

**WEST MICHIGAN COMMUNITY MENTAL HEALTH SYSTEM
ADMINISTRATIVE MANUAL**

		Chapter: 2	Section: 12	Subject: 13
CHAPTER: Board Services and Program Administration				
SECTION: Safety and Therapeutic Environment				
SUBJECT: Weapons-Free Workplace				
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- I. **PURPOSE:** The purpose of this policy is to ensure a safe environment for staff members, independent contractors, vendors, customers, and visitors while on WMCMH property and during the course of conducting WMCMH business. WMCMH believes it is important to establish a clear policy that specifically addresses and prohibits weapons in the workplace.
- II. **APPLICATION:** All staff members, independent contractors, vendors, customers, and visitors of WMCMH. This policy does not apply to law enforcement officers authorized to carry a weapon in the line of duty.
- III. **REQUIRED BY:** Not applicable
- IV. **DEFINITIONS:**

Staff members – All employees, students, interns, and volunteers at WMCMH.

Independent Contractors – Those people hired to perform work at WMCMH facilities, but who are not considered staff members of the Agency. Examples of independent contractors include but are not limited to a carpenter making a repair to the building or a mental health clinician hired under a time-limited grant to deliver specific skills or complete a specific project.

Vendors – Those on the premises of WMCMH for the purpose of selling a product or service. Examples of vendors include but are not limited to the following: a prescription drug company representative or Federal Express delivery person.

Customers – Those persons seeking the services of WMCMH.

Visitors – All other persons who come on to the premises of WMCMH for any other reason not related to employment, service or product delivery, or to seek services.

Weapons – Prohibited weapons include any form of weapon or explosive restricted under local, state, or federal regulation. This includes knives, chemical dispensing devices such as pepper spray, and concealed weapons (firearms legal with valid Concealed Pistol License under Michigan Law), etc.

WMCMH Property – This includes all WMCMH owned or leased buildings and properties, as well as motor vehicles.

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CIR– A WMCMH critical incident report.

- V. **POLICY**: WMCMH prohibits all staff members, independent contractors, vendors, customers, and visitors, except law enforcement officers, who enter its property from carrying weapons. All staff members and independent contractors are also prohibited from carrying a weapon while in the course and scope of performing work for WMCMH whether they are on WMCMH property at the time or not and whether they are licensed to carry a handgun or not. Staff members and independent contractors may not carry a weapon on their person or in their private vehicle while performing any work on WMCMH' behalf. This policy also prohibits weapons at any WMCMH sponsored functions at off-site locations.

This policy shall not be construed to create any duty or obligation on the part of WMCMH to take any actions beyond those required of an employer by existing law.

VI. **PROCEDURES**:

- A. Reporting: Any WMCMH staff member or independent contractor who becomes aware of anyone violating this policy should report it immediately to WMCMH Human Resource staff. If Human Resources is unavailable, the matter should be reported immediately to their supervisor, a Deputy Director, or the Executive Director of the Agency. The reporting staff member must also complete a CIR prior to leaving work for the day.
- B. Searches: WMCMH reserves the right to conduct searches of any person, vehicle, or object that enters onto WMCMH property consistent with the law. WMCMH reserves the right to request the presence of law enforcement as needed. No staff member or independent contractor shall have an expectation of privacy in the Agency's facilities, including offices, agency vehicles, personal vehicles brought on to Agency property, etc.
1. A person or a person's property can be searched only if there is reasonable cause to suspect that the person is in possession of a weapon.
 2. A search of a person or a person's property shall take place in the presence of at least one witness. The person shall be present during the search unless he or she declines.

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3. The following shall be documented in the record of any person who is subjected to a search: reason for initiating the search, type of search (person or property), who authorized the search, who conducted and witnessed the search, and the results of the search including the property discovered and its disposition. This information will also be documented in a CIR and shared immediately with the supervisor.

C. Investigations: In the event that a violation of this policy by a staff member or independent contractor is reported, Human Resources and the immediate supervisor of the person suspected of the policy violation will conduct an investigation. In the event that the immediate supervisor is not available, the appropriate Deputy Director or the Executive Director of the Agency will assist. If appropriate, law enforcement will be contacted.

D. Violations: If an individual is found to possess a weapon, an assessment of risk will be undertaken. If no immediate danger is perceived, the individual will be reminded of the Agency Weapons-Free Workplace Policy and will be asked to leave the premises of WMCMH immediately. If it is apparent that the situation may be dangerous, a call for emergency law enforcement will be made by dialing 9-911.

E. WMCMH Sanctions: Failure to abide by all terms and conditions of the policy described above may result in disciplinary action up to and including termination of employment if the violator is a staff member or termination of the work contract if the violator is an independent contractor. Vendors and visitors may be banned from the premises. Customers will be evaluated and depending on the level of risk determined, their behavior may be managed through a behavior plan or they may be transitioned to a new care provider.

F. Legal Sanctions: Further, carrying a weapon onto WMCMH property in violation of this policy will be considered an act of criminal trespass and may be grounds for immediate removal from WMCMH property and may result in criminal prosecution.

VII. SUPPORTING DOCUMENTS:

Please see: WMCMH Critical Incident Report – WMCMH Form EC001

2-12-13 Weapons-Free Workplace, Revised 04/18, Revised 11/20/18, Revised 11/21/19