



Rhode Island - State Specific Information

Information provided is current as of August 7, 2024, and companies are encouraged to consult with legal counsel on these types of complex matters.

Cannabis Legalization History

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

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

State Testing Policy

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?	<p>It is always recommended to have standardized documentation and training procedures and regular employee evaluations to set clear performance expectations</p> <p>Rhode Island does not have specific recommended procedures for drug and alcohol testing in the workplace for private employers. However, there are state laws in place that regulate drug testing, including requirements for reasonable suspicion, privacy, and confirmation testing.</p>
State Employee Procedures and Policies	<p>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.</p>

Protections for Use Outside Workplace/ Work Hours

Is Rhode Island a "Right to Weed State"?	<p>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.</p>
More Detailed Information	<p>ACLU Rhode Island</p>

State Requirements for Drug & Alcohol Testing Program

Testing policy requirements:	<p>Rhode Island Testing Policy</p>
Main Requirement:	<p>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.</p>