

CHECKLIST



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Federal Department of Economic Affairs,
Education and Research (EAER)
State Secretariat for Economic Affairs SECO

Checklist: Does Article 32a EmpO 2 apply to the company and the work being carried out?

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Article 32a EmpO 2 (on employees carrying out information and communication technology tasks) applies if you are able to answer all of the following questions (incl. A. or B.) with 'Yes':

Are you an information or communication technology company, or are you the IT department of a company?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Will the staff involved be doing work on a network or IT structure (<i>this includes any software applications, including physical server components as well as any network components</i>) that is essential to the company's operations (<i>e.g. customer portals, databases, payment systems</i>)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Could interrupting access to this network or IT structure during operating hours jeopardise the company's operations?	<input type="checkbox"/> Yes <input type="checkbox"/> No

A. Disruptions:	
1. Will the work that is to be carried out fix problems with this network or IT structure?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Would it be impossible or unreasonable to carry out this work during the day or to wait until Monday?	<input type="checkbox"/> Yes <input type="checkbox"/> No

OR

B. Maintenance: 1. Will maintenance work (<i>activating network or IT components such as servers, installing applications, certificates, configurations etc., or installing software upgrades</i>) take place on this network or IT structure?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Will this maintenance work interrupt a software application or access to the network infrastructure, and could this affect the continuation of operations? (<i>This is already the case if, in the event of a malfunction of the primary system, it would not be possible to move the service-providing software application or network infrastructure to the redundancy system, because the redundancy system is unavailable while the maintenance work is in process. It is therefore not a requirement for the existing network or IT structure to be completely inaccessible.</i>)	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. Is there no way this maintenance work could reasonably be carried out during the day on a regular working day?	<input type="checkbox"/> Yes <input type="checkbox"/> No

IN ADDITION

Does this maintenance work go beyond simply running tests on individual devices, laying cables, or other activities carried out by electricians or network builders?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the work unrelated to the development of a software application?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Does this maintenance work go beyond simply replacing users' equipment such as personal computers, laptops, monitors, keyboards, printers or point-of-sale terminals?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Does the work go beyond simply preventing possible future cyberattacks?	<input type="checkbox"/> Yes <input type="checkbox"/> No

CONTACT

SECO | Working conditions –
Health protection at the workplace
info.ab@seco.admin.ch | www.seco.admin.ch