

# Work Instruction

SCHAEFFLER

LuK UG



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## Rules of sobriety tests

### Objective:

Specifying the controlling procedure of the sobriety test at LuK Savaria Kft., in order to ensure the condition fit for work and to prevent accidents.

### Scope of validity:

All persons staying on the premises of LuK Savaria Kft.

The policy shall be valid until withdrawal.

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## 1. Objective

Specifying the controlling procedure of the sobriety test at LuK Savaria Kft., in order to ensure the condition fit for work and to prevent accidents.

## 2. Scope of validity

All persons staying on the premises of LuK Savaria Kft.

The policy shall be valid until withdrawal.

## 3. Definitions

Condition unfit or work: blood alcohol or breath alcohol level higher than zero upon testing.

## 4. Description

The present instruction shall be applied primarily together with the following regulations:

- Act I of 2012 on the Labour Code
- Act XCIII of 1993 on Work Safety
- the Work Safety Policy (WSP) of LuK Savaria Kft.

It is prohibited to enter the premises of LuK Savaria Kft. under the influence of alcohol or narcotics!

Types of checks:

- **regular checks**
- **random checks**
- **extraordinary checks:** after accidents at work, and if the employee shows the signs of alcohol consumption.
- **voluntary checks**

For verification reasons, the test shall be conducted in the presence of two witnesses. **It is advisable to involve the Security Service in the process as witness. The sobriety test shall be conducted in the room of LuK Savaria Kft. supervised by the Security Service.**

The instruments of the sobriety test

- electronic device (available at the security service)

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- crystal breathalyzer (available at the security service)

The sobriety test shall be conducted first with the electronic device; if the result of the testing carried out with the electronic device is doubtful or disputed, or in the event the electronic device is not available, then the crystal breathalyzer shall be used.

#### 4.1. Procedure

The person carrying out the test (examiner) shall notify the person to be tested that the examiner will perform a sobriety test, and the rules in accordance with which the examiner will proceed (presents the rights and obligations under the present policy).

Before the test, the examiner shall ask the examinee: "Have you consumed alcohol – or maybe other alcohol containing product – during the last 10 to 12 hours": the reply shall be recorded in the report.

Thereafter, the test shall be performed.

- a) If the test is negative (i.e. the result thereof does not indicate violation of the rules), the report drawn up does not constitute any consequence for the examined party.
- b) If the test is positive (i.e. it shows condition unfit for work), and it is not disputed by the examined party, then a report shall be drawn up (it shall be recorded when the examined party had consumed alcohol, as well as the type and quantity of the alcohol).
- c) If the employee disputes the result of the test performed with the electronic device or the crystal breathalyzer, then a blood alcohol test shall be organized. **The person subject to the test shall be notified that in case of positive result, the costs of the blood alcohol test shall be borne by the person subject to the test.**

The blood taking unit box is available in the occupational health physician's office and at the Security service. The order sheet to be found in the package shall be filled out carefully.

The party examined shall be escorted to the occupational health specialist physician (occupational health physician), and the blood taking unit box shall be used for taking the blood. If the occupational health physician is no longer on duty, (from 16:00), then the party examined shall be taken to the regionally competent medical on-call service, and the blood shall be taken for the sobriety test there (the blood taking unit box is necessary here, too).

- d) If the person to be examined admits the alcohol consumption and the fact of the violation of the rules without testing, then a report shall be drawn up (it shall be recorded when the

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examined party had consumed alcohol, as well as the type and quantity of the alcohol), and the test shall be performed in this case as well.

- e) If the person to be examined denies the sobriety test, than this in itself is suitable for establishing the wrongful breach of obligations arising from the employment relationship by the employee (report shall be drawn up, with the signature of 2 witnesses). The employee denying the testing shall be banned from work.
- f) **In the framework of the voluntary sobriety test**, the employee has the right to request sobriety test before the commencement of work, in order to affirm his/her condition fit for work. **The voluntary sobriety test shall be performed at the place and in the way mentioned above. The employee may request the voluntary testing once during the current year.**

If any of the checks under Section 4.1 show positive result, then **the employee shall be banned from further work**, and his/her working days shall be considered as unverified. The immediate workplace supervisor of the worker shall be notified of the positive result.

#### 4.2. Documentation, notification

**A testing log shall be maintained for the purpose** of keeping records of the checks. The fact of the checks shall be documented in the sobriety test report.

The report included in the annex shall be drawn up in at least three copies, one copy of which shall be received by the employee examined, one copy shall be given to the person exercising the employer's rights, while one copy shall be given to the EHS group.

#### 5. Process and responsibilities

The following violations result in the termination of the employment:

- entering and staying on the factory premises under the influence of alcohol
- breach of the provisions of the procedure detailed in Section 4 of the present policy
- denying the testing

The sobriety tests may be ordered by:

- Managing director
- Management
- Members of the Work Safety group

The sobriety tests may be performed by:

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- Members of the EHS group
- Occupational health specialist nurse (usually on weekdays 08:00-18:00)
- Executive who controls the works directly.

If the occupational health specialist nurse is not available (e.g. due to providing emergency care), then the direct workplace superior shall perform the sobriety test.

## 6. Information and notes

See: Section 6.1.

### 6.1. Related documents

Work safety policy

### 6.2. Bibliography

None