



MINUTES

Meeting:	MEETING OF THE BUREAU OF THE GOVERNING BOARD
Date:	Tuesday, 24 September 2013
Time:	10.30 h – 17.00 h
Venue:	EU-OSHA Brussels Liaison Office Multiburo – Square de Meeus 38/40, B – 1000, Brussels

1. Draft Agenda (B/13/A3)

The Chair, Ms Christa SCHWENG, welcomed the attendants and introduced the draft Agenda. She invited participants to raise any other items under Any Other Business.

Mr ALVAREZ proposed the following items:

- Public consultation on EU OSH strategy.
- Revision of the Agency's founding regulation.

Mr ENGELS proposed the following item:

- Exaggerated claims by an Italian company regarding cooperation with the Agency.

The Draft Agenda was adopted.

2. Draft minutes of last Bureau meeting 21 March 2013 (B/13/M2)

The Draft Minutes were adopted without any comments.

3. Director's Progress Report, including feedback from the last FOP meeting 11-12 June (B/13/07)

In addition to the Progress Report, the Director briefed the Bureau on the following issues:

- New colleague in the Network Secretariat: Ilaria PICCIOLI joined recently the Unit and she will be working on issues related to quality in a team of three, led by Jesper BEJER. The other member of the team is the Quality and Finance Officer that joined the Agency as of mid-September. Ilaria will be also involved in the preparation of the meetings of the Board and Bureau. At the same time Marta de PRADO has moved to the Resource and Service Centre as the Heads of Unit's Personal Assistant.
- Building: The procedure for identifying new suitable premises for the Agency concluded successfully. The Agency's new premises will be located in the 5th floor of "Edificio Miribilla", in a new residential area in the proximity of the city centre. The floor space that the Agency will rent is significantly bigger than the current premises in Gran Vía. It will allow for larger offices and meeting rooms. The average office will be for two persons, the biggest ones will accommodate no more



than four people. There will also be some individual offices for Heads of Unit and for a limited number of staff whose functions necessitate it.

It is expected that the move will improve working conditions at the same time will generate a significant saving in Title 2, as the rent will be much lower than the current one.

The next weeks and months will be busy as the move is scheduled to take place by the end of the year. The new offices shall be fully operational as of 2 January 2014.

Bureau and Board meetings can be now hosted in the new premises. This will strengthen even further the relations between the Agency's Bureau and Board bodies and staff. The offices, however, may not yet be ready to host the next Board meeting in March.

- Seat Agreement: The negotiations are proceeding well. In July, the Spanish Government submitted to the Agency a revised draft version of the seat agreement for its formal adoption, which should take place by the end of the year.
- EU-OSH strategy: The Director invited Mr ALVAREZ to take up here the point that he had suggested for Any Other Business – public consultation. Mr ALVAREZ informed that the Commission launched the public consultation at end May and it finalized on 26 August. Around 523 replies reached the Commission. The majority are in favour of adopting a new strategic framework to coordinate OSH policies across Europe. . The Commission will decide on the next steps taking into account, among other elements, the final results of the public consultation..
- Budget/Staff cuts: The 4% cut of the EU subsidy of 2014 Budget is confirmed. Likewise all “cruising speed” Agencies, EU-OSHA will have to implement a 5% cut in the establishment plan between 2014 and 2018 + 1% per year as a redeployment levy for new tasks/new Agencies – in total, 10%. This issue will be discussed further at Point 6.
- Update on on-going recruitment procedures: the Agency has recently recruited a Quality and Finance Officer at the grade of AST 5 for two years (NET) and a Contract Agent IV as System Analyst for 1 year (CPU).
- Visits:
 - ✓ Lithuania: the Director had the opportunity to meet the Lithuanian Focal Point to discuss about the upcoming presidency and invite the Minister to the Campaign Closing Event in Bilbao. Despite the economic crisis, the budget in OSH has increased and they have even decided to get engaged with OiRA.
 - ✓ Finland: there have been severe cut in research in Finland – including in OSH. This may affect some initiatives carried out by FIOH – that is currently the leading institute.

