



Ref. B/14/M2

MINUTES

Meeting:	MEETING OF THE BUREAU OF THE GOVERNING BOARD
Date:	Thursday, 12 June 2014
Time:	09:30 h – 16.00 h
Venue:	EU-OSHA premises

1. Draft Agenda (B/14/A1)

The Chair welcomed the attendees. In particular, he welcomed the Director of Directorate B (Employment and Social Legislation, Social Dialogue) at DG Employment and thanked him for attending the Bureau on this occasion. The governments' interest group had appointed the Board representative from Belgium as new member of the Bureau, replacing the Latvian representative.

The Chair introduced the draft Agenda. He invited the participants to raise any other items.

The Director proposed the following item under "Any other business":

- Revision of the Agency's planning procedure further to the changes introduced by the Financial Regulation.

CONCLUSION: The draft agenda was adopted.

2. Draft minutes of last Bureau meeting – 19 March (B/14/M1)

There had been no comments on the draft minutes of the last Bureau meeting. No substance-related comments were made at the meeting.

CONCLUSION: The draft minutes were adopted.

3. Information on the revision of the EU-OSHA Founding Regulation (B/14/01)

The Chair invited the Director of Directorate B (Employment and Social Legislation, Social Dialogue) to take the floor.

He explained the context in which the revision of the Agency's founding regulation is taking place.

The Inter-institutional Working Group had concluded its work in July 2012. The outcome was a common framework - known as "Common approach" - that received the endorsement of the Parliament, the Commission and the Council.

The recommendations outlined in the Common approach are not binding but will steer the policy orientation for the future. A Commission Roadmap builds upon that and has the purpose to allocate responsibilities for approximately 90 actions. The Parliament, the Commission, the Council, and the Agencies are called to implement those actions. The exercise is coordinated by the Secretariat General at the Commission.



The Roadmap covers a broad spectrum of topics. The measures aim at ensuring a more balanced governance, increasing efficiency and enhancing accountability and transparency in Agencies.

In order to implement some of these actions, there was the need to revise the founding regulations of some Agencies.

For EU-OSHA, Eurofound and CEDEFOP, the challenge was to combine their tripartite nature with the need to comply with the recommendation that Boards should include one member per Member State and a limited number of stakeholders.

There was also the need to reflect the changes in the EU *aquis* since 1994 and to define the objectives more accurately while looking at future challenges. There were also some other operational issues that made the revision necessary – such as new programming and reporting requirements as per the new Framework Financial Regulation.

DG Employment, DG Education and Culture and the Secretariat General discussed a variety of options. The consultation with the social partners was satisfactory as consensus was reached on the major points,

In particular, regarding governance, the number of the Governing Board members would need to be reduced significantly - below 50 members. Each government would keep its seat (28 at the moment), whereas 14 seats would be occupied by social partners (7 to workers and 7 to employers). The votes of the social partners would be multiplied by 4, thereby it would equal up the voting power of the governments. Depending on the number of Board members from the Commission (2 or 3), the size of the Board would decrease from the 87 current members to 44 or 45. In case of EU enlargement, the voting powers would be adjusted through decimals.

The social partners' representatives should be appointed by the European Social Partners, according to their internal rules.

The Agency would keep the two-level governance structure, as this is a recommendation from the Common approach. However the role of the Bureau would be reinforced, provided that the Board would still be able to amend the decisions taken by the Bureau. No change in the composition of the Bureau is foreseen.

The Board would provide a strategic direction to the Agency whereas the Bureau would be more involved in programming and monitoring the Agency's activities and work.

The duration of the mandate of Board and Bureau members would be extended from the current 3 years to 4 years.

Regarding the operational issues, apart from the new programming and reporting requirements, on which the Commission is working in close collaboration with the Agencies, there are some articles that are imposed by the Common approach.

In particular, the Governing Board would become the appointing authority. This function can be delegated to the Director to ensure a smooth daily running of the Agency. Regarding evaluation and review, the Commission would launch an evaluation to assess the effectiveness, the efficiency and the relevance of the Agency. Measures are also foreseen in the realm of fraud detection and prevention, with the objective of enhancing transparency and accountability.

