



## Ohio - State Specific Information

Information provided is current as of August 7, 2024, and companies are encouraged to consult with legal counsel on these types of complex matters.

### Cannabis Legalization History

<b>Medical Use</b>	Legalized – 2016 ( <a href="#">House Bill 523</a> )
<b>Recreational Use</b>	Legalized – 2023 ( <a href="#">Issue 2</a> )
<b>Possession/Personal Use Specifics</b>	Adults are allowed to possess up to 2.5 ounces of marijuana and up to 15 grams of marijuana concentrates. Individuals are allowed to cultivate up to six marijuana plants at home, households - 12 plants collectively
	Smoking marijuana is banned in indoor public places or places of employment by the state's indoor smoking ban.

### State Regulatory Agency Information

<b>State Regulatory Agency</b>	*Ohio Division of Cannabis Control ( <a href="#">DCC</a> )
<b>State Forms (If Applicable)</b>	<a href="#">Reasonable Suspicion Testing Checklist</a> *Sample obtained from Ohio State University website. Must access <a href="#">DCC portal</a> to obtain an official copy.

### State Testing Policy

<b>General Information</b>	Ohio does not mandate drug testing for private employers, but they can choose to implement programs, especially to qualify for workers' compensation discounts or meet industry regulations. Remember, establishing robust documentation is a key risk mitigant for employers in states like Ohio.
<b>Safety Sensitive Positions</b>	Any role where a mistake could endanger the physical well-being or security of the employee, colleagues, customers, or the public.
<b>Privacy Laws</b>	Ohio law generally allows for employer drug testing, including direct observation, without violating employee privacy rights, provided there is consent. However, employers must handle drug test results confidentially and avoid discrimination based on legally prescribed medications.

## Recommended Procedures

### Does the state have recommended procedures?

It is always recommended to have standardized documentation and training procedures and regular employee evaluations to set clear performance expectations.

[Private employers in Ohio](#) have the freedom to implement drug and alcohol testing policies but aren't mandated by state law to do so. While pre-employment, reasonable suspicion, and post-accident testing are allowed, employers must follow specific protocols and adhere to federal and state laws to avoid legal issues.

### State Employee Procedures and Policies

[Ohio state employees](#) are subject to stricter drug testing policies than private sector workers. Pre-employment testing is mandatory for designated positions, and a negative result is necessary for appointment. Reasonable suspicion testing can occur if a supervisor observes specific signs of impairment that could endanger workplace safety or performance.

## Protections for Use Outside Workplace/ Work Hours

### Is Ohio a "Right to Weed State"?

In most cases, a person can be fired for failing a drug test in Ohio. That's true even if that person is a medical marijuana card holder and use marijuana to treat a medical condition.

### More Detailed Information

[MPP-Ohio](#)

## State Requirements for Drug & Alcohol Testing Program

### Testing policy requirements:

[Ohio Drug Testing Laws-NOLO](#)

### Main Requirement:

Ohio grants private employers flexibility in drug testing, but adherence to specific protocols and compliance with federal and state laws are crucial to avoid legal challenges

**\* Given the fluid state of Ohio's legal, political, and regulatory landscape surrounding cannabis, reliable information on workplace policies are changing frequently. For tailored guidance on updating your policies, it's crucial to consult legal counsel specializing in labor law.**