The Director introduced the annexes to the Progress Report:

- Roadmap: The Roadmap covers important issues such as policies on conflict of interest, horizontal provisions in founding acts (incl. composition of Board and Bureau), streamline programming and reporting (incl. development of common templates). A lot of the follow up- work will take place in the context of the inter-agency networks in collaboration with the Commission.



At the Agency, staff has taken over part of the work required to implement the roadmap in accordance to their area of responsibility. The progress of the work is monitored every second MG meeting (every 2 months).

At every Bureau meeting, the Agency will keep the Bureau informed about the implementation of the roadmap.

- Procurement/Monitoring tables: Through these tables, the Agency intends to monitor the implementation of the annual management plan. The Director handed over to Andrew SMITH, Head of CPU and William COCKBURN, Acting Head of PRU to comment further on them.

Mr SMITH observed that by the end of 2013 the Unit will have launched two very large calls for tenders consisting of several lots, one on pan-European communication services and the other on various services supporting ICT. Resulting framework contracts will be in place for 2014.

Mr COCKBURN observed that, as indicated by the Board, the Bureau and the Advisory Groups, the Agency is now focusing on fewer and larger, high-quality projects. As a result, the approach in procuring services is changing. The Agency is moving away from a big consortiums-based approach to individual focused procurements. Big consortiums are sometimes often challenging to manage, especially when operating under multiannual framework contracts. A two-year framework contract is being used for the ESENER-2, with work starting in May this year. The scope of the fieldwork widened to include enterprises with five or more employees and the agriculture sector. The draft questionnaire is now being tested through cognitive interviews following a round of comments over the summer. Mr COCKBURN acknowledged the support from Eurofound and highlighted how the two agencies are benefiting from each other's experience to improve successive rounds of their enterprise surveys.

Upon taking up the Older Workers activity in the 2013 work programme, some procurement has suffered a delay as some reshuffling was necessary to accommodate it into the planning of the Unit.

- 4 Agencies' events: The Director recalled that the event would take place on the following day at the European Parliament at the initiative of the Chair of the Employment Committee. EU-OSHA will join forces with EUROFOUND, CEDEFOP and ETF to make the case for the European social model. This way, EU-OSHA and the other Agencies involved intended to follow up on the recommendation of the discharge authority and the Inter-institutional working group to make well intelligible the work of the four Agencies and their contribution to well-being at work.

COMMENTS FROM THE GROUPS:

Regarding the public consultation on OSH strategy, Mr GYÖRGY observed that the number of contributions received seemed not very high in comparison with the magnitude of EU citizenship, especially if they are counted individually and not by organization.

Mr ALVAREZ replied that, in general, the number of contributions received in the framework of the public consultation can be considered satisfactory. In addition, many replies were really detailed and of very high-quality. He also informed that the Netherlands tripartite constituency sent a letter to the Commissioner in charge of Employment, Social Affairs and Inclusion that was very much supporting the idea of launching a new EU-OSH strategy.. This support is undoubtedly very positive.

Ms SCHWENG asked the Agency to send the latest draft of the ESENER-2 questionnaire to the Bureau.



Asked by Mr LÜSIS, the Director clarified that the Agency had signed an eight year rental agreement for the new building. Such a long-term commitment from the Agency resulted in a good leverage during the negotiation phase¹.

CONCLUSION: The Bureau took note of the Director Progress Report. The Agency will send the draft ESENER-2 questionnaire to the Bureau.

4. Update on advisory groups, focal points and expert groups

Mr COCKBURN informed that the next meeting of the Prevention and Research Advisory Group would take place on 14 October. The Agenda includes a presentation from the contractor on the recently published report “Analysis of the determinants of workplace OSH practice in a selection of EU MS”. There will be also an update on large-scale activities, including the planned overview on micro and small enterprises, on older workers, on work-related diseases and on costs of non OSH. Participants will receive information 2 weeks before the meeting.

