

## Employment Law Update

January 2017

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We represent clients ranging from large corporations to small enterprises and individuals. We have the resources to assemble a coordinated team of lawyers and support staff to meet the specific needs of each client.

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On December 19, 2016, Governor Kasich signed into law Ohio Senate Bill 199, which has the effect of expanding the rights of those who possess a valid concealed carry license in Ohio. Of primary concern for private employers in Ohio is a provision that allows concealed carry licensees to store guns in their privately-owned vehicles while on their employer's property. The law is scheduled to go into effect on or around March 19, 2017.

The new concealed carry law expressly prohibits any business entity, property owner, or public or private employer from restricting the right of a person with a valid concealed carry license to transport or store a firearm in the licensee's vehicle so long as: (1) each firearm and all ammunition stay inside the licensee's privately-owned vehicle while the licensee is inside the vehicle, or each firearm and all ammunition are locked in the trunk, glove box, or enclosed compartment or container inside or on the privately-owned vehicle, and (2) the privately-owned vehicle is in an authorized location. As a result, employees who possess a valid concealed carry license are permitted to possess a firearm in their vehicle any time they are in their vehicle and, when outside their vehicle, so long as the firearm is properly stored in accordance with the new law and parked in an authorized location.

The new law does not restrict an employer's ability to prohibit employees from carrying firearms outside of their personal vehicles while on company property. Moreover, employers may continue to prohibit the possession of firearms in company-owned vehicles.

While this new law extends the rights of concealed carry licensees to possess firearms in their vehicles, it also provides that business entities, property owners, and employers are immune from liability for any damages, injuries, or death that might result from a firearm or ammunition transported or stored in a licensee's privately-owned vehicle. The immunity applies so long as the business entity, property owner, or employer does not intentionally solicit or otherwise facilitate the conduct that resulted in such damages, injuries or death.

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As noted above, this new law will go into effect in March. Accordingly, employers should review their employment policies pertaining to the possession of firearms to ensure that such policies are in compliance with this new law.

If you have any questions or would like to discuss the above issues in more detail, please do not hesitate to contact Bryan Niemeyer, Certified Labor and Employment Law Specialist, Faulkner, Garmhausen, Keister & Shenk, A Legal Professional Association, at 937-492-1271 or [bniemeyer@fgks-law.com](mailto:bniemeyer@fgks-law.com).