employees who violate this policy will be subject to discipline, up to and including termination.
  - G. Any employee who is aware of another employee's violation of this policy and fails to notify his or her supervisor may face disciplinary action, up to and including termination.

RELATED POLICIES: 2.2 – Harassment in the Workplace

RELATED FORMS: Violence-Free Workplace Incident Report