

A/98/1M

**MINUTES OF THE 8<sup>TH</sup> MEETING OF THE ADMINISTRATIVE BOARD OF  
THE EUROPEAN AGENCY FOR SAFETY AND HEALTH AT WORK,  
BILBAO, 24-25 FEBRUARY 1998.**

Introduction and apologies

1. The Chairperson welcomed those present and noted apologies from:

Ms. Gibson (workers, UK) for whom Mr Mellish is attending,  
Mr. Larsson (European Commission) for whom Dr Hunter is attending,  
Mr. Wall (workers, Ireland) for whom Mr Cronin is attending,  
Mr. Rasmussen (workers, Denmark) for whom Mr Poulsen is attending,  
Mr. De Lange (employers, Belgium) for whom Mr Pelegrin is attending,  
Mr. Gómez-Hortigüela (government, Spain) for whom Mr. Martínez de la  
Gándara is attending,  
Mr Bylund (government, Sweden) for whom Mr Barrefelt is attending,  
Mr. Politis (workers, Greece),  
Mr. Wilders (workers, Netherlands).

Item 1: Adoption of the draft agenda (A/98/1A)

2. The Chairperson explained that there were four additional items which were:

Date of next meeting  
Any other business (to be taken after Item 9)  
Item 15 - updated Status report on replies to the Agency's information requests  
Item 16 - the first Agency Newsletter

**The Board adopted the agenda with these amendments.**

*A points*

Item 2: Adoption of draft minutes of the last meeting, 18-19 November 1997 (A/97/2M)

3. The Chairperson said that the draft minutes had been circulated to Bureau members and comments received from the Commission had been incorporated.
4. Mr Oostens (Commission) pointed out that the last sentence of paragraph 36 should read '1996 budget' and that paragraph 37 should refer to the European Parliament not the Commission. Mr Clifton (UK Government representative) suggested the second sentence of paragraph 21 should read '...such as the need for care in

integrating..’. Mr Carcoba (Spain, workers representative) said that in the fourth sentence of paragraph 27 the English phrase ‘..and MS would publish..’ had been translated into Spanish as ‘..and MS shall publish’and he asked for a direct translation of the English.

**The Board adopted the minutes of the November 1997 meeting, with these amendments.**

Item 3: Review of Mandates (A/98/1)

5. The Director explained the current status of each Mandate, as described in the paper. The Chairperson explained that further Mandates would need to be drafted during the meeting and would be discussed at the relevant point.

**The Board approved the position described in the paper.**

Item 4: Annual Report 1997 (A/98/2)

6. The Director explained that the Bureau had approved the Report, in accordance with the Mandate given by the Board in November 1997. It would be published in English, French, Spanish and German. The Chairperson congratulated the Agency on producing it within the tight deadline of 31 January laid down in the founding Regulation.

7. The Commission suggested that in the future the Annual Report should be sent out to all Board members for written procedure to obtain their formal approval. The Director agreed to look into this.

**The Board noted the Annual Report 1997.**

*B points*

Item 5: Agency rules on Freedom of Information (A/98/3)

8. The Director stressed that as the Agency’s role is to collect and disseminate information, it was clear that the information should be as widely available as possible. However, rules for access had to be drawn up in response to the recommendation of the European Ombudsman. The paper was based on the rules used by other Agencies. The Commission had suggested that the Legal Services should look at it after any comments from the Board had been included. The Director suggested that the Bureau should be mandated to oversee this process.

9. The Board discussed the paper in detail and issues raised included extending the rules to cover the Internet and documents originating outside the Agency, charging for copies and confidentiality. The Board also discussed sending the rules to the Commission’s Legal Services for comment.

10. There were differing views on extending the rules to cover documents received by the Agency from other sources. The workers' spokesperson wanted them included while the employers' spokesperson and the Commission warned of possible confidentiality problems. The Director agreed to consider this issue and inform the Bureau of the outcome.

**The Board approved the draft rules, subject to them being amended to cover the Internet and stressing the Agency's purpose as an information collector and provider. The Board also agreed that the paper should be sent to the Commission's Legal Services for comment and approved an additional Mandate (number 6) for the Bureau to oversee the finalising of the rules.**

#### Item 6: Budget issues

##### Discharge of the implementation of the 1996 budget (A/98/4)

11. The Director explained that the Board's agreement was needed to discharge him from the responsibility for the 1996 budget and to ask him to continue to implement the recommendations of the Court of Auditors. There was general agreement to both issues but the employers' group asked for their agreement to be noted only "on the basis of the information made available".

