



INSTRUCTION ON THE PROCEDURE FOR IDENTIFYING SIGNS OF ALCOHOL INTOXICATION

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1. Scope and Purpose of the Document

1.1. Scope of Application

The scope of alcohol intoxication testing applies to:

- All company employees, regardless of whether they work at the company's main facility or at service-providing sites;
- Employees who remain on company premises after working hours.

The geographical scope of alcohol intoxication testing applies to:

- Company branches;
- Locations where the company provides its services.

1.2. Objective

Regulation of the detection of alcohol intoxication and the procedure for conducting intoxication tests within the company's premises and service areas.

It is strictly prohibited to enter company premises while under the influence of alcohol or drugs!

1.3. Special Conditions, Definitions, Fitness for Work Criteria, and Maintenance

Alcohol intoxication: A level of alcohol in the blood or exhaled air that exceeds zero during measurement.

According to § 60 of the Occupational Safety Act, an employee has the right to perform work only in a safe condition, which is suitable for fulfilling job duties without endangering health, and in compliance with safety regulations. Furthermore, the employee is obliged to cooperate with the employer and colleagues to maintain a safe working environment.

In accordance with the requirements of the Occupational Safety Act, the Labour Code establishes the obligation of employees to be in a condition suitable for performing their job duties. An employee fulfills this obligation if they possess the necessary physiological characteristics for their work and are in an appropriate physical, mental, and medical condition. The employee is required to maintain this condition throughout the entire working period, from the start of work until its completion or the fulfillment of job responsibilities.

According to Part 4, Article 51 of the Labour Code, the employer is obliged to ensure conditions for safe and healthy work performance, as well as compliance with requirements that do not endanger health and safety, in accordance with the responsibilities of employees in this field. In accordance with the employee's obligation to work in a condition fit for the safe performance of job duties, they must arrive at the workplace and carry out their responsibilities in a fully capable state, without the influence of alcohol or other psychoactive substances, in accordance with the established work schedule.

2. Regulatory Compliance

2.1. Applicable European and National Legislation and Directives

- Act LXIII of 1992 on the Protection of Personal Data and Public Access to Information;
- Act CXII of 2011 on the Right to Informational Self-Determination and Freedom of Information;
- Act XCIII of 1993 on Occupational Safety;

- Act I of 2012 on the Labour Code;
- Regulation (EU) 2016/679 of the European Parliament and of the Council (April 27, 2016) on the protection of individuals concerning the processing of personal data;
- General Data Protection Regulation (GDPR), governing the protection of personal data and the free movement of such data, repealing Directive 95/46/EC.

3. Responsible Persons and Their Authorities

The following individuals, appointed by the company's management, are authorized to conduct employee fitness-for-work assessments in accordance with this regulation:

- Security personnel;
- Occupational health and safety specialist (EHS specialist).

Additionally, in cases of reasonable suspicion, the company's management or the head of security may initiate an assessment.

4. Procedure for Identifying Signs of Alcohol Intoxication

4.1. Fitness-for-Work Assessment

According to the provisions outlined in this regulation and the referenced legal acts, the employer has the right and obligation to regularly assess employees' fitness for work, specifically ensuring compliance with the prohibition on alcohol consumption and intoxication. For this purpose, the employer is entitled to conduct assessments in a designated area.

The employer has the right to conduct alcohol intoxication tests at any time and for any employee, regardless of their position. Employees must undergo alcohol testing even after working hours if they remain on company premises or enter the company for any reason.

The employer may require an employee to take an alcohol test to ensure compliance with the prohibition on alcohol consumption, and the employee is obliged to cooperate in the process.

The absolute and complete prohibition on alcohol consumption applies not only during working hours but also whenever an employee is present on company premises, regardless of whether it is within their scheduled work hours.

4.2. Alcohol Testing Devices and Equipment

Alcohol intoxication level measurement may be conducted using the following means:

- Single-use chemical breathalyzer;
- Electrochemical digital breathalyzer.

4.3. Alcohol Testing Procedure

Security personnel and EHS employees, upon authorization from the General Director, have the right to conduct random alcohol tests on company premises.