Mr SMITH reported back on the meeting of the Communication and Promotion Advisory Group held in July. In an opening session, AGCP members presented their interest group perspectives to the Agency’s communications staff. The agenda included discussions on the communication agenda for 2014 and in particular on the current campaign – whose evaluation will start very soon – the 2014-2015 campaign, the good practice award and the new online strategy.

On this last point, he said that the Agency would have a new website in 2014. In order to ensure full alignment between the website content and the users, the Agency has developed the concept of “personas” - typical user of the website – to identify needs and design the website accordingly.

CPU has also started discussing on how to implement the portfolio approach, in particular in the area of raising awareness. This issue will be further tackled at the February 2014 kick-off meeting for the next campaign in which both AGCP member and focal points will participate.

CONCLUSION: The Bureau took note of the update provided by the Agency.

5. Staff Regulations reform and Framework Financial Regulation (B/13/08)

The Chair asked Françoise MURILLO to introduce both topics. Two presentations on the [Staff Regulations reform](#) and on the [Framework Financial Regulation](#) are available.

- Staff Regulations reform: Ms MURILLO explained that, in the light of the economic crisis, it was especially the Council that fostered the reform of the Staff Regulations. Such reform is taking place in a harshened scenario of staff cuts for all institutions². EU-OSHA, likewise other EU Agencies, will have to apply the new rules as of 1 January 2014.

Among others, the reform introduces the following features:

- ✓ Increase of minimum working time: working hours will increase from 37.5h to 40h without compensation.

¹ For the sake of clarity and consistency with the Agenda of the meeting, the questions and clarifications provided regarding the cuts in the 2014 budget are addressed under Item 6.

² Please refer to footnote #1.



- ✓ Retirement age: staff currently employed will be able to go on retirement when they reach the age of 65 (today 63) – with some transition arrangements. Staff recruited after 1 January 2014 may go on retirement at 66 years. No possibility of early retirement without reduction of pensions rights is foreseen any longer.
- ✓ Career structure: the link between grade and responsibilities is reinforced.
AST staff may accede to higher grades (AST 10 and above) only if they acquire adequately corresponding responsibilities in handling staff and budget. AD staff may advance up to AD12, unless if their responsibilities are at the level of Heads of Unit and Advisers (via selection procedures).
- ✓ New TA 2f category for Agencies
Specific rules for this category have been defined to address the Agencies' needs and to ensure a more consistent staff policy in these bodies. Among others, there are provisions to encourage more inter-agency mobility.
- ✓ Geographical balance: there should be fairer representation of nationalities in the staff of institutions and EU bodies, although it is still unclear how this will be implemented.
- ✓ Change in the default method of adoption of Implementing Rules (Article 110): in order to come to an end with possible legal vacuum, the new Staff Regulations foresee that Agencies should apply by analogy the Implementing Rules of the Commission unless they can provide a duly justified argument that they need to deviate from them. In this case, they shall react within 9 months from the date the Implementing Rules are adopted at the Commission. If they fail to do so, the same rules will apply automatically to Agencies.

Ms MURILLO drew the Bureau's attention on the fact that, to facilitate the transition to the new system, the Commission expects the Agencies to have the first seven drafts of Implementing Rules in place before 1 January 2014. The Implementing Rules are at the draft stage with the Commission at the moment. The Agency should submit these Rules to the Board for adoption by written procedure not earlier than mid-December.

The Director observed that there would be probably more information made available at the Heads of Administration/Heads of Agencies meetings to be held later in October. As a result, the Agency will be able to report back on the details to the Bureau/Board in November.

- Framework Financial Regulation: The text of the new Framework Financial Regulation has not yet been adopted by the College of Commissioners³. The Agencies were very much involved in the preparatory works – this can be regarded as an example of good cooperation between the Agencies and the Commission.