There are also provisions to ensure that, despite the reduction of the size of the Board, the different priorities at the national level could flow into the work and priority-setting of the Agency. To this purpose, regular meetings of the interest groups (social partners) should be organized once or twice a year.



The Commission's proposal would be formalized into a legislative text and undergo an internal discussion via an inter-service consultation. A proposal would be submitted to the new Commission, expectedly during the first semester of 2015. The regulation would then be transmitted to the Parliament and the Council for adoption.

COMMENTS FROM THE GROUPS:

According to the current provisions, the nomination of the Board members (except for the Commission representatives) is conditioned by being member (or alternate) of the Advisory Committee on Safety and Health at Work. In the employers' view, this is a limitation for the social partners when appointing their representatives to the Board.

The employers also asked for consistency across the founding regulations of the three tripartite Agencies.

They also enquired what the impression of the governments was about the Commission's proposal.

The Commission stressed that the rules of procedures need to be accommodated to the new founding regulation. The link between the Agency and the Advisory Committee may be dissolved.

The founding regulation of EU-OSHA, Eurofound and CEFEDOP will be presented as three separate legal texts. However, it is envisaged that they may be submitted to the legislative authority at the same time, just for the purpose of ensuring policy coherence.

In reply to the employers, the governments stressed that they had always wished an active involvement of social partners. As a question to the Commission, the founding regulation now foresees that when deciding on decisions in the framework of the annual work programme and with budgetary consequences for the national focal points there should be the consent of the majority of the governments' interest group. How will this be reflected in the new regulation? They also enquired whether the new text should undergo a formal consultation with the Advisory Committee.

The Commission took note of these questions and would revert to the Bureau.

The workers pointed out that the new founding regulation could be an occasion to simplify reporting – now the Agency has to prepare an Activity Report and an Annual Activity Report. They also recalled that the workers did not agree on the number of representatives – they had proposed 14 instead of 7.

The Commission would check this point too. Regarding the dialogue with the social partners, the Commission considered that a consensus had been reached on the basic principles of the reform of the founding regulation.

In addition, the Commission clarified that the appointment of the Director would not change – it would be still the Board appointing the Director on the basis of a shortlist submitted by the Commission. They also explained that financial savings were not the main drive for the reduction of the size of the Board, but effectiveness of the Agency's governance structure.

ACTION 1

The Commission will keep the Agency and the Bureau updated on any developments in relation to the new founding regulation. In particular, they will revert to the Bureau on the following issues:

- Majority of Governments on budgetary issues: how will this be reflected in the new regulation?
- Consultation: will the new regulation undergo a formal consultation with the Advisory Committee?
- Annual reporting: could it be simplified (now Annual Report and Annual Activity Report)?



4. Review of EU-OSHA Multi-annual Strategic Programme in the light of the Commission Strategy

The Commission published the new EU Strategic Framework on OSH on 4 June. The Director of Directorate B (Employment and Social Legislation, Social Dialogue) recalled that the strategic framework is based on the assessment of the previous strategy, which was very positive. The Commission regretted about the little information received from the Member States regarding national strategies and their implementation.

The Director observed that the Agency was mentioned several times and entrusted with specific actions. At a first reading, the Multi-annual Strategic Programme is fairly aligned to the EU Strategic Framework. The Agency will examine the EU Strategic Framework in more detail and inform the Bureau in September at the next meeting.

ACTION 2

The Agency will examine the EU-OSH Strategic Framework in detail and check it against EU-OSHA Multi-annual Strategic Programme and will inform the Bureau in September.

5. Annual Activity Report (B/14/03)

The Director recalled that the Annual Activity Report is a requirement from the Financial Regulation. The report refers to the year 2013 and the Board already had the opportunity to look at it in March. At that time, some of the information regarding the performance indicators was missing. Now the figures were incorporated further to the preliminary results obtained from the stakeholders' survey earlier in the month.

The Board's analysis and assessment was reworded as per the indications received by the Board. The Bureau proposed a few additional amendments, in particular to highlight the importance of tripartism at the national and EU level and to clarify the scope of the work done by the Agency in relation to the implementation of the Activity Based Management in 2013.

