



Arizona - State Specific Information

Information provided is current as of February 1, 2024, and companies are encouraged to consult with legal counsel on these types of complex matters.

Cannabis Legalization History

Medical Use	Legalized – 2010 (Proposition 203)
Recreational Use	Legalized – 2020 (Proposition 207)
Possession/Personal Use Specifics	<p>Residents may possess up to one ounce for either medical or recreational use, or 5 grams or less of marijuana concentrate.</p> <p>Residents may grow up to six cannabis plants for non-commercial purposes per adult, or 12 plants per household.</p> <p>Employers may not discriminate against medical marijuana users based solely on their status as registered cardholders or for testing positive on a drug test for marijuana unless it would cause the employer to lose money or licensing benefits under federal law. Employers may fire or take other adverse action against employees who use, possess, or are impaired by medical marijuana on company property or during work hours.</p>

State Regulatory Agency Information

State Regulatory Agency	Arizona Department of Health Services
State Forms (If Applicable)	None Required

State Testing Policy

General Information	In Arizona, while drug testing employees isn't mandatory, employers have the flexibility to do so under specific circumstances. These include situations where maintaining productivity, safety, quality, or security are crucial, as well as during accident investigations, suspected employee impairment, or reasonable suspicion of drug use. Additionally, employers have the option to implement random drug testing policies.
Safety Sensitive Positions	A safety sensitive position is any job that the employer believes in good faith could affect the safety or health of the employee performing the task or of others and if the employee job offer letter or job description has tasks labeled as a Safety Sensitive Position. Examples include:

– (a) Operating a motor vehicle, other vehicle, equipment, machinery, or power tools.

Privacy Laws

Even an employer that is allowed or required to test might [violate employee privacy](#) in the way it conducts the test. For example, requiring employees to disrobe or provide a urine sample in front of others could be a privacy violation.

Recommended Procedures

Does the state have recommended procedures?

It is always recommended to have a standardized documentation procedures and regular employee evaluations to set clear performance expectations. [Arizona recommends a nuanced approach to drug testing](#) that balances workplace safety with employee rights. Employers should clearly define and document the inherent safety-sensitivity of each position, establish objective indicators of potential drug use, and document any observed instances. Adhere to the established drug testing policy throughout the process. Refrain from solely relying on positive test results; conduct additional assessments and seek legal guidance when uncertainties arise.

State Employee Procedures and Policies

[Employees shall not consume alcohol, drugs, or other intoxicants](#) while performing job functions or while on-call or stand-by to perform job functions.

Protections for Use Outside Workplace/ Work Hours

Is Arizona a “Right to Weed State”?

Employers cannot fire someone with a medical marijuana card based on a positive drug test alone. Employees are protected under the [Arizona Medical Marijuana Act \(AMMA\)](#).

More Detailed Information

[Arizona Department of Health](#)

State Requirements for Drug & Alcohol Testing Program

Testing policy requirements: [AZ 23-493.04](#)

Main Requirement: Testing details must be outlined in a written testing policy.