The new Framework Financial Regulation meets Agencies' concerns on a number of areas, including accounting and internal control. It also streamlines programming and reporting requirements.

³ The College of Commissioners adopted the Framework Financial Regulation by delegated act on 30 September.



Ms MURILLO said that within two months after the adoption of the Framework Financial Regulation, the Agency is called to prepare EU-OSHA's Financial Regulation and the related Rules of Application. A draft will be submitted to the Board for adoption via written procedure before the end of the year, as the new Regulation shall enter into force as of 1 January 2014.

COMMENTS FROM THE GROUPS:

Regarding the Staff Regulations reform, Mr SEITZ expressed his strong disagreement with these measures and observed that the Commission is worsening the working conditions in Agencies taking advantage of the economic crisis. Ms MURILLO recalled that these measures apply to the Agencies and the other institutions alike and that the Commission tried to make the case for an independent public service, but met with the Council's insistence on more radical measures.

Mr ENGELS inquired what would happen if the written procedure failed to reach majority, as it would come during a busy holiday period. Ms MURILLO acknowledged that there were some risks and that those had been highlighted to the Commission.

CONCLUSION: The Bureau took note of the main features introduced by the new Staff Regulations and new Framework Financial Regulation and their impact on the Agency.

6. Draft AMP 2014, incl. Portfolio and Staff and Budget situation (B/13/09)

The Director informed that the 2014 Annual Management Plan had gone through the necessary consultations. The inter-service consultation within the Commission came to an end and an opinion will be provided shortly. At the November meeting, there will be more information provided on this point.

- Portfolio: Both Mr COCKBURN and Mr SMITH observed that the portfolio approach had turned out to be very useful so far. It kicked off a win-win, self-managing process – it allows to make the best out of the Agency's limited resources and to elicit commitment and engagement from the Focal Points and national networks. They also clarified that the priority approach has to do with the dissemination – it will not affect the priority areas as they were identified in the Multi-annual Strategic Programme and in the Annual Management Plan.
- Staff cuts: As of 2014, all EU institutions and EU bodies will be subject to a decrease in the staff in their establishment plan of 1% per year during 5 years (5%). In addition to that, Agencies at "cruising speed" (such as EU-OSHA) will suffer a further decrease of 1% over the same time-span to compensate for the posts that are allocated to newly created Agencies or to those Agencies whose tasks have been enlarged (redployment levy). As a result, establishment plan staff in "cruising speed" Agencies will decrease up to 10% in 5 years.
- Budget cuts: For 2014 budget, DG BUDG confirmed that the Agency will have the EU subsidy of 2014 Budget decreased by 4%: 2% due to implementation of the 2013 budget below 95% + 2% due to cancellation of carry forward higher than 5%. In real terms, this will translate into approximately – EUR 560.000 in the 2014 budget. This is the first year that such penalties were applied and the Agency was not informed until January about the criteria – i.e. the penalties and the criteria were unknown when the budget was implemented. If in 2013 the Agency meets the two criteria (implementation of the budget above 95% and cancellation of carry



forwards below 5%), the EU subsidy for 2015 will go back to the previous level. As a result, implementation of the budget is a high priority for all staff this year.

Ms MURILLO clarified that one of the reasons for the implementation of 2013 budget below 95% is that there is a provision in Title 1 to cater for the salary adjustments for 2011 and 2012 pending the Court's decision. Should the Court second the Commission's approach, the Agency will have a legal obligation to pay the salary rappels for 2011 and 2012.

The decrease in the 2014 budget, albeit unfortunate, is not expected to have a significant impact on the work programme. The decrease in the rental costs of the new premises will partially compensate for it.

Under Title 3, the framework contract in place for ESENER-2 allows the substantial fieldwork costs to be spread over 2013 and 2014. Having postponed two workshops planned for 2013 until next year, the necessary savings can be accommodated by adjusting the fieldwork payments.

