



Oregon - State Specific Information

The information provided is current as of December 20, 2025, and companies are encouraged to consult legal counsel on matters of this complexity.

Cannabis Legalization History

Medical Use	Legalized – 1998 (Oregon Medical Marijuana Act)
Recreational Use	Legalized – 2014 (Measure 19)
Possession/Personal Use Specifics	Adults 21+ in Oregon can possess up to 8 ounces of marijuana at home and 2 ounces outside, but public consumption and possession over certain limits carry fines or potential jail time. Recreational marijuana cannot be used in public, even by those of legal age. Employers and landlords retain the right to restrict use, even by those of legal age.

State Regulatory Agency Information

State Regulatory Agency	Oregon Liquor and Cannabis Commission (OLCC)
State Forms (If Applicable)	None Specified

State Testing Policy

General Information	Oregon remains a "pro-employer" state regarding drug testing. There are no state statutes that restrict a private employer's right to test for marijuana. Employers may conduct pre-employment, random, and post-accident testing. While Oregon law regulates alcohol testing (requiring consent or reasonable suspicion), these same restrictions do not apply to cannabis. Employers are free to maintain zero-tolerance policies and terminate employees for positive THC results, regardless of whether the use was off-duty. Remember, establishing robust documentation is a key risk mitigant for employers in states like Oregon.
Safety Sensitive Positions	Oregon doesn't have a specific list but considers positions "safety-sensitive" if negligence could cause serious harm to people or property.
Privacy Laws	While Oregon lacks specific laws restricting employer drug testing, employers must act cautiously to avoid infringing on common-law privacy rights. This includes obtaining consent or reasonable suspicion for alcohol tests, and conducting tests with a clear policy and procedures to minimize privacy invasions.

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

In [Oregon](#), private employers have broad freedom to conduct drug testing on employees and applicants, even for marijuana use. However, this freedom isn't absolute. Employers must adhere to federal laws like the Americans with Disabilities Act, which protects qualified individuals with disabilities from discrimination based on medical marijuana use.

State Employee Procedures and Policies

Though Oregon doesn't have a unified Drug-Free Workplace program for state employees like some federal agencies, multiple regulations ensure drug-free work environments. Agencies receiving federal funding must comply with the [Federal Drug-Free Workplace Act](#), while Oregon state law ([ORS 352.008](#)) specifically prohibits unlawful drug use in the workplace.

Protections for Use Outside Workplace/ Work Hours

Is Oregon a "Right to Weed State"?

Despite legalization, the Oregon Supreme Court has held that employers do not have to accommodate medical marijuana use, even as a treatment for a disability. Employers may legally refuse to hire or terminate an individual for a positive marijuana test, even if the individual has a valid medical card and the use occurred entirely off-site and off-duty.

More Detailed Information

[Oregon Drug Free Workplace FAQs](#)

State Requirements for Drug & Alcohol Testing Program

Testing policy requirements: [Oregon Drug Testing Laws](#)

Main Requirement:

While the federal policy applies to certain entities receiving federal funding and engaging in federal contracts, it does not directly govern all Oregon state employees and employers. It's crucial to understand that various regulations ensure drug-free environments for state employees such as prohibiting unlawful drug use and possession in state workplaces as well as addressing substance abuse and related actions for relevant employees.