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Adult Use Marijuana Sales Have Begun in Ohio

What should Employers do?

By Luke McConville

Adult use recreational sales of marijuana have begun in Ohio as contemplated by the passage of Issue 2 by Ohio's voters. The Ohio Division of Cannabis Control has issued licenses to 110 dispensaries that are now permitted to sell both medical and recreational marijuana. Many of these 110 dispensaries have already opened for business.

The connection between the legalization of marijuana for recreational use and the impact on the labor market should be of great interest to employers. Legalized recreational use will likely prompt concerns about workplace safety, changes in productivity, and the impact on workers compensation cases. The true impact of recreational use may not be known for some time.



The Ohio Legislature included provisions within the new law that allow employers to enact or continue policies that prohibit employees from using marijuana. In fact, state law now affirmatively establishes that termination of an employee for use of marijuana is considered a termination "for just cause" in circumstances where the employee's use of marijuana is in violation of company policy.

Employers should review their current drug and alcohol policies for compliance with Ohio's adult use marijuana law, and should carefully draft policies designed to take advantage of the law's protections for employers.