The Agency will examine the possibility of claiming administrative costs related to the activity Older workers, which could also serve to compensate for the decrease in the budget.

The Agency will work on a proposal on how to minimize the impact of the budget and staff cuts on the Annual Management plan and will put it forward to the Board at the November meeting.

COMMENTS FROM THE GROUPS:

Regarding the portfolio approach, Mr DE MEESTER expressed concern about the fact that 1/3 of the Focal Points had not reacted so far. The Director explained that the summer break hindered the process and that Agency is optimistic about receiving more feedbacks in the coming weeks. Mr DE MEESTER nevertheless suggested that the portfolio table should be complemented by an introductory note for the November Board meeting so as to put the data reported into context.

CONCLUSION: The Bureau took note of the cuts in staff and in the EU subsidy of 2014 Budget. The Agency will work on a proposal on how to minimize the impact of the budget and staff cuts on the Annual Management plan and staff and will put it forward to the Board at the November meeting.

7. Multi-annual Strategic Programme, incl. Reporting Framework and Multi-annual Strategic Document (B/13/10)

The Chair invited the Director to introduce this topic. A [presentation](#) is available.

- Reporting framework: The purpose of the reporting framework is to allow the Board and Bureau to fulfil the obligation they have for holding the Director accountable. The benchmark will be the strategic objectives in the Multi-annual Strategic Programme for the six priority areas.

In order to have a common framework for assessment it is necessary to agree on the indicators we use to follow the implementation of the Multi-annual Strategic Framework and how we report on achievements.



There are also external requirements coming from the Inter-institutional Working Group, the Commission, auditors etc. Some of the key requirements are the establishment of clear objectives and related indicators with target values.

The reporting framework is built around the structure of the Multi-annual Strategic Programme consisting of a mission and vision and six strategic objectives in addition to Good Governance and it is underpinned by the logic model developed with the Board in March 2012. The reporting framework must allow the Board and Bureau to follow progress towards these objectives and reflect the logic model.

The reporting schedule has been prepared taking into account when which information will be available.

The proposal includes six groups of indicators:

- ✓ Input indicators, aiming at measuring how efficiently the Agency uses the resources it has available.
 - ✓ Activity indicators, linked to the Annual Management Plan and focus on production and delivery of the management plan.
 - ✓ Output indicators, which provide information on whether the intended intermediaries and beneficiaries were actually reached with the information produced.
 - ✓ Intermediate outcome indicators, which are the final step before the long-term outcomes which are assessed by an evaluation approach.
 - ✓ Quality indicators, which are of particular importance, as the Agency cannot measure its impact directly. Quality indicators therefore become a proxy for impact together with other indicators, such as reach and production.
 - ✓ Good governance indicators, which aim at measuring whether the Agency complies with the increasing requirements to accountability, sound financial management etc.
- Multi-annual programming document: The new Framework Financial Regulation foresees the need to link resources and activity in a multi-annual perspective. To anticipate this requirement, the Agency suggests a multi-annual programming document be annexed to the Annual Management Plan already as of 2014. This document intends to provide an overview of the expected duration of the activities over the planning years.

COMMENTS FROM THE GROUPS:

Regarding the indicators and the reporting framework, Mr ALVAREZ welcomed the Agency's initiative to monitor performance against indicators, as it facilitates accountability. However, he suggested the indicators architecture be simplified to ease understanding. As these indicators will serve to inform stakeholders about the implementation of the multiannual strategic programme, and for presentation purposes, an excessive number of indicators should be avoided. A short list of meaningful indicators is better than a long list which will blur the



message.. The Director informed that the Agency would look into this and present a revised proposal to the Board at the November meeting.

Mr FREDERIKSEN suggested Focal Points and Advisory Groups be involved in the assessment of the quality of Agency products.

Regarding the multi-annual programming document, Mr LÜSIS said that he would welcome a more detailed breakdown of the activities over the planning period – quarterly rather than yearly. Mr BEJER clarified that this would be just a start and that the document would be fine-tuned as there would be more information available.