CONCLUSION: The Bureau took note of the Annual Activity Report and adopted the Board's analysis and assessment with the additional amendments proposed at the meeting.

6. Campaign concept paper (B/14/04)

The Acting Head of the Prevention and Research Unit recalled that in November 2013 the Board had been presented three topics for the 2016-2017 Healthy Workplaces Campaign and that the choice had fallen on "ageing workers". The Board had the opportunity to discuss further upon the scope of the campaign at the pre-Board Seminar in March and the concept was further fine-tuned at the Focal Points meeting in May.

The Project Manager in charge prepared a concept paper that had been circulated among the Bureau members. She delivered a presentation with the objective of defining the principles behind the campaign.

COMMENTS FROM THE GROUPS:

All Bureau members appreciated the comprehensive presentation. Some comments followed.

The employers would have welcomed a clearer focus on OSH, e.g., how OSH can contribute to making raising the retirement age a reality at workplace level. This is where the Agency can have a real added value in this broad debate. There are references to issues related to public health as well as broader social and employment issues that are beyond the scope of the Agency's work.



Also, others (e.g. Eurofound) are better placed to provide this broader analysis. There was also a question regarding what some of the charts included in the concept paper showed, as it seems that these highlight that age is not always a determining factor, rather the sector in which a person works.

In addition, the obligation of the employers to adapt the workplaces should be complemented by the workers' contribution to this challenge. There should also be a reference to job reassignment to other tasks and the tools available as a way of dealing with physically very demanding jobs. The positive impact of work on people's health should be emphasized; how work can contribute to helping people work to and beyond retirement. In terms of tools, the EC Index on Active Ageing was mentioned – a project between DG Employment, the Population Unit of the United Nations Economic Commission for Europe (UNECE) and the European Centre in Vienna.

As a last point, more recent data should be used to substantiate the statements.

The workers mentioned some additional areas that they would wish the campaign to address. These includes: age discrimination, good practice exchange and tools (age management tools for employers, incentives for older workers, age-sensitive risk assessment, 55+ career interviews, andropause/menopause management etc.).

Among the target groups, the workers recommended that the organisations of retired peoples should also be listed as they are highly influential in some countries.

Creating and maintain the conditions to ensure that the workers are motivated to undertake a longer career should be one of the key messages of the campaign. This should also be highlighted in the concept paper.

The governments agreed with the employers about the need of keeping the focus on OSH and on the tools/models that can improve it effectively and qualitatively via good leadership and workers' participation.

The Director and the Project Manager agreed that the focus should be on OSH. However, they stressed that it is very important to take account of the wider context and to adopt a holistic approach when analysing the issue as it helps understand which factors may influence work ability.

The Commission congratulated the Agency and acknowledged that selecting "ageing workers" as a topic for the 2016-2017 campaign was the right choice. The EU Strategic Framework also identifies active aging as one of the priorities. The Commission agrees that the focus should be on OSH but that also the other factors that have an impact on OSH should be taken into account. Raising awareness on the topic and providing practical tools should also be addressed.

CONCLUSION: The Agency will take into account the Bureau's feedback and comments when developing further the content of the campaign.

7. Stakeholders' survey (B/14/05)

The Network Manager recalled that the Agency launched the online stakeholders' survey on 10 March and it remained active until 16 April.

The objective of the survey was to collect feedback on Agency's work in terms of usefulness, relevance, reliability and coverage of needs. The survey has provided feedback on the indicators defined in the Annual Management Plan 2013 and it will serve to establish the baseline for the indicators for the Multi-annual Strategic Programme 2014-2020 and related Annual Management Plans.



The questions addressed the six priority areas and a group of selected publications. The questions were formulated in a way that will allow them to be repeated in future surveys (to ease comparison). The Agency has instructed the contractor on the data analysis and cross-tabulations. This also includes a longitudinal analysis with the stakeholders' survey from 2009 – this will help monitor trends.

Over 2.000 respondents from a variety of categories of stakeholders participated. Quite a large number of those (approx. 25%) were small and medium enterprises (SMEs).

The Agency is now working with the contractor to refine the data analysis. At the aggregate level, the results are encouraging – to a very large extent (90%), the respondents state that they are satisfied with the Agency's work, and the relevance, usefulness, reliability, complementarity and uniqueness of EU-OSHA meets consistently their expectations.

