



• Vermont

Vermont - State Specific Information

Information provided is current as of August 9, 2024, and companies are encouraged to consult with legal counsel on these types of complex matters.

Cannabis Legalization History

Medical Use	Legalized – 2004 (Bill 76)
Recreational Use	Legalized – 2018 (HB 511)
Possession/Personal Use Specifics	Adults 21+ can legally possess up to one ounce of cannabis or five grams of hashish in public. At home, you can possess up to two ounces of cannabis and ten grams of hashish, grow up to four mature marijuana plants and eight immature plants at home. Cultivation must be hidden from public view and secure to prevent access by minors. Smoking or consuming marijuana in public is illegal. This includes parks, sidewalks, and even private property that is open to the public.

State Regulatory Agency Information

State Regulatory Agency	Vermont Cannabis Control Board – (CCB)
State Forms (If Applicable)	None Specified

State Testing Policy

General Information	While Vermont permits drug testing under reasonable suspicion laws or for some safety-sensitive jobs, random testing is prohibited. Remember, establishing robust documentation is a key risk mitigant for employers in states like Vermont.
Safety Sensitive Positions	Vermont doesn't have a singular, official definition of " safety-sensitive positions " when it comes to drug testing. Instead, they emphasize a case-by-case approach based on potential harm. Positions where negligence could cause serious injury or property damage are generally considered safety sensitive.
Privacy Laws	Vermont law severely restricts employer drug testing. Random or company-wide drug tests are generally prohibited unless specifically required by federal law. Employers can only test employees with probable cause or after a conditional job offer.

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.

Vermont law severely restricts workplace drug testing, allowing only reasonable suspicion testing with strict conditions, while offering limited guidance for employer-developed impairment programs, necessitating legal counsel for compliance.

State Employee Procedures and Policies

All classified employees, as well as exempt, appointed, temporary and contractual, with the Executive Branch of the State of Vermont participate in the [Federal Drug Free Workplace](#) program.

Protections for Use Outside Workplace/ Work Hours

Is Vermont a “Right to Weed State”?

While Vermont has legalized recreational marijuana, it's still considered an illegal substance under federal law.

Many employers maintain drug-free workplace policies, and a positive drug test can be grounds for termination.

More Detailed Information

[5 Things to Know About Drug Testing in Vermont](#)

State Requirements for Drug & Alcohol Testing Program

Testing policy requirements:

[Vermont Drug Testing Requirements](#)

Main Requirement:

In Vermont, drug testing requires reasonable suspicion or involvement in safety-sensitive jobs, and random testing is banned. While employers have some leeway, strict regulations and individual considerations are crucial to avoid legal challenges.