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DISCLAIMER

- Content is meant for <u>informational</u> purposes only and not for the purpose of providing legal advice.
- Should not be used as a substitute for consultation with a <u>legal professional</u> or other competent advisor.
- <u>Contact a licensed attorney to obtain advice</u> with respect to any legal issue discussed in this presentation or regarding a situation specific to your business.

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"We're in the midst of trying to change our relationship with our culture's most widely used illicit drug."

- Allison Sharer

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3 KEY OBJECTIVES

- Increase awareness of business issues under Ohio HB 523
- Increase understanding of the related operational, DFWP issues for employers and employees
- 3. Review key decisions to be made related to policy, operations, education & training

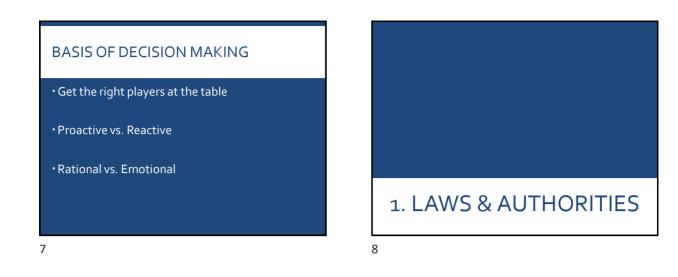
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BOTTOM LINE:

Employers are not required, but are not prohibited from allowing the lawful use of marijuana as medicine (unless prohibited by an authority).

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Yes. No. Maybe? Medical Marijuana & Your Drug-Free Workplace Program





HIERARCHY OF AUTHORITIES

Federal

- DFWP Act 1988
- DOT

State

- Marijuana Law (Ohio HB 523)
- Workers Compensation/ BWC DFSP
- Professional Licenses/Credentials
- Other DFWP-related laws

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Oversight & **Operation of** the Law



Dispensaries patient/caregiver

Cultivators, processors & testing labs

Check with

legal counsel



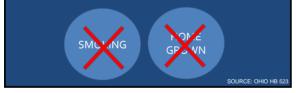
Certifying physicians, qualifying conditions

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WHAT WE DO KNOW: 2 CHEMICALS OF INTEREST FOR MEDICAL RECOMMENDING • THC Patient must provide proof of Ohio residence Increase appetite Reduce nausea · Decrease pain and inflammation • Pay \$50 registration fee & renew annually (can be discounted) • CBD · Decrease pain and inflammation · Can't operate a "vehicle under the influence" Control epileptic seizures NEED MORE RESEARCH SOURCE: OHIO HB 523 13 14

WHAT WE DO KNOW: FORMS

- ORAL: Oil, tinctures, capsules, edible (not attractive to children)
- VAPORIZATION: oil or plant material
- TOPICAL: lotions, creams, ointments
- TRANSDERMAL: Patches



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WHAT WE DO KNOW: DISPENSING

- Must be registered business with state
- Must obtain certificate (renewed biannually)
- · Employees have to be licensed
- Must be 18+ years to purchase (with ID)
- Can get a single dose or up to a 90-day supply
- Must be reported to OARRS
- Up to 60 Dispensaries

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WHAT WE KNOW: EMPLOYERS

- Nothing in the bill requires employer to accommodate use, possession or distribution of MM
- Nothing in the bill prohibits an employer from taking any adverse employment action ... because of person's use, possession or distribution of MM
- Nothing in the bill permits a person to sue an employer for taking an adverse employment action related to medical marijuana.(*But check with your legal counsel!*)

SOURCE: OHIO HB 523

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WHAT WE KNOW: EMPLOYERS

- Nothing in the bill prohibits an employer from establishing and enforcing a drug testing policy, drugfree workplace policy, or zero-tolerance drug policy
- Nothing in the bill interferes with federal restrictions on employment (e.g., DOT)

• BWC

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SOURCE: OHIO HB 523



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SECURITY-SENSITIVE				
• Payroll, finances				
Classified information				
Intellectual property				
• Security				
• Child/Adult Care				
Professionals Architects, Structural Engineers				
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PUBLIC IMAGE

- · Child & adult care providers
- Retail
- Alcohol/Drug Professionals
- Other forward-facing positions

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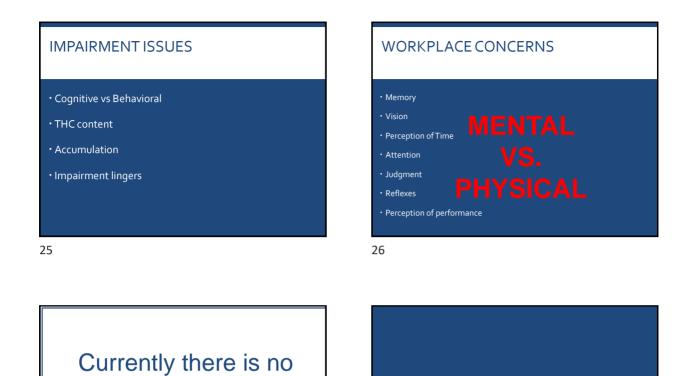


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THE DRUG

- Over 400 naturally occurring chemicals
- Unique to marijuana: cannabinoids
 Fat soluble
- Half-life
- Accumulates

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THERE'S NO SUCH THING AS A RX FOR MARIJUANA.

objective standardized

measurement for

marijuana impairment.

WHAT'S MISSING?

4. EASE OF OPERATIONS

- Dosage & administration
- Drugs interactions
- Storage directives
- Adverse reactions
- Warnings

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THINGS TO VERIFY ...

- Is the card legit?
- It is being used according to doctor's recommendation?
- When is the employee going to use?
- Is he/she safe to work or do I need to adjust job duties?
- If so, for how long?
- Is there anything else they can use?



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National rates (%) past mo. use						
	12+ yrs.	18+	18 - 25	26 - 34	35+	
2017	9.6	9.9	22.1	14.8	6.3	

OTHER WORKFORCE ISSUES

· Employee Relations & Morale

Blended Workforce
Multi-State

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• Age

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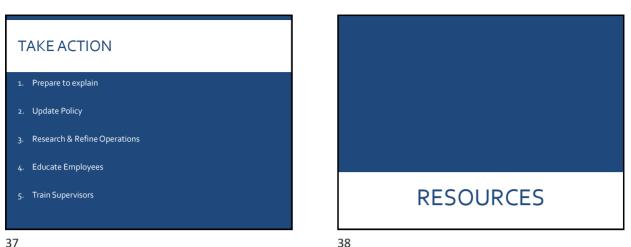
MARIJUANA		
Annual Percent Increases In Positive Tests	2017 - 2018	8%
	2016 - 2017	4%
	2015 - 2016	4%
	2013 - 2014	14.3%
	2012 - 2013	5%

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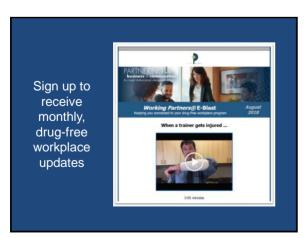
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Yes. No. Maybe? Medical Marijuana & Your Drug-Free Workplace Program













Yes. No. Maybe? Medical Marijuana & Your Drug-Free Workplace Program



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