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Article 1

Purpose

- (1) This Directive lays down rules for ensuring safe working conditions and protecting the health of pregnant employees, breastfeeding employees, employees up to the end of the ninth month following childbirth, and young employees when performing work at Tomas Bata University in Zlín (hereinafter referred to as “TBU” or the “employer”), in particular rules for identifying prohibited work and workplaces, taking protective measures, and the procedure for transferring a protected person to other work.
- (2) This Directive is based in particular on the provisions of § 101 to 103 and § 239 to 247 of Act No. 262/2006 Coll., the Labour Code, as amended, Decree No. 180/2015 Coll., on Work and Workplaces, and Government Regulation No. 361/2007 Coll., laying down conditions for the protection of health at work.

Article 2

Scope of application

- (1) This Directive governs the conditions for performing work and measures to protect the health of:
 - a) pregnant employees,
 - b) breastfeeding employees,
 - c) employees who are mothers, up to the end of the ninth month following childbirth,
 - d) young employees,(hereinafter collectively referred to as “protected persons”).
- (2) This Directive applies to TBU employees who are protected persons within the meaning of Paragraph 1, as well as to managerial employees and other persons who are subject to obligations under this Directive.

- (3) The provisions of this Directive shall also apply to protected persons performing work on the basis of a contract for services or a subcontract agreement to the extent that the relevant provisions of the Labour Code and legislation governing occupational health and safety apply to them.
- (4) The provisions of this Directive shall also apply to work performed at workplaces and activities carried out as part of teaching, practical training, research and other activities where risks covered by this Directive may arise.

Article 3 Employer's obligations

- (1) The employer is obliged to provide a safe working environment and to take measures to protect the health of protected persons.
- (2) The Occupational Safety and Fire Prevention Officer has the following duties in relation to protected persons:
 - a) to assess whether the work carried out by a protected person is among the types of work prohibited by law,
 - b) to assess the risks arising from the specific workplace and the work performed,
 - c) to take appropriate organisational or technical measures to eliminate or minimise the risks.

Article 4 Obligations of managerial employees

- (1) Managerial employees at TBU shall be responsible for ensuring the protection of employees under this Directive at the workplaces under their management.
- (2) If a managerial employee finds that a protected person for whom they are the immediate superior is performing work or is present at a workplace that is prohibited for them under applicable legislation, they shall, without undue delay, take measures to prevent such work from being performed and inform the Occupational Safety and Fire Prevention Officer of this fact.
- (3) In cooperation with the Occupational Safety and Fire Prevention Officer, the managerial employee shall assess whether the risk associated with the work performed by the protected person can be eliminated or minimised by adjusting working conditions, changing the organisation of work, or taking another appropriate measure. This shall not apply to work that is expressly prohibited for the protected person by legislation.
- (4) If the performance of prohibited work or exposure to the risk cannot be prevented in this manner, the employer shall proceed in accordance with applicable legislation, in particular by ensuring the temporary transfer of the protected person to other suitable work, provided that the statutory conditions for such transfer are met.
- (5) If the reason for taking measures in relation to a protected person is a medical assessment issued by an occupational health services provider, the employer shall base the employee's subsequent assignment to work on that assessment.
- (6) The managerial employee shall inform the protected person of the measures taken and of the risks associated with the performance of their work, to the extent prescribed by applicable legislation.
- (7) An appropriate record shall be made of the measures taken to the extent necessary to

demonstrate compliance with the employer's obligations. Information relating to pregnancy, breastfeeding, health status, or other circumstances on the basis of which protective measures have been taken shall be made available only to persons who need to know such information for the performance of their work duties or the employer's statutory obligations.

- (8) If the reasons for which the protected person was transferred to other work or other protective measures were taken cease to apply, the employer shall proceed in accordance with applicable legislation.