**The Board agreed to the discharge of the 1996 budget on this basis.**

##### Miscellaneous budget issues 1997 (A/98/5 Rev.)

12. The Director introduced the revised paper which described two types of carry over of appropriations from 1997 to 1998 – one is automatic and the other has to be approved by the Board.

**The Board approved the decision to carry over appropriations not committed by 31.12.97 to 1998 and noted the automatic carry over of other appropriations.**

##### Miscellaneous budget issues 1998 (A/98/6)

13. The Chairperson explained that certain minor editing errors had been noted in the 1998 budget, following its amendment at the last Board meeting. The Board's agreement was needed to any changes but there was no change to the total budget.

**The Board approved the minor editing changes to the 1998 budget.**

##### Draft budget 1999 (A/98/7)

14. The Director introduced the draft budget for 1999, which has to be adopted by the Board and then forwarded to the Commission with an establishment plan before 31 March. The 1998 budget was 5.7 MECU and he proposed a budget of 7 MECU for 1999 to enable the Agency to recruit the rest of the planned staff and to start the necessary activities, including Topic Centres, in key areas of the Work Programme 1998, agreed by the Board. He acknowledged that it was difficult to agree a draft budget before the Work Programme 1999 had been drafted.

15. The paper was discussed in detail and the following points were made:

- Board members wanted to have more information on what the Agency propose to do with the budget and suggested using headlines from the 4-Year Rolling Programme;
- the Commission abstained as they had already proposed 6.5 MECU;
- the Government group wanted to know how much it would cost the Focal Points to do the work required by the Agency's Work Programme. They also stressed the importance of avoiding an underspend in future but that if there was one, the possibility should be explored of supporting major projects for the Agency to be carried out by the Focal Points. They generally agreed to 7 MECU;
- the workers' group agreed to 7 MECU but wanted to see more project-based proposals for the budget. They also asked for childcare costs to be specifically mentioned (currently shown as p.m) and that secondees to the Agency should not be limited to civil servants but could come from the social partners;
- the employers group said it was difficult to discuss the budget without knowing more about the Work Programme 1999. They also queried why the Agency needed 7 MECU, but said they might be able to agree to it if they could see which projects the Agency would not be able to take forward if it only received 6.5 MECU.

16. The Chairperson concluded by noting that the majority of the Board supported 7 MECU and that the Commission had abstained. She also made the following points:

- The budget must be related to activities in the Work Programme 1999
- An element of possible co-financing with the Focal Points should be identified in the Work Programme 1999, if financial resources are available towards the end of the year
- The workers' points about childcare and secondees not being limited to civil servants was noted
- The minutes should specify the comments from each group\*

17. The Director said that a proposal for a budget of 7 MECU would be submitted to the Commission and before the next Board meeting, a final draft of the budget would be prepared showing proposed expenditure according to activity.

**The Board agreed a draft budget for 1999 of 7 MECU.**

Item 7: Agency relations with the EU, including Memorandum of Understanding with Dublin Foundation and strategy for co-operating with non-EU countries and international organisations (A/98/8)

### Memorandum of Understanding (MoU)

18. The Director explained that a revised draft of the Memorandum of Understanding (MoU) had been tabled, which took account of comments from the Dublin Foundation's Bureau and from the Commission's Legal Services.

19. The Director of the Dublin Foundation said that, subject to any comments by the Agency's Board, he planned to submit the MoU to the Dublin Foundation's Board meeting on 26<sup>th</sup> March. The Director of the Agency said that since the MoU had to be agreed by both Boards and the Agency's next Board meeting was not until November, a Mandate (number 8) had been drafted for the Agency's Bureau to oversee the development of a final version.

**The Board approved the draft MoU, subject to one minor amendment, and approved Mandate number 8.**

### Strategy for the Agency's relations with other EU and non-EU bodies

20. The Chairperson opened the discussion by saying how important it was to get information from and provide it to these bodies and countries. The Director explained that the paper described possible priority groups, with a special emphasis on countries in the enlargement process and the Agency was seeking a clear statement from the Board on this. The paper also outlined two possible models for co-operation with other bodies and countries – Information Links and Associated Partnerships. While developing the former was reasonably straightforward and did not involve many resources, the latter was more complex and he would welcome the Board's comments. Since the work would be ongoing, a further Mandate (number 7) had been drafted for the Bureau to oversee the development of this strategy.

