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FW: Handguns

From: Joni Reed

Sent: Wed, Dec 30, 2015 at 12:19 pm

To: leeann.jones@co.panola.tx.us

[image001.jpg](#) (4.9 KB)

From: Catherine Fryer [mailto:CFryer@bickerstaff.com]**Sent:** Wednesday, December 30, 2015 10:23 AM**To:** joni.reed@co.panola.tx.us**Subject:** RE: Handguns

Just FYI, I have been relying upon a provision in the Government Code Chapter on License to Carry a Concealed Handgun. Section 411.203 provides "This subchapter does not prevent or otherwise limit the right of a **public** or private employer to prohibit persons who are licensed under the subchapter from carrying a handgun on the premises of the business. In this section, "premises" has the meaning assigned by section 46.035(f)(3), Penal Code." This section was not amended in the 2015 session except that it originally referred to "concealed" handguns and now just says, "handgun."

Based upon the continued effectiveness of this statute, I believe the County still has the right to prohibit its employees from having a handgun on the premises of the county's business. NEVERTHELESS, I do want to review the AG opinion to see if there is a nuance I am missing!

Cathy

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cfryer@bickerstaff.com | www.bickerstaff.com**From:** Catherine Fryer**Sent:** Wednesday, December 30, 2015 10:10 AM**To:** joni.reed@co.panola.tx.us**Subject:** Handguns

Joni, I may not get back to you with the statutes today. I have to leave the office at 10:30 and don't think I will be back in today. I want to carefully review the AG opinion before advising you further on this matter. I just want to make sure that I am not relying on pre-AG opinion analysis that should be altered. I will try to respond before noon tomorrow.

Cathy

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Each employee who drives a County vehicle must have a current defensive driving certificate on file at the County Treasurer's office. New employees have 60 days to obtain the certificate. Costs for the course will be paid by *Panola County* or reimbursed to the employee upon proof of payment. Employees, except new employees hired less than 60 days, will not be permitted to operate a County vehicle without the certificate. It is the responsibility of the employee to maintain a current certificate. Reserve deputies must also comply.

Comment [CF3]: I am not sure what this means. Does the County require all employees who drive vehicles to take a defensive driving course that the County will pay for? If that is the extent of this, it needs to be stated more plainly. There is no "certificate" issued except as to course attendance. There is no way to keep such a certificate "current" that I know of.

Personal use of *Panola County* property or equipment is prohibited.

1.13 WORKPLACE VIOLENCE

The County strives to provide a safe and secure working environment for its employees. Harassment, intimidation, threats, threatening behavior, violent behavior, or acts of violence by any employee while on County property or while on duty regardless of the location are absolutely prohibited. If an employee witnesses such an act of violence, a report should be made immediately to the employee's department head or to the County Judge.

No county employee other than a member of the County's law enforcement department or an individual who is a "peace officer" as defined by Texas Code of Criminal Procedure art. 2.12 may carry or possess a firearm or other weapon on county property. Employees licensed by the State of Texas to carry a weapon may have a permitted weapon only on the county parking lot if the weapon is locked in the vehicle and out of sight.

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SECTION 2 RECRUITMENT, HIRING AND EMPLOYMENT

2.01 APPLICATIONS

Employment applications for posted positions will be accepted in the office of the department with the job opening. Applications for employment that do not apply to a currently posted position will be discarded.

Comment [CF4]: Records retention law requires applications for posted positions to be maintained for 2 years. Do not include this in your handbook as it could give the false impression that retained applications will be considered for future postings, and that is not an advisable practice.

2.02 NOTICE OF VACANCIES

All vacancies in *Panola County* will be announced in a newspaper of local publication or on the county's website. The employment application solicitation process may also include a recruiting effort which may extend beyond *Panola County* when deemed necessary to obtain applications from individuals with necessary technical skills or other specialized qualifications or when it is in the County's best interest to do so.

2.03 EMPLOYMENT TESTING

Tests for job applicants will be limited to skills or performance testing to determine the level of competence or ability to perform certain tasks associated with the job being sought. An