Once the cross-tabulation is finalized, the Agency will prepare a reader-friendly version of the data and will inform the Board/Bureau.

ACTION 3

The Agency will finalise the data analysis and prepare a comprehensive information package for the Board/Bureau that can be discussed in September.

8. Director's Progress Report (B/14/06)

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

Seat agreement and inauguration of new premises

The Agreement was signed on 31 March at the Agency's new premises in the presence of Pedro Llorente, Deputy State Secretary for Employment and Social Security. On this occasion, there was the official inauguration of the Agency's new premises.

Commissioner László Andor, the former Directors of the Agency, Hans-Horst Konkolewsky and Jukka Takala and the current Chair and vice-Chair (Government's group) of the Board also attended.

Thanks to the Seat Agreement, the Agency and its staff will be endowed with a clear and stable regulatory framework. This will support EU-OSHA to reach its objectives. The Agreement is also intended to harmonize the treatment reserved to EU bodies within Spain.

The Agency is now working on its implementation via a Roadmap agreed with the Spanish authorities.

Interinstitutional Working Group -2

The Inter-institutional Working Group – 2 was established in the aftermath of the agreement of the joint statement on the future of European Agencies. It is envisaged to remain in force until 2017.

The main tasks of the IWG-2 include: to define a development path for Agencies to ensure 5% staff cut in Agencies; to examine synergies across Agencies; to issue recommendations to the budget/discharge authority in relation to the Agencies.

IWG-2 met in April and will meet again in September (at the political level)



The Troika of the Heads of Agencies' network called the institutions to involve the Agencies already at an early stage of this process. At the moment, the position of the institutions is to involve Agencies to feedback the outcome of the work of the group.

Court of Auditors – certification of the accounts

The Court of Auditors informed the Agencies that external auditors would have to carry out the audit on the reliability of the accounts, whereas the Court would keep on carrying out the legality and regularity of financial transaction audit in autumn.

The Agencies may either make use of the existing Commission framework contract to select a contractor or launch an *ad hoc* procurement procedure. In order to ensure quality, the specifications of the standards issued by the Court will be attached to the contract. This would cost approximately € 20,000-25,000 and it should be taken into account for 2015 budget.

ABM/ABB

The Agency started working in ABM/ABB as of 1 January. A new time registry was deployed in January. This allows staff to allocate their worked time to a specific activity.

The Agency continues working on a long-term technical solution for ABM.

Recruitment situation

There are three recruitment procedures that are currently on-going:

- HR Officer (FGIII) in RSC – long term contract
- Project Manager (FGIV) in PRU – short term contract
- Project Manager (FGIV) in PRU – long-term contract

Meetings

The Director recalled the meetings where she had participated in the previous months.

- Workplaces Safety & Health Council (WSH) Conference, Singapore, 7-8 May: "Integrating safety and health: Towards a holistic approach". The Director contributed to the conference as a moderator of a round table discussion on the topic of 'Pervasive Leadership in Safety and Health – Everyone has a role'.
- Advisory Committee on Health and Safety, Luxembourg, 22 May
- Heads of Agencies' meeting, 5-6 June, in Brussels. Eurofound will chair the next Troika,
- International Association of Labour Inspection (IALI) Conference, Geneva, 9 June.

ESENER-2

The Director invited the acting Head of the Prevention and Research Unit to give an update on the activity "ESENER-2".

The translation process of the survey questionnaire was completed successfully and with great satisfaction from the Focal Points who did the language check.

The activity went through the pilot test phase in 36 countries. This was a quality assurance step. Discussions with the contractor are on-going to improve further the methodology, clarify some aspects (such as the suitability of the interviewee reached), and simplify the questions where possible.

The Agency will send the Bureau a revised version of the survey once this is available.

The fieldwork will take place between July and October and the results should be available by the end of the year. The planning shifted because Slovenia, United Kingdom and Spain agreed on



increasing their sample size. This is good timing nevertheless as also the outcome of the evaluation of the European Framework Directive on Safety and Health at Work (Directive 89/391 EEC) is expected around the same period. This is interesting because some questions in the survey refer back to the Framework Directive – e.g., about risk assessment, concrete actions put in place, awareness, exiting legislation and barriers etc.