21. The Board discussed the paper in depth and the comments were made:

- The employers' group agreed to the Agency developing Information Links and approved Mandate number 7, but said the Associated Partnerships needed more discussion;
- The workers' group agreed. They also wanted more links with the Advisory Committee and said that the EU could learn from the CEECs, as well as vice versa;
- The Government group said the Agency should take advantage of information that is already available, rather than considering priority groups. They suggested that the Agency should work with DGI or DGV in a structured way to help the CEECs. They also suggested that some work could possibly be done on a contract basis paid for by DG1 or on a project-based approach (on the Dublin Foundation model) without cost to the Agency;
- The Commission advised care in relation to the Regulation. They stressed the role of the Commission, especially Agenda 2000, in liaising with CEECs and that it was determined by the European Council who saw it as a major priority. The Commission was working on identifying how far the CEECs were from acquiring the 'acquis communautaire' and especially their levels of health and safety at work.

Money was available to the CEECs from DG1 – PHARE – to attend EC meetings but not for the Agency to visit the CEECs. The Commission could identify areas where the Agency could play a role.

22. The Chairperson concluded that there was support for the Agency building Information Links with EU and non-EU countries but that the other issues needed a lot more work, which was mandated to the Bureau to oversee. The Agency's Work Programme could specify which projects could involve co-operation with the CEECs and other non-EU partners.

**The Board agreed that the Agency could develop Information Links with EU and non-EU countries. The Associated Partnership idea should be taken forward within the framework of the work being undertaken by the Commission and a project-based approach should be considered. The Board approved Mandate number 7 for the Bureau to oversee the development of the Agency's strategy in this area.**

Item 8: Follow up to report on "Priorities and strategies in Occupational Safety and Health Policy in Member States of the European Union" (A/98/9)

23. The Chairperson introduced the paper by explaining that following the publication of the report, there was a need to prioritise the follow-up action to be taken. The Focal Points had discussed the report and identified conclusions which could be appropriate for further action. The Director outlined the issues and asked for the Board's advice and views in order that the Thematic Network Group could organise its future work. A further Mandate for the Bureau (number 9) had been drafted to enable them to oversee the process for including the conclusions from the report in the Agency's planning.

24. The paper was discussed in detail and the following points were made:

- The workers' group wanted better co-operation between the Agency and the Advisory Committee in the planning process and asked both to consider 'precarious workers', especially practical information to help extend legal protection to this group. They also felt that the views of the social partners were not reflected enough in the conclusions. They wanted to ensure that the Bureau also takes note of the Board's views.
- The Government group advised adding 'information' at the end of the first paragraph of the covering note. In their opinion, priority should be given to conclusions b, c, f and g, as well as numbers 22, 23 and 26 in the report. They also suggested that too much work would fall to the Focal Points and so the social partners should be involved as well. They agreed the Mandate subject to deleting 'one or two' from the last line.
- The employer's group considered that many of the conclusions would be followed up nationally but would have links with the Agency's Work Programme. They were very interested in conclusion c, on risk assessment and agreed that precarious workers was an issue for the future. They agreed the Mandate with the amendments suggested by the workers' and Government groups.

- The Commission suggested that the Agency needed to identify which projects should be taken forward and that it would be useful to identify who should take them forward, as they were not necessarily all for the Agency. The results should go to the Bureau and the Board. In their opinion, a, c,d and e would normally fall outside the Agency's remit, as drafted. They said that the Mandate was too limited and needed to include a reference to other sources of information as well as the report.

The Commission also advised the meeting of the four main priority areas for its work in the next two years, which were:

1. ensuring that health and safety legislation is more effective
2. checking the health and safety standards in the applicant countries
3. linking health and safety to employability
4. new risks and changing work conditions

These priorities would be published in a Commission communication shortly and would open up areas in which the Agency could help on a number of issues.

25. The Director said that the Focal Points had been asked to discuss the report with their national networks and report back to the Agency before the summer as an input to the planning process for 1999-2002. He wanted the social partners to be involved in this process, not just by attending Focal Point meetings. The long-term effect of the report meant that work would continue on following it up into 1999. He was delighted that the report would lead to further work by others outside the Agency as well.

26. The Chairperson thanked the members for a very useful discussion and congratulated the Agency staff on a remarkable report. There was a lot of work to be taken forward by a variety of organisations and the Bureau were mandated to oversee the way the Agency took account of the conclusions in its planning round.

**The Board agreed that the Agency would discuss the specific follow-up activities in 1998 with the National Priorities and Programmes TNG and present the result to the Bureau according to Mandate number 9, which was agreed with the amendments tabled during the meeting.**

#### Item 9: Director's report (oral)

The Director reported on the implementation of the Work Programme 1998.

