



Measure of the Faculty of Law, Masaryk University No. 6/2021

TESTING OF EMPLOYEES FOR THE PRESENCE OF SARS-COV-19

(as amended with effect from 17 January 2022)

In accordance with § 28 of Act No. 111/1998 Coll. on Higher Education Institutions and on Amendments and Supplements to some other Acts (the Higher Education Act), as amended (the "Higher Education Act"), I hereby issue this Measure:

General provisions

- (1) It is the duty of the Faculty of Law of Masaryk University (hereinafter referred to as "the Faculty") and one of the forms of employee care to protect the health of its employees from infection with COVID-19.
- (2) One of the means of protection against infection with COVID-19 is the preventive testing of employees for the presence of SARS-CoV-2 in order to identify infected but asymptomatic employees who could be a source of infection for other employees.
- (3) The employer's authority to require an employee to be tested for SARS-CoV-2, even repeatedly, is derived from provisions of the Labour Code and from emergency measures of the Ministry of Health (the Ministry) to test and self-test employees.

Article 1

The obligation of the employee to undergo testing

- (1) Every employee of the Faculty, including an employee employed in the form of a FTE or FTE, is obliged to undergo regular testing for the presence of the SARS-CoV-2 virus antigen by means of a rapid antigen test (RAT) designed for self-testing, with a frequency of twice a week, so that the next testing of the employee takes place no earlier than on the third day after the previous testing.
- (2) Employees are not required to be tested for SARS-CoV-2 under the preceding paragraph if they:

- a. perform their work away from their permanent place of work (home-office) by agreement with the employer; this does not apply if they also attend the workplace, albeit irregularly or on a one-off basis, under this arrangement,
- b. who do not carry out their work at the employer's place of work because of obstacles to work on the employer's side; this does not apply if they also attend the place of work under this arrangement, albeit irregularly,
- c. have undergone RT-PCR testing for the presence of SARS-CoV-2 virus in the last 72 hours with a negative result, or have undergone a rapid antigen test (RAT) for the presence of SARS-CoV-2 virus antigen performed by a health professional in the last 24 hours with a negative result, or
- d. are undergoing preventive testing with another employer.

The employee must provide evidence to the employer under point 2(c) by means of a record in the Infectious Disease Information System (EU COVID digital certificate) or a certificate issued by a health service provider, or under point (d) by written confirmation from the employer that they are undergoing preventive testing with that employer.

(3) Where an employee refuses to undergo a test under paragraph (1), this shall be reported without undue delay to the locally competent public health authority.

(4) An employee who refuses to take a test under subsection (1) shall be ordered to:

(a) Wear an FFP2 class respirator or other similar respiratory protective device (always without an exhalation valve) at all times when present in the workplace,

(b) maintain a distance of at least 1,5 m from other persons,

(c) to eat separately from other persons; the requirement to wear respiratory protective equipment shall not apply while eating food.

Article 2

Method of testing and recording

(1) An employee shall fulfil his/her obligation to undergo the test referred to in Article 1(1) by undergoing a preventive test for the presence of SARS-CoV-2 antigen using a sampling kit provided by the Faculty at a designated place in the workplace.

(2) Information on the test performed (negative and positive) shall be entered by the employee into INET - PREVENT COVID immediately after the result is obtained. In this application, he/she can generate a confirmation of testing for another employer.

(3) The Dean, the bursar and any line manager have access to the information in the application.

Article 3

Organisational arrangements for self-testing

(1) Employees who are not covered by the exemption from testing under Article 1, paragraph 2) shall receive self-testing kits. Self-test kits will be issued from 14 January 2022 onwards every working day during building opening hours at the reception desk against signature. Employees will be provided with a maximum of two free tests per calendar week.

(2) Self-testing shall be done in the home environment (before going to the workplace) or at a designated location only, and shall not be done in the offices. Room 056 is designated for self-testing and is equipped with disinfectants, self-testing instructions and appropriate waste containers. Used tests must be deposited only in a labelled container.

Article 4

Procedure in the event of a positive test result

(1) In the event that an employee tests positive, he/she shall immediately leave the faculty building (if present), immediately notify his/her immediate supervisor of his/her absence from the workplace due to suspected SARS-CoV-2 positivity, enter the test result information into Inet, and provide assistance to the locally competent public health authority.

(2) A similar procedure shall apply if the employee has had a hazardous contact and has been ordered to be quarantined.

(3) After the isolation or quarantine period, the employee must undergo a rapid antigen test for the presence of SARS-CoV-2 antigen in his or her home environment or workplace on the first day of presence at the workplace.

(4) If an employee referred to in paragraph (1) has undergone RT-PCR testing for the presence of SARS-CoV-2 virus with a negative result within the period following a positive test result, the isolation or quarantine shall be terminated.

(5) The duration of the isolation or quarantine shall be governed by the emergency measure of the Department currently in effect.

Article 5

Final provisions

(1) The measure shall enter into force on 17 January 2022.

(2) The text of this measure of 22 November 2021 is replaced by the following.

(3) I hereby delegate the interpretation to the bursar of the Faculty.

In Brno, 11 January 2022

doc. JUDr. Mgr. Martin Škop, Ph.D., v. r.,

Dean