The secondary analysis will include a combined analysis with Labour Force Survey and will address OSH management practices, workers' participation as well as methodological aspects.

ACTION 4

The Agency will send the Bureau a revised version of the ESENER-2 survey questionnaire as soon as it is available.

9. Update on Advisory Groups, focal points and expert groups

Focal Points

The Director informed that at the March meeting, the Board had requested the Agency to ensure that Focal Points would discuss about the involvement of social partners at their next-in-time meeting.

This issue was indeed on the Agenda of the May meeting. The Agency is now revising the engagement paper that defines the role and responsibilities of the Focal Points with respect to the work of the Agency. The objective is that the social partners' engagement is well reflected in the revised version. The engagement paper will be discussed at the next Focal Points meeting in October and then submitted to the Board in November.

In turn, the Focal Points asked for being regularly informed by the Board members, as in some cases the communication flow can be improved.

At the request of the workers, the Agency will send a reminder to the Focal Points who did not provide any feedback to the survey launched at the beginning of the year in relation to social partners' engagement.

ACTION 5

The Agency will send a reminder to the Focal points who have not provided any feedback on the survey on social partners' engagement.

Advisory Group on Prevention and Research (PRAG)

There had not been any meeting of the PRAG since the last Bureau/Board meetings. The next one is scheduled on 9 October. The main issues on the Agenda will be the follow up on the e-tools and general updates on the activities.

The Agency would soon host two experts meetings, one on 19 June on costs and accidents of ill-health at work and one with representatives from the PEROSH that would have a role in the scientific committee of OSHWiki. A topic for discussion would be how to follow up on the research priorities.

Advisory Group on Communication and promotion (AGCP)

The AGCP will next meet on 11-12 July and will be consulted on the planned promotion activities related to OSHwiki and OiRA at the EU and national level. Also on the agenda will be the 2016-



17 healthy workplaces campaign and the development of a revised Agency communication strategy in support to the corporate strategy 2014-2020.

Brussels Liaison Office

The Brussels Liaison Office was engaged in various fronts, first of all, with the launch of the campaign. The Agency recruited over 60 official campaign partners to date.

Also several European social dialogue meetings took place, namely for the construction and furniture sectors. The Agency also participated at the Health & Safety conference in Istanbul, organized by the employers' organization Simet.

Last but not least, it had been election time at the European Parliament (25 May) and the political groups are now being established.

The new Director-General of DG Employment will pay a visit to the Agency on 8-9 July¹.

10. Update on planning for 2015

The Director recalled that a draft version of the Annual Management Plan 2015 had been prepared and agreed with the Board in March. Further to that, the Agency sent it for consultation to the Commission and to Eurofound as well as other EU Agencies. A revised draft will be submitted for adoption to the Board in November.

On 22 May, the Director outlined the draft Annual Management Plan to the Advisory Committee on Health and Safety in Luxembourg. Overall, the feedback was positive. All interest groups expressed their support and their appreciation for the Agency's work.

The Focal Points will have to indicate soon their preferences in relation to the portfolio offer. For this purpose, the Project Managers introduced their work at the Focal Points meeting on 13 May.

The Agency will further update on the progress of the planning in September. In addition, there will be a discussion on how the Agency's Multi-annual Strategic Programme 2014-2020 will need to be recast in the light of the priorities included in the EU Strategic Framework.

ACTION 6

The Agency will present the progress on planning in relation to the Annual Management Plan 2015 at the September Bureau meeting.

11. Discharge 2011 (B/14/07)

The Head of the Resource and Service Centre informed that the Agency's Director had received the discharge from the Parliament with respect to the financial year 2011.

The discharge is a crucial element of the accountability of the Agency as it equals to the approval of how the budget has been implemented. It is the political element of the external control of budget implementation.

¹ The visit was postponed to the autumn (date to be confirmed) due to a commitment of the new Director General related to the preparatory works for the new Commission.



The discharge report was overall encouraging. The Parliament expressed a very positive opinion on the Agency's work, acknowledged the positive trends/actions and invited for some additional measures to be taken.

