



Should Rideshare Drivers be Allowed to Carry a Weapon?

Insights

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A recent rash of attacks on Uber and Lyft drivers raises questions regarding the safety of these gig economy workers. Drivers must often work under dangerous circumstances, including chauffeuring complete strangers, many of whom are intoxicated and thus need a designated driver, to unfamiliar destinations at all times of the day and night.

Numerous Recent Attacks Have Occurred

Rideshare drivers and other gig workers who interact with the public are concerned for their safety. They have described the uncertainty of their job conditions, including having no background information on their customers, as giving them “the creeps” “because . . . you never know who you’re gonna pick up.” There is good reason for this concern. Several well-publicized attacks on gig workers occurred during the recent holiday season, and have continued during the new year. Some of these attacks included the use of weapons by customers.

What Are The Current Policies For Most Gig Companies?

The gig economy often looks to the two biggest companies in this developing landscape for guidance when it comes to thorny questions of policy. Uber currently prohibits both its drivers and passengers from carrying firearms while using the service, and any violators “will may lose access” to the company’s services. Lyft has a nearly identical policy.

Given their hazardous work environment and the lack of information provided on their customers, should other gig economy companies follow suit and adopt similar policies, or should they adapt their own rules and allow workers to carry concealed weapons where permitted by state law?

How to Handle the Risk of Violence in the Workplace

Given the recent increase in workplace shootings, several clients have asked whether they should permit their employees with a concealed weapon permit (CWP) to carry their gun at work.

Most clients, however, have brick-and-mortar facilities with lobbies, doors, and windows. Some even have an on-site security presence. We generally recommend that these employers develop specific training based on their work setting, location, and security layout, and analyze situations involving employee travel, working alone, or interacting with guests in a remote or unsupervised location. We don’t, however, counsel most employers to allow CWP holders to bring their gun to work. In the event of an armed intruder, having more guns on site often poses a greater risk than having in place

a robust response to such incidents, including following the popular “Run, Hide, Fight” training promoted by several government agencies.

Rideshare companies and other gig companies, however, often partner with drivers or other workers who operate in often unsecure areas at all times, day and night, with no time restrictions as to when their services may be used. There are no lobbies, walls, or on-site security. More importantly, gig companies have very little control over their patrons, and know almost nothing about their past, including their criminal history. As seen in the recent increase in attacks, the uncertainty of customers’ backgrounds can be hazardous to gig workers.

What Can These Services Do to Protect Workers?

Requiring a background check for customers would be an onerous and likely infeasible task. Customer use would likely decrease dramatically if this information was required before using gig services.

This leaves few options for ridesharing companies and similar services. Although it may not be the best option for everyone, allowing those who have successfully passed background checks and have obtained concealed weapons permits under applicable state law could be an option, depending on the specific situation. Providing training on self-defense and situational awareness may also be helpful. These options may help workers protect themselves from violent customers. We’d encourage you to contact experienced workplace law counsel with a focus on safety and violence issues before finalizing any policy in this area.

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