



Rhode Island - State Specific Information

Information provided is current as of February 1, 2024, and companies are encouraged to consult with legal counsel on these types of complex matters.

Cannabis Legalization History

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| Medical Use | Legalized – 2006 (Medical Marijuana Act) |
| Recreational Use | Legalized – 2022 (Rhode Island Cannabis Act) |
| Possession/Personal Use Specifics | Adults aged 21 and up to possess (up to one ounce in public or up to 10 ounces at home), home-cultivate (up to six plants, no more than three mature), and purchase limited amounts of cannabis. |
| | Smoking marijuana in public remains illegal. This includes anywhere smoking cigarettes is prohibited, |

State Regulatory Agency Information

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| State Regulatory Agency | Office of Cannabis Regulation |
| State Forms (If Applicable) | None Specified |

State Testing Policy

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| General Information | In Rhode Island, employers can drug test applicants after a job offer and employees with reasonable suspicion, but not solely for off-duty marijuana use. Random testing exists in some industries, and specific limitations may apply. Consult official sources or legal counsel for details and clarifications. Remember, establishing robust documentation is a key risk mitigant for employers in states like Rhode Island. |
| Safety Sensitive Positions | While Rhode Island doesn't have an official list , it defines "safety-sensitive positions" as those where negligence could cause serious harm to people or property. This often includes jobs like pilots, bus drivers, heavy machinery operators, and medical professionals. |
| Privacy Laws | Rhode Island doesn't have specific laws directly limiting employer drug testing, but employers must act cautiously to avoid infringing on common-law privacy rights. This means obtaining consent or reasonable suspicion for alcohol tests, conducting tests with a clear policy and procedures to minimize privacy invasions, and following state and federal anti-discrimination laws to protect employee privacy. |

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

[Rhode Island lacks](#) a centralized Drug-Free Workplace program, but private employers can drug test conditionally offered applicants and employees under reasonable suspicion (excluding off-duty marijuana), adhering to specific procedures and anti-discrimination laws. Remember, individual industries and roles may have stricter regulations, so consult official sources for complete details.

State Employee Procedures and Policies

[No detailed Drug-Free Workplace program](#) exists for Rhode Island state employees, but agencies enforce drug-free environments through federal and state laws (Drug-Free Workplace Act, ORS 352.008), often supplemented by stricter policies for "safety-sensitive" roles.

Protections for Use Outside Workplace/ Work Hours

Is Rhode Island a "Right to Weed State"?

Rhode Island laws require referral to treatment after a positive drug test in specific cases, federal law generally allows employers to take disciplinary action, including termination, based on a positive test result. As of 2022, [employers are prohibited](#) from taking adverse action due to off-duty marijuana use.

More Detailed Information

[ACLU Rhode Island](#)

State Requirements for Drug & Alcohol Testing Program

Testing policy requirements:

[Rhode Island Testing Policy](#)

Main Requirement:

Private Rhode Island employers can drug test applicants with a job offer and employees with reasonable suspicion (excluding off-duty marijuana use), but random testing is limited, and privacy matters: consent or suspicion for alcohol tests, defined policies, and adherence to anti-discrimination laws are crucial.