



## EL PASO COUNTY DEPARTMENT OF HUMAN RESOURCES

### Prohibition of Firearms Employment Policy

**Adopted Date: December 11, 1995**

**Revised Date: April 4, 2016**

#### **I. Purpose**

To ensure that the County of El Paso maintains a workplace safe and free of violence for all employee and visitors. To this end, the regulation of firearms, including handguns on County premises and while in the course and scope of employment, is reasonable, necessary and in the best interests of the health and safety of County employees and visitors to County facilities.

#### **II. Persons Covered**

All County employees are subject to this provision, including contract, grant and temporary employees. Any employee in violation of this policy will be subject to disciplinary action, up to and including termination. This employment policy does not apply to elected county officials, but the Commissioners Court order banning handguns in the courthouse and certain other County offices may apply to elected officials. A criminal arrest and prosecution for violating sections 46.03 and 46.035 of the Texas Penal Code may still be brought against an elected official carrying a handgun into a prohibited location, unless that elected official has a defense to prosecution granted under sections 46.03, 46.035 or 46.15 of the Texas Penal Code.

#### **III. Definitions**

"County premises" is defined as all County-owned or leased buildings and parks, but not sidewalks, walkways, driveways or parking lots, under the County's ownership or control. This policy applies to all County-owned or leased vehicles, except as provided in Texas Labor Code §52.061.

"Firearm" or "Handgun" have the meanings assigned by §46.01 of the Texas Penal Code. Employees are responsible for making sure any item possessed by the employee is not prohibited by this policy.

#### **IV. Policy**

County employees, other than those whose job descriptions specifically require the possessing of firearms, are prohibited from possessing firearms, to include handguns, in any County premises, or at any time while on duty or in the course and scope of their employment. Any violation of this policy will be grounds for disciplinary action up to and including termination.

#### **V. Searches of Personal Property**

The County reserves the right at any time and at its discretion to search all County-owned or leased vehicles and all packages, containers, briefcases, purses, lockers, desks, enclosures and persons entering its premises, for the purpose of determining whether any firearm is being, or has been, brought onto its premises in violation of this policy. Employees who fail or refuse to promptly permit a search under this policy will be subject to discipline up to and including termination.

#### **VI. Enforcement**

This policy is administered and enforced by the Human Resources Department. Anyone with questions or concerns specific to this policy should contact the HR Department.

The Sheriff's Office also retains responsibility for this policy by conducting searches and seizing firearms as necessary.