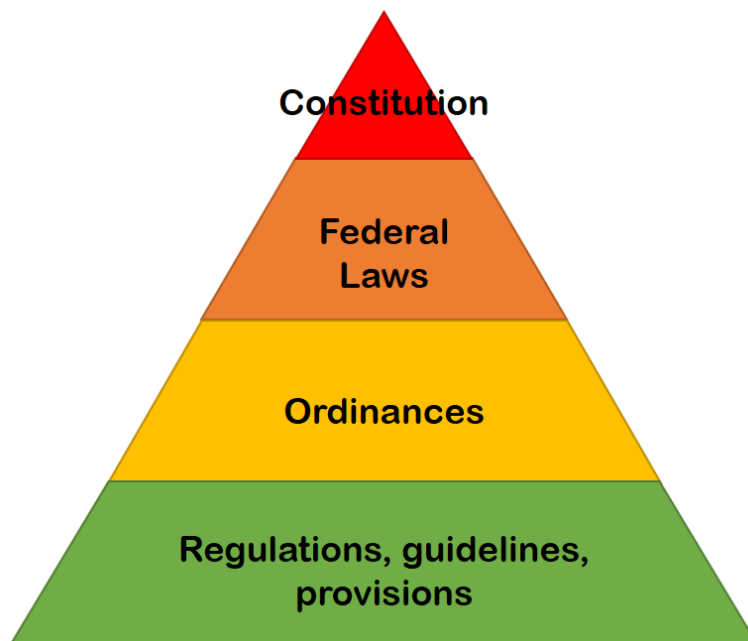


# Legal provisions governing health and safety at work

## General regulations :

In general, the Swiss legal framework is structured as follows:

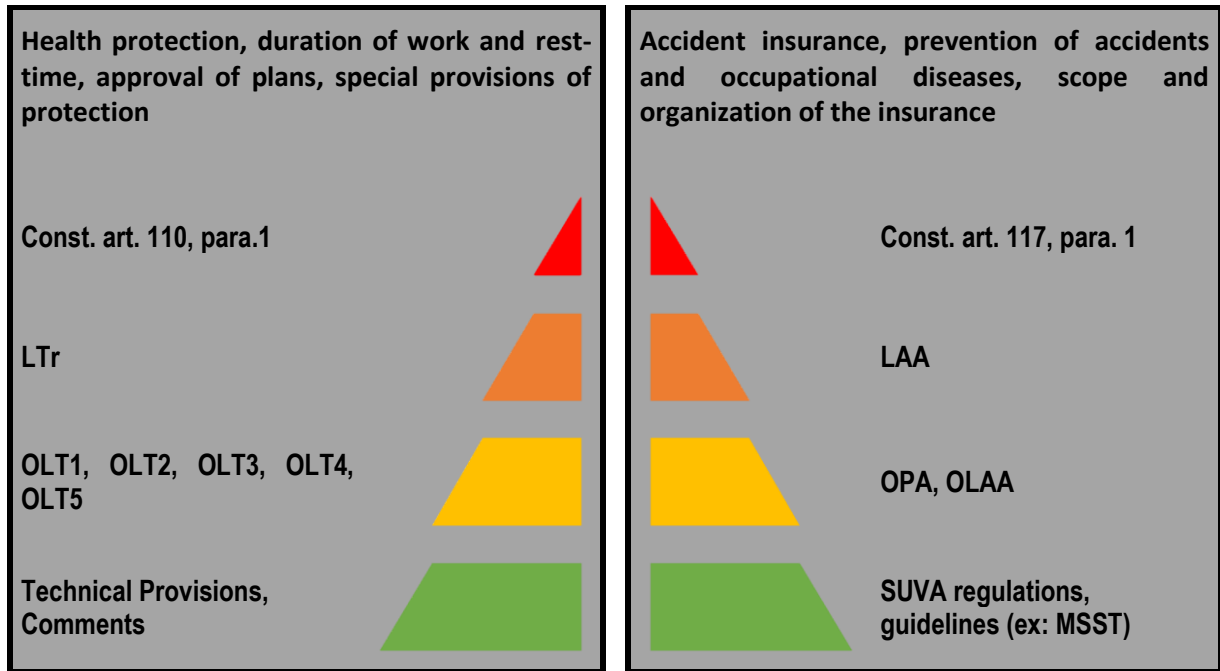


Cantons may also issue laws and ordinances, however they cannot override a federal provision.