Article 5

Transfer of a protected person to other work

- (1) If a protected person must be temporarily transferred to other work pursuant to § 239 of the Labour Code, the employer shall proceed in accordance with that provision and other applicable legislation so as to assign the protected person work that is compatible with their medical fitness and, where possible, with their previous type of work, professional expertise and qualifications. At the same time, the employer shall comply with legislation governing the employment conditions of protected persons.
- (2) If a protected person is transferred to other work for the purpose of protecting their health under this Article, the managerial employee, in cooperation with the Occupational Safety and Fire Prevention Officer, shall assess the suitability of the proposed work and ensure that the protected person is not exposed, when performing such work, to the risks against which they are protected by legislation.
- (3) When selecting suitable work, the employer shall take into account, in particular:
 - a) the medical fitness of the protected person,
 - b) the reason why the protected person may not perform their previous work,
 - c) any restrictions arising from legislation or a medical assessment,
 - d) the qualifications and previous work assignment of the protected person,
 - e) the employer's operational possibilities.
- (4) During the period of transfer, the immediate superior shall continuously monitor whether the reasons for the transfer continue to apply. If those reasons cease to apply, the employer shall proceed in accordance with applicable legislation, taking into account the protected person's current medical fitness.
- (5) The HR Office of the Rectorate shall maintain documentation on the transfer of a protected person to other work and on the measures taken, to the extent necessary to demonstrate compliance with the employer's obligations.

Article 6

Pregnant employees

- (1) Pregnant employees are prohibited from carrying out work specified in Decree No. 180/2015 Coll., in particular high-risk work, work involving excessive physical strain, work performed at an imposed pace, work involving exposure to chemical substances and mixtures classified as toxic, carcinogenic, mutagenic or toxic to reproduction; work involving exposure to biological agents in groups 2 to 4; work with sources of ionising radiation; and work performed in conditions of increased risk of injury.

- (2) Pregnant employees must not be assigned, in particular, to chemical, biological, microbiological, veterinary and similar laboratories, unless a risk assessment clearly rules out any risk to their health or that of the foetus.

Article 7

Breastfeeding employees and employees who are mothers up to the end of the ninth month following childbirth

- (1) Female employees who are breastfeeding, and female employees who are mothers until the end of the ninth month following childbirth, are prohibited from carrying out work specified in Decree No. 180/2015 Coll., in particular work involving exposure to chemical substances and mixtures which may adversely affect the health of the infant or the employee, work involving cytostatic agents, work involving carcinogenic substances, and work involving excessive physical strain or an increased risk of injury.
- (2) Managerial employees shall create conditions enabling employees to properly exercise their rights relating to breastfeeding their child, in particular by providing breastfeeding breaks in accordance with the Labour Code.
- (3) Employees who are mothers up to the end of the ninth month following childbirth shall not be assigned work involving exposure to vibration, excessive physical strain, work at heights, or other work that may adversely affect their health.

Article 8

Young employees

- (1) Young employees may perform only work appropriate to their physical and mental development and medical fitness.
- (2) Young employees are prohibited from carrying out the work specified in Decree No. 180/2015 Coll., in particular high-risk work, work involving exposure to chemical substances and mixtures classified as toxic, carcinogenic, mutagenic or toxic to reproduction, work with sources of ionising radiation, work at heights, work in confined spaces, work involving a risk of explosion or an increased risk of injury, and work involving excessive physical strain.
- (3) Young employees shall not perform overtime work or night work, unless otherwise provided for by legislation in connection with vocational training.
- (4) Young employees may perform work involving hazardous chemical substances and mixtures only as part of vocational training, to the extent necessary to meet the requirements of the educational programme and always under conditions ensuring the protection of their health.
- (5) When working with hazardous chemical substances and mixtures, a young employee shall always be under appropriate supervision by a responsible person. In the case of substances presenting a higher degree of hazard, direct and continuous supervision by a person with the appropriate professional competence shall be required.
- (6) Young employees shall not work independently with hazardous chemical substances or mixtures unless the prescribed supervision and appropriate professional guidance have been provided.

- (7) The provisions of this Article shall not affect the special protection afforded to pregnant young female employees, young female employees who are breastfeeding, and young female employees who are mothers up to the end of the ninth month following childbirth. Such persons shall be subject to the relevant restrictions under this Directive and applicable legislation.
- (8) Managerial employees shall maintain records of young employees to the extent prescribed by the Labour Code and ensure compliance with the obligations relating to occupational health examinations.

Article 9 **Occupational health services**

- (1) Occupational health examinations of protected persons shall be carried out to the extent and under the conditions laid down by applicable legislation.
- (2) Managerial employees are obliged to act in accordance with the medical assessments issued by the occupational health service provider and must not permit work to be carried out in a manner inconsistent with the employee's medical fitness.

Article 10 **Final provisions**

- (1) Compliance with this Directive shall be monitored by managerial employees, professionally qualified risk prevention personnel, and other authorised persons within the scope of their responsibilities.
- (2) This Directive was discussed with representatives of all trade union organisations operating at TBU on 27 August 2026.

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