The Parliament also issues a general report, where it identifies some measures that the Agencies as a whole should implement. Conflict of interest is one of those.

EU-OSHA will follow up on both and report back to the Parliament in October.

COMMENTS FROM THE GROUPS

The general report on agencies, at point n. 38, reads that the Parliament “(...)welcomes the Commission's intention to merge agencies where appropriate and its willingness to continue its assessment of the possibilities to merge some of the existing agencies, as well as to obtain further synergies from the sharing of services between the agencies themselves and from within the Commission and to carefully look into the matter of unnecessary spending due to distant and multiple sites of location and is looking forward”,

The employers asked whether merge is an option for EU-OSHA.

The Commission explained that it is not on the agenda to merge EU-OSHA with Eurofound. It is nevertheless important to define very clearly any possible overlapping and coordinate the work in such a way as to exploit all the possible synergies.

12. Any Other Business

Revision of Agency's planning procedure

The Director had proposed to inform about the revision of the new Agency's planning procedure.

There are two reasons for this, and both are due to the new Financial Regulation.

One element is the timing of the planning. As of 2016, the planning will have to take place earlier and this will affect the schedule of the Board meetings.

In addition, the Annual Management Plan will be replaced by a Single Programming Document, which pulls together various planning requirements. Apart from the Annual Management Plan, it will include the Multi-annual Staff Policy Plan, the financial fiche and a multi-annual perspective of + 2 years. To ease transition, the Agency will start working with the new Single Programming Document as of the next planning exercise (2016-2019). However, the change in the timing of the planning will only take effect as of the following planning exercise (2017-2020).

The Agency will provide the Bureau with more detailed information at the September Bureau meeting.

ACTION 7

The Agency will present the revised planning procedure at the September Bureau meeting.

Processing of personal data - Board/Bureau members

The Agency aligned the current practices in relation to the processing of personal data of Board and Bureau members to the Regulation (EC) n. 2001/45 on the protection of individuals with regard to the processing of personal data by the EU institutions and bodies and on the free movement of such data.



It will soon notify the Board and Bureau members. As a result, the Chair and the vice-Chairs will gain access to the full mailing lists of Board and Bureau members, whereas the Coordinators will receive the mailing list of their respective interest groups.

ACTION 8

The Agency will notify Board/Bureau members about the processing of their personal data in relation to their role. It will forward to the Chair, vice-Chairs and Coordinators the relevant mailing lists.

September Bureau meeting

At the request of some Bureau members, the Bureau meeting in September will be held at the Agency's Liaison Office's premises in Brussels.

ACTION 9

The Agency will organize the September Bureau meeting in Brussels.

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The Chair closed the meetings and thanked all participants.



LIST OF ATTENDEES

Name	Representing	Organisation
ALVAREZ Jesús	Commission	European Commission
BATEN Jan	Government	FPS Employment, Labour and Social Dialogue
BÖHM Lučka	Workers	Confederation of Free Trade Unions of Slovenia
BREINDL Gertrud	Government	Federal Ministry of Labour, Social Affairs and Consumer Protection
GYÖRGY Károly	Workers	National Confederation of Hungarian Trade Unions
KEMPA Viktor	Workers	European Trade Union Confederation
PETRICEK Tatjana	Government	Ministry of Labour, Family, Social Affairs and Equal Opportunities
SCHWENG Christa	Employers	Austrian Federal Economic Chamber
SILVA Armindo	Commission	European Commission
SMITH Rebekah	Employers	BusinessEurope
SEDLATSCHEK Christa	EU-OSHA	European Agency for Safety and Health at Work
BEJER Jesper	EU-OSHA	European Agency for Safety and Health at Work
COCKBURN William	EU-OSHA	European Agency for Safety and Health at Work
MURILLO Françoise	EU-OSHA	European Agency for Safety and Health at Work
O'BRIEN Brenda	EU-OSHA	European Agency for Safety and Health at Work
PICCIOLI Ilaria	EU-OSHA	European Agency for Safety and Health at Work
SAS Katalin	EU-OSHA	European Agency for Safety and Health at Work
SMITH Andrew	EU-OSHA	European Agency for Safety and Health at Work