

Are Tasers in your Workplace?

May 15, 2012

On Tuesday May 8, 2012, Michigan Governor Rick Snyder signed the “Taser Law,” amending a portion of the Firearm law, governing weapons licenses, and the Penal Code. The amendments to the Penal Code allow individuals who obtain a permit to carry concealed firearms to also carry an electro-muscular disruption (EMD) device – most commonly produced by the Taser brand – as long as they are trained in the use, effects, and risks of an EMD device.

The amendments to the Firearm law provide that most rules pertaining to carrying concealed “firearms,” as defined by the statute, also apply to carrying EMD devices. Prior to the enactment of the Taser Law, an employer could prohibit employees from carrying “firearms” covered by the Firearm law in the course of their employment. Because EMD devices fall within the definition of “firearms” under the Firearm law, employers may also prohibit their employees from carrying EMD devices in the course of their employment – even if they have a valid permit to do so.

Employers should review their employee policies that relate to workplace violence and weapons to ensure that their employees are prohibited from carrying firearms in the course of their employment, including EMD devices. For retailers, it is also critical to make your employees aware that customers may now be lawfully carrying EMD devices. For more information and for assistance in drafting policies for your business, please contact Miller Canfield’s Labor and Employment Group.

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