Authorized personnel regularly conduct random tests among employees working on a given day. Testing may be carried out during both entry and exit control procedures.

In all cases, employees who have suffered an occupational injury or have been involved in a traffic accident, as well as those suspected of being under the influence of alcohol while performing their duties, must undergo mandatory alcohol testing using a breathalyzer.



4.4. Alcohol Testing Record-Keeping and Documentation

In the event of a positive alcohol test result, an Alcohol Intoxication Report (Appendix 1 to this regulation) must be completed by the person conducting the test in three copies, each of which must be manually signed in the original. One copy is handed to the tested employee, while two copies are given to the person exercising the employer's authority.

A logbook for alcohol intoxication tests (Appendix 2) must be maintained to record each test with the following details:

- Serial number;
- Date of the test;
- Name and position of the tested employee;
- Name and position of the person conducting the test;
- Reason for the test;
- Test result;
- Employee's statement, information, measures taken;
- Witnesses;
- Signatures.

In the "Employee's Statement" section of the Alcohol Intoxication Report, the employee must confirm their stance by underlining the appropriate response:

- I acknowledge the alcohol test result: Yes / No
- I request a blood alcohol test: Yes / No
- I refuse to make a statement: Yes / No

The employee confirms the accuracy of their statement and the contents of the report with their signature.

The completed Alcohol Intoxication Report must, in all cases, be electronically submitted to the Head of the HR Department.

4.5. Procedural Standards for Establishing Alcohol Intoxication

Alcohol intoxication testing using a breathalyzer must be conducted in the presence of two witnesses for evidentiary purposes.

If the alcohol test result is positive, but the tested employee claims that they have not consumed alcohol or any substances with a similar effect, the test must be immediately repeated. The second test must be conducted using a chemical breathalyzer.

If the second test also yields a positive result, the employee must be suspended from further work, and their workday shall be considered unverified. Consequently, the employer may legally withhold wages for the suspension period and may impose other disciplinary measures. If the employee disputes the alcohol test results, they have the right to request a blood alcohol test as proof of their innocence.

The employee must be informed of their right to request a blood alcohol test, as well as the fact that they will bear all associated costs (blood sample kit, transportation, laboratory fees, etc.) if the test result is positive. The provision of this information must be documented by underlining the corresponding section in the Alcohol Intoxication Report.

The employer must ensure the employee's transportation to a medical facility for the blood test, as well as escort and supervision during the blood sample collection process. Both parties—the employee and the employer—must be properly informed of the blood test results. If the company does not have an occupational health physician, a physician at the workplace medical station should be contacted. If no such physician is available, the employee must be referred to a designated local hospital or medical facility as determined by management.

If the employee refuses to undergo a blood alcohol test after being properly informed by the employer, the results of the breathalyzer test—duly recorded in accordance with this regulation—shall be considered sufficient evidence.

If an employee refuses to take the breathalyzer test, this must also be documented in the Alcohol Intoxication Report, and the employee must sign the document. The fact of refusal must also be confirmed by the signatures of two witnesses.

5. Legal Consequences

5.1. Consequences of Refusal to Undergo an Alcohol Test

If an employee unreasonably refuses to undergo alcohol intoxication testing or to participate in such a test as prescribed by this regulation, they are violating their employment duties.

According to legislative references and the employee's duty to cooperate, the employee is obliged to assist in the employer's measures aimed at verifying their ability to safely perform their job. If the employee fails to fulfill this duty, the employer has the right to apply appropriate measures in accordance with relevant legislative acts or other applicable laws.

The employer has the right to immediately terminate the employment relationship with any employee who unreasonably refuses to participate in alcohol intoxication testing.

5.2. Consequences of Confirmed Alcohol Intoxication

If an employee is confirmed to be under the influence of alcohol during the test, they must be immediately suspended from performing further duties, and their workday shall be considered unworked. This provides grounds for lawful deduction of wages for the suspension period.

Additionally, the employer has the right to impose other disciplinary measures in accordance with internal regulations. The employee must be referred to the HR Department for further resolution of the situation.

6. Annexes

1. Annex 1: Alcohol Intoxication Test Report
 2. Annex 2: Alcohol Intoxication Test Logbook
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