



## Regulation of professions

# Crane operators, forklift and handling cart operators, construction vehicle operators

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### Introduction

Under the Agreement on the Free Movement of Persons (AFMP<sup>[1]</sup>), 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.

The procedure differs depending on the duration of the professional activity in Switzerland: in the case of establishment in Switzerland, recognition of foreign professional qualifications is required before commencement of the regulated professional activity: [www.sbf.admin.ch/becc](http://www.sbf.admin.ch/becc). Service providers established in an EU/EFTA member state, who wish to pursue a regulated professional activity in Switzerland as self-employed persons or as posted workers on assignment for a maximum of 90 working days per calendar year, are to a declaration requirement. The professional qualifications are verified by means of a fast-track procedure: [www.sbf.admin.ch/edeclaration](http://www.sbf.admin.ch/edeclaration).

If holders of foreign professional qualifications wish to pursue a professional activity other than those described in this document, they are free to do so without obtaining recognition of their qualifications (non-regulated professional activity). 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.

<sup>[1]</sup> 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.

## 1. Crane operators

This professional activity is regulated under the terms of Directive 2005/36/EC<sup>2</sup>, and is listed in Annex III AFMP.

The [Ordinance of 27 September 1999 on the Safe Use of Cranes](#) (Cranes Ordinance, SR 832.312.15) stipulates that hoisting operations involving travelling cranes<sup>3</sup> and tower cranes<sup>4</sup> may only be handled by qualified crane operators holding specific professional qualifications. Hoisting operations involving the use of industrial/other cranes<sup>5</sup> fall outside the scope of this Ordinance.

If you are a crane operator, [Suva is the competent authority](#) for the issuance of a Swiss crane operator permit as well for the evaluation and recognition of foreign crane operator training.

## 2. Forklift and handling cart operators

This professional activity is not regulated under the terms of Directive 2005/36. However, in order to work in this capacity in Switzerland, the following conditions must be met.

There are particular hazards associated with driving forklifts (or handling carts). For this reason, only specially trained workers for this purpose may be permitted to carry out such tasks. According to Art. 8 para. 1 of the [Ordinance of 19 December 1983 on the Prevention of Accidents and Occupational Diseases](#) (APO, SR 832.30), employers are responsible for selecting and training forklift and handling cart operators. They may therefore require their workers to undergo training at [a recognised forklift and handling cart training institution](#) whose training certificates are valid for an unlimited duration and without geographical restriction for the whole of Swiss territory. Employers may also assign this task to in-house instructors or experts who possess adequate qualifications. In such case, the corresponding training certificates are only valid for the company or construction site in question.

The education and training requirements are stipulated in [Directive no. 6518](#) of 5 July 2017 on education and training of handling carts, which is issued by the Federal Coordination Commission for Occupational Safety (FCOS).

Foreign training may be considered sufficient and it is the employer's responsibility to ensure that the forklift or handling cart operator is sufficiently trained. If the employer is in doubt, the person concerned may be asked to take an examination directly at a training institution. The results of that examination will determine whether a repeat or refresher course is necessary.

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<sup>2</sup> 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.

<sup>3</sup> Travelling cranes include truck-mounted cranes, mobile cranes, caterpillar cranes, trailer cranes, telescopic cranes and rail cranes equipped with a winch as well as truck cranes with a load torque of over 400 000 Nm or a boom length of more than 22 m.

<sup>4</sup> Tower cranes include top-slewing, slewing and luffing cranes.

<sup>5</sup> Industrial/other cranes include gantry cranes, bridge cranes, boom cranes, slewing cranes, telescopic cranes and rail cranes not equipped with a winch as well as truck cranes with a load torque of no more than 400 000 Nm or a boom length of less than 22 m.

### **3. Heavy vehicle operators**

This professional activity is regulated under the terms of Directive 2005/36/EC in the cantons of [Geneva](#), [Vaud](#), [Valais](#) and [Neuchâtel](#). Driving and using construction vehicles on-site (earthworks/civil engineering) are governed by cantonal legislative provisions, which require a separate cantonal permit to be obtained in the corresponding cantonal jurisdiction. In such cases, it is the competent cantonal authority that decides on recognition procedure for foreign professional qualifications.

In all of the other cantons, this professional activity is not regulated under the terms of Directive 2005/36/EC. Employers are nevertheless required to make sure that their workers possess the requisite skills and must also provide them with continuing education and training or refresher courses. Indeed, construction vehicle operators are required to have undergone corresponding training for this activity (Art. 8 para. 1 de [Ordinance of 19 December 1983 on the Prevention of Accidents and Occupational Diseases](#) [APO, SR 832.30]). However, there is no federal permit for operating construction vehicle. Although this professional activity is not regulated in the strict sense, construction vehicle operators working in the main construction sector are required to have completed construction vehicle operator training as set out in the examination rules established by the Swiss national association for construction vehicle operators [K-BMF](#). This training is recognised in Switzerland except in the cantons of Geneva, Vaud, Valais and Neuchâtel.

At present, foreign professional qualifications are generally accepted in Switzerland as long as they are plausible and the employer provides the education and training required under Art. 6 and 8 APO. If no federal permit is required, then recognition of a foreign qualification is neither possible nor necessary.

### **4. Specific details for EU/EFTA citizens who wish to provide services in Switzerland**

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 working 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 the EU Directive 2005/36/EC and the DRPA<sup>6</sup>. The service provision **must be declared in advance to SERI**<sup>7</sup>.

**All crane operators** who were trained abroad and who wish to provide services in Switzerland **must first complete the declaration procedure.**

This is also the case for **construction vehicle operators** wishing to provide services in the cantons of **Geneva, Vaud, Valais and Neuchâtel.**

For their part, **forklift and handling cart operators do not need** to undergo the declaration procedure in order to provide these services in Switzerland.

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<sup>6</sup> Federal Act of 14 December 2012 on the Declaration Requirement and the Verification of Service Provider Qualifications in Regulated Professions, SR 935.01.

<sup>7</sup> [www.sbf.admin.ch/edeclaration](http://www.sbf.admin.ch/edeclaration)