



Ohio Administrative Code Rule 1301:18-3-09 Employee Badges.

Effective: December 20, 2024

(A) Employee Badge Required

(1) Each licensee shall ensure all of the following associated individuals obtain an employee badge from the division of cannabis control prior to commencement of business:

- (a) Any administrator or individual responsible for the daily operation of the facility;
- (b) All owners, officers, and board members, of the licensee; and
- (c) All employees and agents of the licensee.

(2) Each licensee shall ensure all associated individuals outlined under paragraph (A)(1) of this rule are appropriately designated as follows:

(a) Responsible Party:

- (i) Prior to the issuance or renewal of a certificate of operation, each licensee shall designate at least one, but not more than three individuals to serve as the licensee's responsible party.
- (ii) The designated responsible party will manage the facility's daily operations and ensure compliance with all standard operating procedures.
- (iii) A responsible party is to be physically present at the licensed premises at least twenty hours per week and be immediately available to communicate with facility staff or the division during any operating hours when they are not physically present.

(b) Owner or Officer:



(i) Any and all owners, officers, and board members of the licensee.

(c) Employee:

(i) All other employees and agents of the licensee.

(B) Prior to petitioning the division for an employee badge, each licensee shall:

(1) Complete a thorough background evaluation to confirm the applicant does not have a disqualifying offense, as defined by rule 1301:18-1-01 of the Administrative Code; and

(2) Submit a receipt or transaction number confirming that the applicant submitted the following to the Ohio bureau of criminal identification as required by sections 3780.08 and 3796.12 of the Revised Code:

(a) A complete and accurate application for:

(i) An Ohio bureau of criminal identification records check; and

(ii) A federal bureau of criminal identification records check.

(b) Two fingerprint impressions; and

(c) Clearly indicated that both records checks be sent directly to the division.

(C) Application for Employee Badge

(1) Pursuant to the application process, each licensee shall submit the following to the division on behalf of the applicant:

(a) A complete and accurate application on a form prescribed by the division evidencing the following:



(i) The following applicant information:

(A) Full legal name;

(B) The applicant's intended employee designation, as outlined under paragraph (A)(2) of this rule;

(C) Telephone number that may be utilized during normal business hours;

(D) Electronic mail address; and

(E) Mailing address.

(F) All information provided must be in working order and readily available to receive voice messages, electronic messages, or other communication as applicable.

(ii) The applicant submitted fingerprint impressions to the Ohio bureau of criminal identification for an Ohio and federal bureau of criminal identification records checks;

(iii) The applicant does not have a disqualifying offense, as defined by rule 1301:18-1-01 of the Administrative Code;

(iv) A copy of the applicant's valid, unexpired government issued photographic identification evidencing that the applicant is at least twenty-one years of age;

(v) A clear, recognizable photographic headshot of the applicant, captured within the past six months of the date of submission;

(vi) The business name and license number for any associated cultivator, processor, testing laboratory, or dispensary at which the applicant seeks employment;

(vii) Individuals who have been a resident of the state of Ohio continuously for the past five years may apply for expedited renewal if the applicant consents for enrollment in the Ohio attorney general's retained applicant fingerprint database ("Rapback"), or other third-party database as



determined by the division, that monitors publicly available databases for arrests and criminal convictions; and

(viii) The non-refundable application fee as outlined under rule 1301:18-2-09 of the Administrative Code.

(D) Provisional Employee Badge

(1) Upon receipt of a complete application, the division will issue the applicant a provisional employee badge.

(a) Each licensee shall print the applicant's provisional employee badge and ensure the applicant maintains the card on their person while conducting any business within the scope of their employment.

(b) The applicant may then immediately commence business at the associated licensee.

(c) Unless otherwise authorized by this rule, an applicant's provisional employee badge expires ninety calendar days after the date of issuance.

(2) A licensee may petition the division to extend an applicant's provisional employee badge for an additional ninety calendar days all of the following are met:

(a) The licensee submitted the extension request within ten business days of the provisional employee badge expiration;

(b) The licensee and applicant fulfilled all application requirements outlined under this rule; and

(c) Evidence that the licensee would suffer immediate irreparable harm should the extension be denied.

(E) Division review of application.



(1) During the pendency of the provisional employee badge, the division will review the employee badge application and accompanying Ohio and federal criminal identification records checks.

(2) After review of the application, the division may:

(a) Approve the application and issue a badge certificate;

(b) Deny the application; or

(c) Advise the licensee in writing that the applicant failed to meet all application requirements.

(3) Each licensee shall print the applicant's employee badge certificate and ensure the individual maintains the card on their person while engaged in any activity within the scope of their employment.

(a) Each licensee shall ensure all employee badge certificates prevent unauthorized duplication of the badge.

(4) An employee badge certificate shall expire two years after the date of issuance.

(F) Deficiencies in applications.

(1) Upon determination by the division that a licensed entity failed to meet all requirements of paragraph (C) of this rule, the division will notify the associated licensed entity in writing of all deficiencies contained within the application.

(2) Within ten business days of receipt of written notification from the division, the licensee shall ensure that all deficiencies outlined are alleviated and submit any further documentation requested by the division.

(3) Should a licensee fail to cure all application deficiencies, the application shall be deemed abandoned.



(G) Failure to Comply with Application Requirements.

(1) Should a licensee fail to ensure all requirements of this rule are met, the division shall abandon the application and the licensee shall forfeit any non-refundable fee submitted to the division.

(H) Denial of application required.

(1) The division shall deny an application for an employee badge pursuant to any of the following:

(a) The applicant was convicted of a disqualifying offense; or

(b) The applicant is not at least twenty-one years of age or older.

(I) Notification Requirements.

(1) Each licensee shall notify the division of any of the following:

(a) Any employee badge that is lost, destroyed, stolen is to be immediately reported.

(b) Any modifications or changes to any information contained within their employee badge application within five business days of such change;

(c) A change of a designated responsible party within ten calendar days of the effective date of the appointment of a new designated responsible party.

(2) An individual registered pursuant to this rule arrested for activities that, if convicted, would constitute a disqualifying offense as defined by 1301:18-1-01 shall immediately notify the division.

(a) If the associated licensed entity has knowledge of such arrest, it shall notify the division.

(3) In the event an individual is no longer employed or associated with a licensee, the licensee shall update all accompanying information provided to the division, within one business day and ensure that the employee badge certificate is returned and destroyed upon separation.



(J) Employee badge renewal.

(1) Pursuant to the renewal process, the licensed entity shall submit the following to the division on behalf of the applicant prior to the badge's expiration:

- (a) A complete and accurate renewal application in a manner prescribed by the division; and
- (b) The non-refundable renewal fee as outlined under rule 1301:18-2-09 of the Administrative Code.

(K) An individual whose employee badge was revoked, and any individual whose actions directly caused a license entity's license revocation, is precluded from applying for an employee identification for at least five years from the date of revocation or final judicial decision upon of an order of revocation.