CONCLUSIONS: The Bureau took note of the Agency's proposal regarding reporting framework and set of indicators.

8. Board and Bureau meetings 2014 (B/13/11)

The Agency submitted to the Bureau the dates for Bureau and Board meetings in 2014 for adoption. The dates were suggested after having consulted relevant focal points on Presidency events, the Commission for the Advisory Committee and Eurofound.

Some of the dates, in particular that related to the first Board meeting, caused problems for some members.

The Director suggested that the Agency prepares a new proposal.

Bureau members welcomed the Agency's initiative to hold this Bureau meeting at its Brussels premises. They invited the Agency to organize at least one Bureau meeting per year in Brussels.

CONCLUSIONS: The Bureau and the Director agreed to prepare a new proposal for meeting dates in 2014. At least one Bureau meeting per year shall be held at the Agency's premises in Brussels.

9. Any Other Business

Mr ALVAREZ had proposed two items under AOB:

- Public consultation on EU OSH strategy, which was addressed under Item 3.
- Revision of the Agency's founding regulation.

Regarding the latter point, Mr ALVAREZ reiterated that the Agency's founding regulation would have to comply with the orientations of the Inter-institutional Working Group – including governance related issues, such as the decrease in the size of the Board, in particular.

As a preliminary step, he informed that the Commission would discuss this issue in the framework of its meeting with the EU social partners in the first half of October. The discussion will address all tripartite Agencies, i.e., EU-OSHA, CEDEFOP and Eurofound.

On that basis, the Commission will reflect upon the following steps.

Mr ENGELS had proposed an item under AOB:

- Exaggerated claims by an Italian company regarding cooperation with EU-OSHA

He reported having received the visit of the CEO of the company Promis that claimed good cooperation with the Agency. Mr SMITH clarified that the company had been cautioned from using the Agency's logo on the website and from claiming cooperation. This will be monitored closely.



Mr GYÖRGY reported a similar situation regarding a company in the UK.

The Director welcomed the support of the Bureau members in keeping up the Agency's reputation.

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The Chair thanked the participants and closed the meeting.

Action points:

N°	Action	Resp.	Due
1.	The Agency will send the ESENER questionnaire to Bureau members.	PRU/NET	ASAP
2.	The Agency will work on a proposal to minimize impact on 2014 AMP of staff and budget cuts.	All Units	November meeting
3.	The Agency will revise the indicators architecture.	NET	November meeting
4.	The Agency will prepare a new proposal for 2014 meeting dates.	NET	Prior to November meeting
5.	The Agency will organize at least one Bureau meeting per year at the Agency's premises in Brussels.	NET	March meeting



List of attendees:

	Name	Representing	Organization
1	ALVAREZ Jesús	European Commission	European Commission
3	BREINDL Gertrud	Government	Federal Ministry of Labour, Social Affairs and Consumer Protection
3	ENGELS François	Employers	Fédération des Artisans
4	DE MEESTER Kris	Employers	Belgian Federation of Enterprises
5	FREDERIKSEN Jan Kahr	Workers	Salaried Employees' and Civil Servants' Confederation
6	GYÖRGY Károly	Workers	National Confederation of Hungarian Trade Unions
7	LŪSIS Renārs	Government	State Labour Inspectorate of the Republic of Latvia
8	PETRICEK Tatjana	Government	Ministry of Labour, Family and Social Affairs
9	SCHWENG Christa	Employers	Austrian Federal Economic Chamber
10	SEITZ Gilles	Workers	Confédération Générale du Travail
11	SEDLATSCHEK Christa	EU-OSHA	
12	BEJER Jesper	EU-OSHA	
13	COCKBURN William	EU-OSHA	
17	MURILLO Françoise	EU-OSHA	
18	O'BRIEN Brenda	EU-OSHA	
19	PICCIOLI Ilaria	EU-OSHA	
19	SMITH Andrew	EU-OSHA	