



## **COLLECTION OF DECISIONS AND ORDINANCES OF THE UNIVERSITY OF SOUTH BOHEMIA IN ČESKÉ BUDĚJOVICE**

Number: R 609

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### **USB Rector's Ordinance on the procedure for conducting examinations in cases of suspected consumption of alcoholic beverages or other addictive substances**

#### **Article 1 Introduction**

For the implementation of Section 106(4)(i) of Act No. 262/2006, the Labour Code, as amended (hereinafter referred to as the 'Labour Code') Sections 18 to 25 of Act No. 65/2017, on the protection of health against the harmful effects of addictive substances (hereinafter referred to as 'Act No 65/2017') and in connection with Part IV, Article I (v) and (w) of the USB Workplace Regulations issued as an annexe to the USB Rector's Ordinance No. R 600 of 12 June 2025, I hereby issue this USB Rector's Ordinance.

#### **Article 2 Authorised managing employee**

1. The USB Rector and Deans of USB faculties shall designate senior employees authorised to order preliminary tests or specialist medical examinations to detect the presence of alcohol or other addictive substances in subordinate employees. A template document is attached as Annexe 1 to this ordinance.
2. Employees are obliged to undergo testing to determine whether they are under the influence of alcohol or other addictive substances at the instruction of an authorised managing employee.

#### **Article 3 Procedure for conducting checks using a breathalyser or other detection devices**

1. The protocol shall include the name of the 'breathalyser' or other detection device.
2. Digital 'breathalysers' must be calibrated according to the instructions for the surrounding environment (approx. 100 sec., depending on the type).
3. It is necessary to ensure that the device – the measuring instrument used to perform the preliminary breath test – has a valid 'calibration protocol' so that the test is valid. Each digital alcohol analyser has a sticker indicating the calibration expiry date.
4. Unless otherwise specified by the manufacturer, the calibration of the detector is valid for one year or 500 preliminary breath tests.

#### **Article 4 Procedure for detecting the presence of alcohol**

1. In the presence of a witness (another employee of the employer), the authorised managing employee shall ask the employee being tested to undergo the test to determine whether they are under the influence of alcohol.



2. In the event of a disputed result or doubts on the part of the employee being tested about the accuracy of the test result, the test shall be repeated after 15 minutes. During this time, the employee being tested is prohibited from eating, drinking and smoking.
3. After performing the preliminary breath test, the authorised managing employee must write a report on the course and result of the test. A sample report is provided in Annexe 2 to this ordinance. A copy of the report will be sent to the OHS officer and the human resources office.
4. Before writing the report, the authorised managing employee must inform the tested employee of the possibility of repeating the test.
5. Furthermore, they must inform the employee being tested that they are required to express their opinion on the result of the test (agree – disagree) in the record and to sign the record. If the employee does not sign the record, 'refused to sign' shall be noted.
6. If a specialist medical examination (blood test) is necessary, the authorised managing employee shall arrange for it to be carried out without delay. The authorised managing employee shall ensure that the employee being tested is accompanied to the doctor.
7. If the analyser used meets the conditions of Decree No. 345/2002, which specifies measuring instruments subject to mandatory verification and measuring instruments subject to type approval, as amended, no specialist medical examination shall be performed.

#### **Article 5**

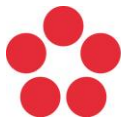
##### **Procedure for detecting other addictive substances**

1. In the event of suspected abuse of other addictive substances, a drug test shall be performed. If the indicative presence of addictive substances is detected, the authorised managing employee of the employer must ensure that a test is performed by analysing the collected biological material.
2. Before sending the tested employee to a doctor, the authorised managing employee must write a record of the examination in accordance with Annexe 2. The procedure is then the same as for a blood test.
3. In all cases of testing, the authorised managing employee must ensure the presence of another person – a witness – who will also sign the record.

#### **Article 6**

##### **Further steps**

1. If a preliminary breath test or a professional medical examination confirm suspicion of alcohol consumption, or a drug test and analysis of biological material confirms the abuse of other addictive substances, the employee shall be considered absent from work without excuse from the moment they receive the order to undergo testing until the end of their shift and shall be obliged to pay any costs incurred for the professional medical examination.
2. If the suspicion of alcohol consumption or abuse of other addictive substances is not confirmed, the period during which the employee was unable to perform their work is considered an obstacle to work on the part of the employer, and the employee is entitled to compensation in the amount of their average earnings. The costs of the medical examination shall be borne by the employer.
3. An authorised managing employee shall ensure that the employee's unexcused absence (or part thereof) from work is discussed with the trade union organisation.
4. If the employee being tested refuses to undergo a preliminary breath test, drug test, or biological sample collection (in the case of suspected substance abuse), this constitutes a



breach of the obligations arising from the legal regulations relating to the work performed by the employee, which may be grounds for termination of employment by the employer pursuant to the provisions of Section 52(g) of the Labour Code.

5. According to the provisions of Section 20(2) of Act No. 65/2017, if a person performing an activity in which they could endanger their own life or health or that of others or damage property refuses to undergo a professional medical examination, they shall be regarded as being under the influence of alcohol or other addictive substances.
6. This ordinance of the Rector shall come into force and effect on the date of its publication in the collection of decisions and ordinances of the Rector in the public section of the USB website.

prof. Ing. Pavel Kozák, Ph.D.  
Rector

Annexes:

1. [AUTHORISATION](#)
2. [RECORD OF PRELIMINARY TEST FOR THE PRESENCE OF ALCOHOL OR OTHER ADDICTIVE SUBSTANCES](#)

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