

Kaplan Featured in *Enquirer* Story Titled “How Will Medical Marijuana Affect Your Workplace?”

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Andy Kaplan, a partner in the Vorys Cincinnati office and a member of the labor and employment group, conducted a question and answer session with the Cincinnati *Enquirer* about Ohio's new medical marijuana law and the impact that it will have on Ohio employers. The session was transcribed into a story.

The story states:

“Q: What if an employer wants to be compassionate to a medical marijuana user?”

A: *I think I'd talk about the risks of doing it. If an employee says, “I need to use medical marijuana during the day, maybe to control seizures, or it helps me with pain,” what we don't know is what the impact is going to be on that person's ability to the job and do it safely. Without knowing that, that person could be a risk. You don't want the worker to be in a safety-sensitive position. Even if he's sweeping the floor, if he doesn't have his wits about him, and he's near a press or another piece of machinery, he could get hurt, which would be workers comp. If it's an injury to a co-worker, it's workers comp. If it's a third party who's hurt, that's a lawsuit.*

Q: Does this law change drug-testing policies for employers?

A: *No. In Ohio, an employer can set up a drug testing program for any reason. It's pretty broad what their rights are, for random testing, reasonable suspicion, post-accident testing.”*

To read the entire story, visit the Cincinnati *Enquirer* [website](#).