



Louisiana Dismantles Concealed Carry Requirements: Key Employer Takeaways and 4 Steps You Can Take to Create a Safer Workplace

Insights

6.25.24

Louisiana employers should review their safety policies and take other appropriate precautions in light of a new state law that will significantly weaken the requirements for carrying a concealed weapon in public. While the new law – which takes effect on July 4 – may raise workplace safety concerns, you will still have the right to restrict anyone, including your employees, from carrying a firearm on your premises. We'll give what you need to know and four steps you can take to create a more secure workplace.

4 Key Points for Louisiana Employers

1. **New Permitless Concealed Carry Law.** Starting July 4, any individual may carry a concealed weapon in public – even without passing a background check, completing safety training, or obtaining a concealed carry permit – so long as they are at least 18 years old and may legally possess a firearm. Governor Jeff Landry signed [SB 152](#) into law on March 5.
2. **Prohibited Locations.** State law [prohibits concealed handguns in some locations](#), such as certain government buildings, schools, polling places, and places of worship. Concealed carry also is prohibited on any private or public location where “NO FIREARMS ALLOWED” signs are posted.
3. **Prohibited Persons.** An individual may not legally carry a concealed handgun if they are a convicted felon or under the influence of alcohol (BAC 0.05% or greater) or a controlled dangerous substance.
4. **Employers Not Required to Permit Concealed Carry.** You have the right to prohibit guns on your property, so long as you post a sign to that effect. Keep in mind, though, that state law permits anyone to carry a legally owned and lawfully possessed firearm in their personal vehicle – even when their vehicle is on your property.

Top Reasons to Prohibit Firearms at Work

Workplace violence incidents have become more common in recent years, and Louisiana's new permitless concealed carry law raises new safety concerns for the workplace. While you are empowered to decide what is best for your business, here are a few reasons why you should consider banning guns at your worksites:

- **Safety.** It is one thing to make a business decision to hire a professional, armed security guard. It is quite another to simply allow any employee to be armed at work. In fact, a recent study showed higher rates of gun violence in states that have removed conceal carry licensing requirements that included firearm training and proof of proficiency.
- **Liability.** If you allow employees to be armed, particularly without training, background screening, or a permit, you could face significant liabilities if an employee fires the weapon while at work or otherwise mishandles or improperly secures it. Your business could face civil negligence claims under Louisiana's very broad tort statute, which provides: "Every act whatever of man that causes damage to another obliges him by whose fault it happened to repair it." For example, if an employee is injured by another employee's firearm at work, you could be found liable for allowing the employee to be armed or failing to supervise them properly. In addition, you could be cited by federal OSHA for failing to take appropriate precautions.
- **Insurance.** Not all business insurance policies cover workplace violence. Check your company's policy and consult with your insurance broker to determine the scope of your coverage.

4 Steps You Can Take Now

If you decide to prohibit guns at your worksite, here are four steps you can take now:

1. **Post signs.** Fisher Phillips has prepared a sign that can be accessed here. Simply, print and post at the entrances to your business, regardless of whether you own, lease, or rent the space. Individuals who disregard this notice can face criminal charges.
2. **Review your safety policies and procedures** to ensure they effectively reduce your employees' exposure to workplace violence.
3. **Educate your employees.** Communicate your policies and procedures, especially in light of the new permitless concealed carry law. Your employees may incorrectly believe they have a right to carry a firearm at work, so make it clear that your right to prohibit weapons on your premises outweighs any rights they might have.
4. **Train your employees.** Teach your employees how to handle someone who brings a gun to work. Calling the police to address the individual is likely the best course of action, as law enforcement has greater authority and training to confront and address an armed individual who is violating the law. If an individual is engaged by a law enforcement officer, they have a duty to inform the officer that they are carrying a concealed firearm. The individual must also submit to a pat down and allow the officer to temporarily disarm them, if the officer believes that is warranted. You should also train your employees on what to do during an active shooter event. We previously covered how employers can prepare for the unthinkable.

Conclusion

We will continue to monitor developments in this area and provide updates as appropriate. Make sure you are subscribed to Fisher Phillips' Insight System to get the most up-to-date information.

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