



Michigan - State Specific Information

Information provided is current as of August 2, 2024, and companies are encouraged to consult with legal counsel on these types of complex matters.

Cannabis Legalization History

Medical Use	Legalized – 2008 (Proposal 1)
Recreational Use	Legalized – 2018 (Proposal 1)
Possession/Personal Use Specifics	Adults aged 21 and over can purchase from a legal marihuana sales location, and possess up to 2.5 ounces of marijuana, grow up to 12 plants at home, and store up to 10 ounces within their residence.
	Crossing state lines in possession, and consuming in public, is strictly prohibited.

State Regulatory Agency Information

State Regulatory Agency	Michigan Cannabis Regulatory Agency
State Forms (If Applicable)	None_Specified

State Testing Policy

General Information	Employers have significant freedom regarding drug testing in the workplace. They are not required to accommodate marijuana use, even with a medical card. Testing positive for marijuana, even off-duty and with a valid card, could lead to termination. Employers can test for any drug, not just marijuana, and policies often extend beyond pre-employment screening. Establishing robust documentation is a key risk mitigant for employers in states like Michigan.
Safety Sensitive Positions	Also called " test-designated positions " as any role where potential drug use could endanger public safety, security, or vulnerable individuals. This encompasses jobs like operating vehicles or machinery, holding law enforcement roles, providing healthcare to state-held individuals, interacting with correctional populations, handling controlled substances, or working with hazardous materials.
Privacy Laws	Michigan legislation does not address drug testing in private employment. Michigan employers may screen employees and candidates for employment as long as all Federal requirements are followed.

Recommended Procedures

Does the state have recommended procedures?

It is always recommended to have standardized documentation and training procedures and regular employee evaluations to set clear performance expectations.

[Michigan employers control their drug-free](#) workplace policies. They can restrict marijuana use, even with a medical card, and conduct drug testing with broad discretion. A positive test, even off-duty, could lead to termination. While privacy laws are limited, fair and non-discriminatory application of policies is crucial. For specific guidance, consult legal professionals.

State Employee Procedures and Policies

[Michigan prioritizes safe workplaces](#) by prohibiting drug use, including marijuana, for all its employees. Violation leads to potential dismissal. To deter drug use, Michigan educates employees, tests for drugs, and requires reporting of drug convictions. Employees must follow these rules and report convictions to avoid termination or rehabilitation programs. This policy applies to all state employees and officials.

Protections for Use Outside Workplace/ Work Hours

Is Michigan a “Right to Weed State”?

[Employers set the rules](#) on marijuana within their workplaces, regardless of off-duty medical marijuana use. Drug testing policies allow them to potentially terminate employees who test positive, so documentation is crucial.

More Detailed Information

[Mass General Laws c.94G](#)

State Requirements for Drug & Alcohol Testing Program

Testing policy requirements:

[Michigan State Police Order No: 02-04](#)

Main Requirement:

Although many states have passed laws regulating or restricting an employer's right to require drug testing, Michigan has not. Michigan legislation does not address drug testing in private employment.