The laws define the General principles (and penalties). The ordinances, which must be based on laws, implement and regulate the enforcement of such laws. Guidelines (ex: Federal Coordination Commission for Occupational Safety, FCOS), comments, documents of executive agencies (SUVA, SECO, cantonal labour inspectorate, etc.), information sheets and standards are not legal requirements but must be taken into account. Indeed, the application of the guidelines issued through such documents allows to meet health & safety legal requirements.

# General Legislation on Health and Safety at Work :

Mainly, two laws concern and directly oversees health and safety at work: these are the Labor Law (LTr in French, CC 822.11) and the Accident Insurance Act (LAA in French, CC 832.20). These two texts define the responsibilities in the field of safety (LAA) and health (LTr) at work.



Legal texts in force are available online on the [website of the Chancellery of the Swiss Confederation](http://www.admin.ch) (www.admin.ch, systematic compendium of federal law, classified compilation (CC)).

## Executive agencies :

Executive agencies for the prevention of accidents and the protection of health and safety are many, and with different scopes. In general, the enforcement of legislative principles is divided as follows:

	LTr	LAA
<b>SECO (Federal Inspection)</b>	✓	✓
<b>Cantonal Labor Inspection</b>	✓	✓
<b>SUVA</b>	X	✓

## Legislation on the Environment :

Concerning the environment, the main laws are:



**Federal Act on the Protection of the Environment (EPA, CC 814.01)**



**Federal Act on the Protection of Waters (WPA, CC 814.20)**

These laws on the protection of the environment include, in particular, the following ordinances:

- Ordinance on the Movement of Waste (OMoD in French, CC 814.610)
- Ordinance on the Avoidance and the Disposal of Waste (ADWO, CC 814.600)
- Ordinance on the protection of workers against the risk associated with microorganisms (OPTM in French, CC 832.321)
- Water Protection Ordinance (WPO, CC 814.201)
- Ordinance on Air Pollution Control (OAPC, CC 814.318.142.1)

## Health Protection Legislation: Special Cases :

The Law on Labor (LTr) and its Ordinances 3 and 4 (OLT3 and OLT4 in French, CC 822.113 and 822.114) establish the legal framework for the protection of health at work. Certain categories of people are protected by specific ordinances:

### ▪ MATERNITY PROTECTION :

The Ordinance of the Federal Department of Economic Affairs, Education and Research (EAER) on hazardous or strenuous activities in case of pregnancy and maternity (OProMa in French, CC 822.111.52) defines the bans and restrictions on certain activities or the use of chemicals.

### ▪ PROTECTION OF YOUNG WORKERS :

The EAER Ordinance on dangerous work for young people (in French, CC 822.115.2) defines the bans and restrictions for young workers under 18.

Some SERI Ordinances (State Secretariat for Education, Research and Innovation), particularly that concerning initial professional training for laboratory apprentices (in French, CC 412.101.220.58) describe some specific aspects concerning the health and safety at work of these young workers. In particular, they allow to avoid certain activities prohibited to young people.

## Labs-specific legislation :

For laboratories, the main legal bases are:

Name	Abbreviation	Content
Ordinance on the protection of workers against the risk associated with microorganisms	OPTM in French, CC 832.321	Provision on measures to be taken to ensure the protection of workers in case of use or exposure to microorganisms
Radiological Protection Act	RPA, CC 814.50	Legal bases on the protection against hazards associated with ionizing radiation
Radiological Protection Ordinance	RPO, CC 814.501	Provisions on the approval, training and protection from ionizing radiation and their use
Ordinance on Handling Organisms in Contained Systems	ContainO, CC 814.912	Provisions for the protection of humans, animals, biodiversity and environment against threats resulting from the use of organisms in a confined environment

## Legislation on chemicals :

The Federal Act on Protection against Dangerous Substances and Preparations (ChemA, CC 813.1) and its Ordinances provide the legislative framework for hazards to the health of employees, the protection of the environment, physicochemical risk and ensure compliance with the European directives as well as the CLP Regulation (concerning the classification, labelling and packaging) included in the globally harmonized system (GHS). The main legislation is:

