

## Guns in the New Jersey Workplace Following *New York Rifle & Pistol Assn. v. Bruen*

By: Kathleen J. Collins, Esq.

On June 23, 2022, the U.S. Supreme Court held that citizens have a constitutional right to carry a firearm outside the home for self-defense. In the case of *New York Rifle & Pistol Assn. v. Bruen* a 6-3 majority decision held that New York's proper cause requirement that a person must show a special need for self-protection for which to receive an unrestricted license to carry a concealed firearm outside the home, violated the Fourteenth Amendment by preventing law-abiding citizens with ordinary self-defense needs from exercising their Second Amendment right to keep and bear arms in public for self-defense. As a result of the decision, New Jersey, New York, Massachusetts, Maryland, California, Hawaii and the District of Columbia "carry permit" laws were invalidated.

While New Jersey law permitted licensees to carry, prior to *New York Rifle & Pistol Assn. v. Bruen* they were restricted to those who could show some extraordinary need and were not available to the general public. At present, New Jersey does not have separate licensing requirements for owning and carrying a gun. As it currently stands, if a New Jersey citizen has a gun license they may be permitted to carry the gun outside the home. Consequently, New Jersey employers should review and update their policies to address whether employees, vendors or customers are permitted on the employer's premises with guns.

As the Second Amendment prohibits only governmental restrictions on firearms, private property owners, including businesses, may ban firearms on their property. A business wishing to ban guns from its property should post signs stating their policy. At present, New Jersey does not have any statutory requirements for such signs. At the least, they should be posted in conspicuous locations such as entrances, employee rest areas, loading docks, parking lots (if owned by the business) and websites. Businesses implementing a policy of banning firearms in the workplace should examine their current safety procedures, procedures for reporting guns in the workplace, emergency response procedures and what measures they will take to enforce the ban, as well as crafting a proper written policy.

To discuss the impact *New York Rifle & Pistol Assn. v. Bruen* may have on your business, please reach out directly to Kathleen Collins. Kathleen has more than 25 years' experience in complex commercial litigation involving employment, mass toxic tort and environmental matters. She defends employers, hospitality groups, commercial businesses, retail establishments and manufacturing entities with a world-wide presence.

Litchfield Cavo attorneys are continuously monitoring the complexities and concerns of this matter and our attorneys are ready to assist. To find an attorney who can best analyze your state-specific case and learn how these statutes may impact your filing, please visit [LitchfieldCavo.com](http://LitchfieldCavo.com).

Litchfield Cavo operates out of 23 offices, serving clients in more than 35 states nationwide.

AZ – Phoenix | CA – Los Angeles area | CT – Hartford area | FL – Ft. Lauderdale | FL – Tampa  
GA – Atlanta | IL – Chicago | IN – Highland | LA – New Orleans area | MA – Boston area  
MO – Kansas City | MO – St. Louis | NJ – Cherry Hill | NV – Las Vegas | NY – New York | PA – Philadelphia  
PA – Pittsburgh | RI – Providence | TX – Dallas-Ft. Worth | TX – Houston | UT – Salt Lake City  
WI – Milwaukee | WV – Barboursville