



Regulation of professions

Occupational health and safety

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Introduction

Under the Agreement on the Free Movement of Persons (AFMP¹), professionals from the EU can have their qualifications recognised if the profession for which they are qualified in their country of origin is regulated in Switzerland.

This document aims to describe the Swiss regulations in the sector concerned. Regulated professions are those that are subject to specific training requirements and where access to the profession in question is only possible for professionals holding a specific qualification that is defined in relation to the Swiss education system. Foreign professionals can only access a regulated profession or occupation once their qualifications have been recognised.

If holders of foreign professional qualifications wish to pursue a profession or occupation other than those described in this document, they are free to do so without obtaining recognition of their qualifications (non-regulated profession). In this case, it is the job market which will dictate their chances of finding employment or being awarded jobs in the case of self-employed persons.

The specific aspects of the procedure relating to **service providers** (as opposed to cases of permanent establishment in Switzerland) are described at the end of this document.

1. Professional profile

Occupational health and safety specialists assess the dangers present at the workplace. They take the measures needed to minimise accident risks and advise employers and employees concerning safety standards. Their main role is to protect the health and safety of workers.

In their activity, occupational health and safety specialists work closely with both managers and employees of the company that has hired them. They also deal with government bodies such as cantonal labour inspection offices, Suva, environmental protection offices, agencies responsible for the building code and cantonal clinics. In more complex cases, they may call in experts specialised in ergonomics, toxicology, occupational psychology and business management.

¹ Bilateral agreement of 21 June 1999 between the Swiss Confederation and the European Community and its Member States on the free movement of persons, SR 0.142.112.681.

2. Regulated activities

Article 11a of the Accident Prevention Ordinance² requires employers to bring in occupational physicians and other occupational health and safety specialists when circumstances require. This obligation depends on the following factors in particular:

- a. Risk of occupational accidents and diseases, based on available statistical data and risk analysis;
- b. The number of employees; and
- c. Specific knowledge needed to ensure occupational health and safety within the company.

The Federal Coordination Commission for Occupational Safety Commission (FCOS) has issued directives that enable employers to know when they are required to contact occupational health and safety specialists³.

3. Types of training required

Occupational health and safety specialists trained in Switzerland may correspond to one of several different professional profiles⁴ :

1. Occupational physicians hold a federal or recognised foreign qualification as a specialist in the field occupational medicine;
2. Occupational hygienists:
 1. Hold a tertiary-level qualification in engineering or science awarded by a Swiss university, a Swiss federal institute of technology or a Swiss engineering college,
 2. Have at least two years of work experience,
 3. Have completed supplementary training in the field of occupational health and safety;
3. Safety engineers:
 1. Hold a tertiary-level qualification in engineering or science awarded by a Swiss university, a Swiss federal institute of technology or a Swiss engineering college,
 2. Have at least two years of work experience,
 3. Have completed supplementary training in the field of occupational health and safety;
4. Safety managers:
 1. Hold a tertiary-level professional qualification in the branch of activity in question and hold a Swiss Federal VET Diploma or other recognised upper-secondary level qualification,
 2. Have at least three years of work experience,
 3. Have completed supplementary training in the field of occupational health and safety.

Occupational health and safety specialists are required to undergo suitable training on an ongoing basis if they work for companies where there are specific risks (e.g. refineries, companies requiring radiation protection, certain branches of the chemical industry).

² Ordinance of 19 December 1983 on the Prevention of Accidents and Occupational Diseases (APO, SR 832.30).

³ <http://www.ekas.admin.ch>

⁴ Ordinance of 25 November 1996 (status on 5 December 2006) on Qualifications of Occupational Health and Safety Specialists, SR 822.116.

4. What to do if you hold a foreign professional qualification?

EU/EFTA citizens who are fully qualified to work as occupational health and safety specialists in their country of origin may request recognition of their foreign qualification in accordance with the rules set forth in Directive 2005/36/EC.

The competent authority is the Federal Coordination Commission for Occupational Safety (FCOS). More detailed information can be found on the Internet⁵. The contact details are provided below:

Suva
SRA - Team Ausbildung Lucerne
Postfach 4358
6002 Lucerne
kursanmeldung.sral@suva.ch
Tel. +41 41 419 57 00

Holders of a foreign qualification in occupational health and safety may begin working in this capacity as soon as Suva recognises their qualification. No authorisation is required to work in this profession.

5. Specific details for EU/EFTA citizens who wish to provide services in Switzerland

Basic principle

In accordance with the Agreement on the Free Movement of Persons (AFMP), professionals who are legally established in the EU/EFTA may provide services in Switzerland without permanently establishing themselves in the country. In such cases, the duration of service provision is limited to 90 days per calendar year.

If the profession they wish to pursue is regulated, they can take advantage of a fast-track verification procedure for their professional qualifications, as set out in EU Directive 2005/36/EC⁶ and the DRPA⁷. The service provision **must be declared in advance to SERI**⁸.

Other obligations

In all cases, persons intending to provide services **must also register with the State Secretariat for Migration** (www.sem.admin.ch > Entry & Residence > Notification procedure for short-term work in Switzerland). This obligation also applies to non-regulated professions.

⁵ www.suva.ch > Service > Cours > Travail > spécialistes de la sécurité au travail étranger.

⁶ Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications, OJ L 255 of 30.9.2005, p. 22, in the current version in accordance with the agreement on the free movement of persons and the revised EFTA Convention.

⁷ Federal Act of 14 December 2012 on the Declaration Requirement and the Verification of Service Provider Qualifications in Regulated Professions, SR 935.01.

⁸ www.sbf.admin.ch/edeclaration

Who is a service provider?

Service provision is an economic activity that is practised on a self-employed basis or without conclusion of an employment contract with a Swiss employer. It is remunerated work of a temporary or occasional nature (limited to 90 working days per calendar year) carried out in Switzerland by an individual who is established in a member state of the EU or EFTA. If you require further information, SERI provides a more detailed note on the service provider concept on its website.

Persons who are not service providers within the meaning of the AFMP will not be able to take advantage of the fast-track procedure for the verification of qualifications. They should instead contact the competent authority to seek recognition of their qualifications under Title III of directive 2005/36/EC.

6. Useful links

www.suva.ch > Prévention > Travail > MSST: la sécurité systémique

www.ekas.admin.ch