



Ohio - State Specific Information

Information provided is current as of January 3, 2026, and companies are encouraged to consult with legal counsel on these types of complex matters.

Cannabis Legalization History

Medical Use	Legalized – 2016 (House Bill 523)
Recreational Use	Legalized – 2023 (Issue 2)
Possession/Personal Use Specifics	Adults (21+) may possess up to 2.5 ounces of flower and 15 grams of extract. Home cultivation is legal for adults (6 plants per person, max 12 per household). Public smoking is prohibited; however, unlike some states, Ohio law specifically notes that "public places" are not required to accommodate "the chronic," and employers may ban use anywhere on company property, including parking lots.
	Smoking marijuana is banned in indoor public places or places of employment by the state's indoor smoking ban.

State Regulatory Agency Information

State Regulatory Agency	*Ohio Division of Cannabis Control (DCC)
State Forms (If Applicable)	Reasonable Suspicion Testing Checklist *Sample obtained from Ohio State University website. Must access DCC portal to obtain an official copy.

State Testing Policy

General Information	Ohio does not mandate testing but strongly encourages it through the Substance Use Prevention and Recovery (SUPR) program. To qualify for BWC premium discounts, employers must follow a "federac testing model" that includes pre-employment testing (100% of applicants), reasonable suspicion testing, and post-accident testing. A positive test result for THC is considered a violation of a "legal worl rule," provided the policy is written and shared.
Safety Sensitive Positions	Public Employers (government/city) must now comply with the SUPR standards effective January 1, 2026. This requires 100% pre-employment testing for all roles designated as "safety-sensitive" or "special needs" positions (e.g., emergency services, heavy equipment, or roles with a high security risk).
Privacy Laws	Ohio law generally allows for employer drug testing, including direct observation, without violating employee privacy rights, provided there is consent. However, employers must handle drug test results confidentially and avoid discrimination based on legally prescribed medications.

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.

[Private employers in Ohio](#) have the freedom to implement drug and alcohol testing policies but aren't mandated by state law to do so. While pre-employment, reasonable suspicion, and post-accident testing are allowed, employers must follow specific protocols and adhere to federal and state laws to avoid legal issues.

State Employee Procedures and Policies

[Ohio state employees](#) are subject to stricter drug testing policies than private sector workers. Pre-employment testing is mandatory for designated positions, and a negative result is necessary for appointment. Reasonable suspicion testing can occur if a supervisor observes specific signs of impairment that could endanger workplace safety or performance.

Protections for Use Outside Workplace/ Work Hours

Is Ohio a "Right to Weed State"?

Under ORC § 3780.35, employers have the explicit right to maintain zero-tolerance policies and may fire or refuse to hire any individual for cannabis use, regardless of their medical status or the legality of recreational use. Violating a company drug policy is legally defined as "just cause" for termination, which disqualifies the employee from unemployment benefits. Employers are not required to accommodate any form of cannabis use, on or off duty.

More Detailed Information

[MPP-Ohio](#)

State Requirements for Drug & Alcohol Testing Program

Testing policy requirements:

[Ohio Drug Testing Laws-NOLO](#)

Main Requirement:

Ohio grants private employers flexibility in drug testing, but adherence to specific protocols and compliance with federal and state laws are crucial to avoid legal challenges

*** Given the fluid state of Ohio's legal, political, and regulatory landscape surrounding cannabis, reliable information on workplace policies are changing frequently. For tailored guidance on updating your policies, it's crucial to consult legal counsel specializing in labor law.**