##### *1. Network*

27. A model for planning the Focal Point activities would be tested in 1998. The Director intended to visit all the Focal Points in the first half of 1998 to discuss the national network development and co-operation with the Agency. He had already visited Germany, Denmark, Austria, Italy, Finland and Sweden.

28. The technological structure of the Agency's existing experimental website would be improved based on the HSPRO-EU project and to make it more user-friendly.

This was the main conclusion in a report prepared for the Agency by NUA, an Irish consultancy firm, which would be sent to the Internet Group for discussion in March.

29. The goals for the common content of the Agency's website by the end of 1998 had been discussed with the Focal Points and the Internet Group. The four major categories of information had been defined and it had been decided to provide information about guidelines, standards and legislation that are related to the safety and health directives of the Community. As a minimum, the information should be given as an abstract, with links to the full text or with a reference if possible. The possibility of translating these abstracts into English had also been discussed.

## *2. Information Services*

30. Newsletter: The first issue of the Agency's Newsletter had been printed in English and the Spanish, German and French editions would follow soon. Three more editions would be produced this year in close co-operation with the Agency's network of national editors. The Director hoped that the Newsletter would serve as an information tool for the Bureau and the Board and looked forward to receiving their views and contributions.

31. Magazine: The Magazine would be started later this year, based amongst other things on the positive experiences with a thematic approach used by the Dublin Foundation's Euro-Review.

32. Conferences: Document A/98/11a-I gives an overview of the planned conferences and seminars in 1998. The Agency was especially looking forward to co-operating with the Austrian Presidency on a seminar about the Information Society to be held in Bilbao during the European Week in October. It would be organised in parallel with the Spanish National Week and it was hoped that a commercial safety and health fair would be organised as well. This would be another step in the development of Bilbao as an important venue for safety and health events.

## *3. Information Projects*

33. The State of OSH: An expert group of representatives from the MS, as well as experts from the EC, Eurostat and the Dublin Foundation, had met twice to develop the methodology of the survey. Important progress had been made in this difficult task and a qualitative approach for the national reports had been developed, based on the available quantitative data and other information sources. A draft manual for the data collection is expected to be discussed at a common workshop of the expert group and the Focal Points in April. A Dutch expert is expected to assist the Agency in its work. The Agency has launched a financial support programme and to date 10 MS have applied for co-funding.

34. Follow-up of the "Priorities and Strategies in OSH policy" report: The follow-up of the report would be based on the Board's discussions at this meeting. The next meeting of the NPP group in March would consider its follow-up activities and the first draft of the Economic Impact report, which is expected to be finalised by summer.

35. Research: The Research group had established two experts groups that will assist the Agency in the two major activities this year: the collection of research data on ULD and stress at work and the preparation of a document about future research needs. There would be further meetings in March and April. For the ULD project, a consultancy contract had been signed with the Rubens Institute in the UK with Prof. Peter Buckle as the responsible person.

36. Practical Solutions: The Thematic Network Group on this subject would meet for the first time in May, following the recruitment of an expert from Austria to organise its work. Existing experience - such as EC-funded activities including SOLBASE - would be included in the discussions.

37. Information Society: As mentioned before, a seminar on the subject will be organised together with the Austrian Presidency in Bilbao during the EU-week. The Agency hopes that the Commissioner as well as the British, the German and the Spanish Secretaries of State/Ministers of Labour would participate in the closing session in order to reflect on the findings of the experts.

38. Campaigns: No activity this year.

#### *4. Administration*

39. The Financial Control visited the Agency in February and reported that the Agency had made considerable progress in its financial and personnel management. Some critical comments are expected to be resolved gradually during 1998.

40. The Chairperson congratulated the Director and thanked the Board members for a robust debate.

#### **The Board noted the Director's report.**

##### Dates of next meeting

41. The Chairperson proposed the dates of the next meetings, as recommended by the Bureau, should be:

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| Board | 17-18 November 1998 |
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| Bureau | 15-16 June 1998 |
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|  | 14-15 September 1998 |
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#### **The Board approved these dates.**

42. The Chairperson reminded Board members that many of their appointments would run out at the end of October, so they should check the situation now as the appointment process via the Advisory Committee is lengthy.

#### **The Board noted this reminder.**

Item 10: Any other business

43. Dr Hunter (Commission) raised two points. The Commission was stopping producing the JANUS magazine and would send the mailing list to the Agency to use for the Newsletter. He also said that a general policy was needed on how the Commission and the Agency provide European Community-level information. He suggested that it should be discussed with the Director and reported to the Board to consider.

Secretariat, Bilbao  
April 1998.