



## Ohio Department of Commerce Medical Marijuana Control Program

### Ensuring Compliance with Employee Badge Requirements

#### Are all employees required to be badged?

Yes. All employees who will work in the facility (including any employees of third-party firms such as consultants and security personnel) and other persons are required to obtain employee ID cards pursuant to the Ohio Administrative Code. In addition to any person who will be working at the facility, at a minimum, every owner, principal officer, board member, other employee, administrator, agent or other person who may significantly influence or control the activities of a processor must register for an employee ID card. For entities that have a cultivator and a processor license, employees will need to have badges for both facilities which will require a new employee application.

#### How do I register for eLicensing?

Registration is done electronically through [eLicensing](#). All required components of the employee ID application must be complete and the fee must be paid before an application can be processed and an ID card can be issued. Please reference this [user manual](#) for details. **No person may begin working at a licensed facility prior to receiving an employee ID card.** Send an email to [MMCPlicensing@com.state.oh.us](mailto:MMCPlicensing@com.state.oh.us) requesting access into eLicensing.

#### How long does it take to get employee badge approval?

It can take up to 30 days for the Department to receive background check results.

#### Can employees work as a visitor until the badge process is complete?

No. If a person is working as an employee, advisor, contractor or temporary employee, they are required to receive an employee badge **prior** to beginning work. Visitors to a facility are prohibited from performing any work related to medical marijuana cultivation, processing, or laboratory testing while on site. While this practice may be commonplace under other states' medical marijuana programs, it represents a violation of the Ohio Administrative Code. MMCP compliance staff will be inspecting visitor logs as part of regular compliance inspections. If it is discovered that individuals without state-issued employee ID cards are signing in as visitors for the purpose of working in a licensed facility, the Department may initiate enforcement action pursuant to O.A.C. 3796:5-6, up to and including suspension or revocation of the facility license.

#### What is the visitor policy?

O.A.C. 3796:5-2-02 states a person that is not a holder of a valid employee ID card of a cultivator, processor or testing laboratory is prohibited from accessing a facility, unless they receive authorization and obtain a visitor identification badge from the cultivator, processor or testing laboratory. To obtain a visitor identification badge, the visitor must provide a valid, government-issued identification with a photograph.

A person who obtains a visitor identification badge must do the following:

- Be escorted and monitored by an assigned registered employee of the facility at all times he or she is on the premises and has access to medical marijuana;
  - Visibly display his or her visitor identification badge at all times he or she is on the premises; and
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- Return the visitor identification badge upon leaving the premises.

### **Are facilities required to record visitors?**

Yes. A cultivator, processor or testing laboratory shall maintain a visitor log, which includes the name of the visitor, the date and time of arrival and departure, the assigned registered employee of the facility who accompanies the visitor and the purpose of the visit. The cultivator, processor, or testing laboratory shall make its visitor log available to the department upon request.

### **Can I work in the facility while my employee badge application is pending?**

No, this is strictly prohibited.

### **Does the temporary badge expire?**

Temporary badges are intended to only be utilized while waiting for the shipment of the permanent badges. Outstanding temporary badges will be viewed as noncompliant and are only permitted to be utilized for 15 business days.

### **Do I have to do a criminal background check?**

Employees are required to submit FBI and BCI background checks to the Department.

### **If I am a Canadian citizen, what do I need to submit for the criminal background check?**

Please complete a BCI and FBI background check to fulfill the requirement. We will also need for the Canadian citizen to complete a certified criminal records check.

### **Is there a time limit for working under an employee badge?**

Employee badges expire every two years from issuance date and will need to be renewed.

### **Do I have to keep my badge on me at all times?**

A cardholder must keep his or her employee identification card visible at all times when on the property of a cultivator, processor, or testing laboratory and during the transportation of medical marijuana to another cultivator, processor, testing laboratory, or dispensary.

### **What if I lose my badge?**

Any employee identification card that is lost, destroyed, or stolen shall be reported to the Department immediately upon discovery of the loss, destruction, or theft, and the Department may require a similar report to law enforcement. A cardholder who reports his or her employee identification card as lost, destroyed, or stolen shall apply for a replacement card with the Department and pay a replacement employee identification card fee as specified in Rule [3796:5-1-01](#) of the Administrative Code.

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### **I work at a cultivator facility that is also a processor, do I need a badge for both?**

Yes, an employee working in both the cultivator and processor would need to have a badge for both facilities. If you are a co-owned and co-located cultivator/processor, please be sure to upload a new sworn statement and double check that all documents are still valid (driver's license, proof of residence, etc.) if you are adding an existing cultivation employee onto your processor license.

### **Do I have to submit a picture of my social security card?**

Yes, as part of the employee application employees will need to submit an image of the social security card. The Department cannot accept any alternative documents in lieu of a social security card.

### **If I quit, can I keep the badge?**

No, employees will need to surrender their badge and the facility will need to return the badge to the Department.

### **If I work in a remote location not in Ohio (multistate operator), do I need to apply for a badge?**

Yes, every owner, principal officer, board member, employee, administrator, agent, or other person who may significantly influence or control the activities of the facility must apply for a badge.

### **Does an owner need to apply for a badge?**

Yes. Every owner must apply for an employee badge. If you are approaching your Certificate of Operation inspection, please be sure that owners have applied and received the badge. This is a prerequisite to receiving a Certificate of Operation.

### **What are the photo requirements?**

1. Face the camera directly with full face in view
2. Photo must have been taken in the last six months
3. Background must be plain and neutral in color
4. Photo must be square and 2" X 2"
5. Resolution must be no less than 300 DPI
6. Photo must be .jpg or .png format
7. Photo must be taken in color (black and white will not be permitted)
8. Do not wear sunglasses, hats, headphones, or other devices

### **I uploaded something by mistake. What do I do?**

If you have uploaded the wrong document by mistake, please be sure to be responsive in a timely manner to any Department representatives who are seeking corrected documents. This will allow us to process any requests, including employee licensing, efficiently.

### **What happens when an employee ends employment at a facility?**



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Please be sure to update the employees status in eLicensing. This will shut off their access to METRC. The employee badge will need to be returned to the Department.

Please contact [mmclicensing@com.state.oh.us](mailto:mmclicensing@com.state.oh.us) with questions.