

# BUSINESS

## Marijuana law task force preps resources for businesses



Chris Kershner

On Nov. 7 Ohio voters approved an initiated statute that authorizes limited home-grown marijuana plants and the use of recreational marijuana for Ohioans 21 years of age and over with exceptions.

This is the first major change to the Ohio marijuana law since 2016, when the Ohio legislature passed and an enacted a medical marijuana stat-

ute, and then the State of Ohio created the Medical Marijuana Control Program and administered a systematic lottery for dispensaries throughout the state.

For the past seven years, Ohioans with medical needs have had the opportunity to get a medical marijuana card and have legal access to marijuana in most communities. Dayton area businesses have also changed since 2016. As workforce demands increased, employers have been looking for innovative ways to recruit talent and with the legaliza-

tion of medical marijuana; a number of businesses have chosen not to test for marijuana.

However, there are businesses in the Dayton area that don't have the same flexibility, as they must continue to prohibit any marijuana usage, because it is still illegal on the federal level, even after Issue 2 becomes law on Dec. 7.

The voter approved Issue 2 contained similar business protections that were included in the medical marijuana law. Employers do not have to accommodate marijuana usage, they can still maintain drug free work-

place/zero-tolerance policies and it allows employers to take just cause action against employees for marijuana usage. Even with these protections, there is still liability on the employer that can't be ignored, as accurate toxicity testing still doesn't exist for marijuana impairment and marijuana stays in the person's system for multiple days.

The Dayton Area Chamber of Commerce has created a task force that is preparing employment, operations and legal resources to be available for our member busi-

nesses. This will support our members in ensuring that their businesses are protected, and their employees and customers are safe.

Since Issue 2 was an initiated statute, it will become a codified law on Dec. 7. Ohio executive and legislative leaders have said they will honor the outcome of the election, but they will consider changes to the law, potentially including protections for children and adults that don't use marijuana, amending driving under the influence laws, limits for THC and marijuana tax rates. It is essen-

tial that as a business community we continue our diligence and ensure that the protections for the business community and employers remain strong and safety for employees and customers remains paramount.

Businesses are recognized as safe and trusted organizations for employees and it is critical that any law changes ensure that this trust and freedom is protected and businesses are able to freely operate.

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