

Medical Marijuana Is Coming To Ohio– What Employers Need To Know

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In 2016, Ohio approved the legalization of medical marijuana, but the law does not go into effect until September 2018. Some Ohio business owners might be nervous at the prospect of employees soon having greater access to marijuana, but they needn't worry, as the law was written in a pro-employer manner. Nothing in Ohio's medical marijuana law:

- Requires employers to accommodate an employee's use, possession, or distribution of marijuana in the workplace
- Prohibits employers from disciplining, terminating, refusing to hire, or otherwise taking an adverse employment action because of that employee's use, possession, or distribution of marijuana in the workplace
- Prohibits employers from establishing and enforcing a drug-testing policy, drug-free workplace policy, or zero-tolerance drug policy
- Interferes with federal laws, which still ban marijuana use, medical or otherwise
- Permits an employee to sue an employer for disciplining him or her for use, possession, or distribution of medical marijuana
- Allows an employee injured on the job while under the influence of marijuana to recover workers' compensation benefits.

In short, if you are an Ohio employer, you likely do not need to change your approach to employees' use of marijuana, regardless of whether it is legalized medical marijuana.

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