Name	Abbreviation	Content
Federal Act on Protection against Dangerous Substances and Preparations	ChemA, CC 813.1	Legislation grounds for the protection of the life and health against the harmful effects of chemicals
Ordinance on Protection against Dangerous Substances and Preparations	ChemO, CC 813.11	Provisions for the authorization, classification, labelling, delivery, use, duty of care, advertising, safety data sheets, etc.
Ordinance on the Reduction of Risks relating to the Use of Certain Particularly Dangerous Substances, Preparations and Articles	ORRChem, CC 814.81	Restriction and prohibition of use and manufacturing, provisions on permits
Ordinance on the Placing on the Market and Handling of Biocidal Products	OBP, CC 813.12	Provisions on the authorizations of biocidal products and their use
Ordinance on plant protection products	OPPh in French, CC 916.161	Provisions on approval, release, use and control
Ordinance on fertilizers	OEng in French, CC 916.171	Provisions on approval, release, import and use of fertilizers
Ordinance of the FDHA on the contact person for chemicals	in French, CC 813.113.11	Definitions of obligations and duties of the person responsible for chemicals
CLP Regulation	(EC) N° 1272/2008	Provisions on the classification, labelling and packaging of substances and mixtures according to the General Harmonized System GHS

## Pressure equipment-specific legislation :

The Law on the safety of products (LSPro in French, CC 930.11) aims to ensure the safety of products and to facilitate their free movement. Two Ordinances related to this law deal with the hazards associated with pressure equipment: the Ordinance on safety and protection of the health of workers using pressure equipment (in French, CC 832.312.12) and the Ordinance on the safety of simple pressure vessels (in French, CC 819.122).

## FCOS Guidelines :

The Federal Coordination Commission for Occupational Safety (FCOS) ensures the prevention of accidents and occupational diseases. For this purpose, it issues a number of guidelines to meet the legal requirements concerning health and safety at work. 18 directives are currently in force. The main directives of FCOS are the following (non-exhaustive list):

FCOS directive	Name	Content
1825	Flammable liquids	Definition of practical rules of storage and use of flammable liquids
1871	Chemical laboratories	Definition of health and safety at work objectives in chemical laboratories.
6501	Acids and bases	Definition of practical rules of storage and use of acids or bases
6508	MSST Guidelines	Definition of the organization of health and safety at work, adapted to the hazards of the company
6512	Work equipment	Definition of the practical requirements for the use of work equipment
6516	Pressure equipment	Definition of procedures and executive agencies for the operation of pressure equipment

All the FCOS guidelines are available (in French, German and Italian) on [their website](#).

## SUVA Documents :

In accordance with the Federal law on accident insurance (LAA), SUVA manages mandatory accident insurance within the framework of the area of expertise which has been assigned to them. The LAA states which companies are required to insure their employees with SUVA (e.g.: building, civil engineering, chemistry, carpentry, engineering, etc.). Some documents issued by SUVA act as legal bases, including:

SUVA Document	Name	Content
1903	Exposure limit values for workstations	Definitions of occupational exposure limits (OEL) to chemical and physical agents at workstations. Compliance with such values (also available <a href="#">in Excel format</a> ) allows to meet the requirements of articles 82 of LAA and 6 of LTr
2153	Explosion prevention	Description of the minimum requirements for the prevention of explosions

The various SUVA publications (brochures, fact sheets, etc.) are available on their [website](#).

## Responsibilities :

To conclude, LAA and LTr define the responsibilities in the field of safety at work (LAA) and health at work (LTr):

- The **supervisor** is responsible for ensuring that the working conditions of staff are not endangering their life or their health. To this purpose, they are required to make available to staff the necessary prevention material as well as appropriate working methods
- **Personnel** shall actively collaborate in the prevention of occupational risks, scrupulously follow safety instructions and participate actively in the improvement of prevention if necessary

According to legislation, including criminal legislation, supervisors are the first responsible for any matter relating to safety, health and environment. The health and safety at work group (SSTE) and the UniSEP Service are available to Unil personnel having managerial duties to help them and guide them in their responsibilities.



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