



Slovakia

No project or programme regarding “alcohol at the workplace” could be found in Slovakia.

Legislation

Annex: Extract from the “Occupational Safety and Health Protection and on the Amendment of Certain”, ACT 124

“Alcohol at the workplace” is managed though the following articles highlighted in blue:

1 2 4 A C T
of 2 February 2006
on Occupational Safety and Health Protection and on the Amendment of Certain Acts as amended by Act No 309/2007 Coll. and Act No 140/2008 Coll.

The National Council of the Slovak Republic has adopted the following Act:

FUNDAMENTAL PROVISIONS

Article 1
Object of the Act

This Act lays down the general principles of prevention and the basic conditions for the purposes of ensuring occupational safety and health protection, and for avoiding risks and factors causing occupational accidents, occupational diseases and other damage to health from work.

Article 2
Scope of the Act

(1) This Act shall apply to employers and employees in all sectors of the manufacturing and non-manufacturing spheres....

Article 9
Controlling Activities

(1) **The employer shall be obliged to systematically control and request compliance with legal regulations and other regulations applying to the ensuring of occupational safety and health protection, with principles of safe work, health protection at work and safe conduct at workplaces and safe working procedures, and in particular to control.**

a) the state of occupational safety and health protection, including the state of the safety of technical equipment; to ensure, in intervals stipulated in special regulations, the control, measurement and evaluation of factors of the working environment, official tests, the execution of professional inspections and professional checks of restricted technical equipment for the aforementioned purpose,

b) **whether the employees are under the influence of alcohol, narcotics or psychotropic substances, during working time, and whether they adhere to the issued prohibition of smoking on the employer’s premises,**

- c) the activities of employees working at a dislocated workplace and employees who work alone at a workplace,
- d) the proper use of personal protective equipment, protection means and other protective measures.

(2) The employer is obliged to remove shortcomings found during his/her controlling activities.

Article 12 Rights and Obligations of Employees

- (1) The employee shall have the right to
- a) negotiate all questions of occupational safety and health protection applying to his/her work, with the employer; when necessary, experts in the given field, could be invited to such discussion upon mutual agreement,
 - b) refuse to perform work, or leave the workplace and go to a safe place in the event that he/she reasonably presumes that his/her life or health, or the life or health of other persons is under immediate and serious threat.

(2) The employee shall be obliged to

- a) comply with instructions, legal regulations and other regulations pertaining to the ensuring of occupational safety and health protection and with the principles of safe work, health protection at work and safe conduct at the workplace, and with determined working procedures, of which the employee was duly and provably notified,
- b) cooperate with the employer and with the employee safety representative to the necessary extent, to enable them to fulfil their obligations connected with the provision of occupational safety and health protection, along with those imposed upon them by the competent labour inspectorate or supervisory bodies,
- c) perform work, operate and use working equipment, materials, dangerous substances and other means in compliance with
 1. the instructions for their use, of which he/she has been duly and provably notified,
 2. exigencies representing part of the knowledge and skills acquired within the professional qualification,
- d) only operate working equipment and perform activities connected to increased risks stipulated by special regulations when holding the applicable certificate or authorisation and only when charged with such operation or performance by the employer,
- e) properly use safety and protection equipment, not exclude them from operation or willingly exchange them,
- f) use all assigned personal protective equipment according to the designated methods,
- g) comply with prohibitions to enter/stay on the premises and to perform activities specified in separate legislation, which could directly threaten his/her life or health,
- h) attend information sessions and other educational safety events provided by the employer in the interests of occupational safety and health protection, and submit to the verification of his/her knowledge acquired therein,
- i) undergo preventive medical examinations in relation to work,

- j) notify without undue delay the managing employee or, as necessary, the safety technician or authorised safety engineer, the employee safety representative, the competent labour inspectorate or the competent supervisory body of any shortcomings that could potentially pose a threat to occupational safety or health, particularly those which could directly and seriously pose a threat to life or health, and participate in their elimination to the best of his/her possibilities,
- k) refrain from consuming alcoholic beverages, narcotic and psychotropic substances at the workplaces and on the premises of the employer and outside such workplaces and premises during working time, and refrain from reporting for work while under such influence,
- l) undergo examinations organised by the employer or by the competent state authority in order to ascertain whether an employee is under the influence of alcohol, narcotic or psychotropic substances; the employer shall identify in his work regulations or other internal regulations the group of those employees and/or other persons who are authorised to instruct the employee to submit to such examination,
- m) Comply with the prohibition against smoking at workplaces,
- n) participate in reconditioning stays.

(3) The prohibition against consuming alcoholic beverages at and outside the employer's workplaces and premises during working hours does not apply to employees to whom the exceptional consumption of alcoholic beverages is a part of his/her working assignments or usually connected to the performance of such assignments.

(4) The provisions of paragraph 2 and 3 shall apply appropriately to the statutory body of an employer that is a legal entity, and to a natural person who is an employer, when personally performing the work, and the provisions of paragraph 2, letters a) through m) and of paragraph 3 shall apply appropriately also to a natural person who is an entrepreneur and not an employer.

(5) The managing employee shall, immediately, notify his supervisor about any identified shortcomings in the field of occupational safety and health protection in the event that the performance of necessary preventive measures and protective measures exceeds the scope of his obligations.

Contact

Narodny Inspektorat Prace

Masarykova 10, SK-040 01 Kosice

Slovakia

<http://www.nip.sk>

(in English: www.ip.gov.sk/en; www.safework.gov.sk/en)

Laurencia Jancurova laurencia.jancurova@ip.gov.sk

Jarmila Stieberova jarmila.stieberova@ip.gov.sk