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### Florida “Guns at Work” Law

#### Frequently Asked Questions

The Florida “Guns at Work” law (also known as the “Guns in the Sun” law) took effect **July 1, 2008**. The law applies exclusively to firearms and ammunition.

#### ***What does the law prohibit?***

Under the law, employers **cannot**:

- Prohibit a customer or an employee from keeping a legally-owned firearm out of sight inside a privately-owned locked vehicle in the employer’s parking lot.
- Ask an employee or customer whether there is a firearm in his or her vehicle.
- Search an employee’s or customer’s vehicle for firearms.
- Condition employment on whether or not an employee or applicant holds a concealed weapons permit.
- Refuse to allow an employee or customer to enter a parking lot because he or she has a legally-owned firearm inside his or her privately-owned vehicle.
- Discriminate against or terminate an employee or eject a customer who exhibits a legally-owned firearm on the employer’s property for lawful defensive purposes.

However, employers **can**:

- Prohibit firearms in company-owned or company-leased vehicles.
- Have a policy prohibiting employees from bringing firearms on company property other than parking lots.

#### ***Does the law apply to all employers?***

The law applies to all private and public employers *except* schools, jails, nuclear-power plants, employers that conduct national defense, aerospace, or homeland security operations, and employers that work with combustible or explosive materials regulated under state or federal law.

#### ***What are the penalties for violating the law?***

Aggrieved employees or customers may bring civil actions to enforce their rights. The prevailing party is entitled to recover attorneys’ fees and costs. Also, the Florida Attorney General may bring a civil or administrative action for damages, injunctive relief, and penalties of up to \$10,000 per violation.

#### ***What should employers do to comply with the law?***

Employers operating in Florida should review and revise policies prohibiting firearms on company property and provide appropriate training to management and human resources personnel. For further details please contact John Robinson, Employment Law Practice Group Leader, at [robinso@fowlerwhite.com](mailto:robinso@fowlerwhite.com), 813-222-1118.