

It's your right! Prohibit guns in parking lot

As the economy falters, there are reports that attendance at gun shows is way up. In fact, the gun industry is one of very few experiencing robust growth.

What does it mean? Well, chances are now greater that one of your employees will bring a gun to work—and that could be a threat to employee safety.

But there is good news. A recent 6th Circuit Court of Appeals decision has specifically upheld the right of Ohio employers to ban guns in locked cars on company property. You can and should have a clear policy prohibiting guns at work and in the parking lot. You can discipline employees who violate that rule.

Recent case: Gary Plona, a UPS employee in Cleveland, parked his car in the company parking lot and locked it. Plona had signed a company policy that clearly stated guns were not allowed on any company property, including in locked cars in the parking lot.

When police became aware of suspicious activity in the parking lot—activity unrelated to Plona—they asked for permission to search Plona's car. He consented, and police found a loaded gun under the front seat.

UPS fired Plona, and he sued the company, claiming that Ohio public policy allowed him the right to carry a firearm. The 6th Circuit Court of Appeals disagreed and upheld the discharge. (*Plona v. UPS*, No. 08-3512, 6th Cir., 2009)

Final note: Gun laws differ across the country. Another federal appeals court recently upheld the right of an employee in Colorado to keep his gun in his locked car at work. That case was based on a specific state law allowing people to store guns in their locked cars—even at work.