

**MINUTES OF THE 10th MEETING OF THE ADMINISTRATIVE BOARD OF THE
EUROPEAN AGENCY FOR SAFETY AND HEALTH AT WORK,
BILBAO, 4-5 MARCH 1999**

Introduction and apologies

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

Mr. Finding (government, Austria) for whom Mr. Poinstingl is attending.
Ms. Reitinger (workers, Austria) for whom Mr. Heider is attending.
Mr. Carlslund (Observer Member, Belgium).
Mr. Larsson (EC Member, Belgium) for whom Mr. Hunter is attending.
Mr. Ahtela (employers, Finland) for whom Mr. Forss is attending.
Mr. De Lange (employers, Belgium) for whom Mr. Pelegrin is attending.
Mr. Nielsen (employers, Denmark) for whom Mr. Jepsen is attending.
Mr. Metsämäki (workers, Finland) for whom Ms. Perimäki is attending as an Observer.
Mr. Tassin (employers, France) for whom Mr. Thillaud is attending as an Observer.
Mr. Sedes (workers, France) for whom Mr. Martin is attending.
Mr. Gunkel (employers, Germany).
Mr. Zimalis (employers, Greece).
Ms. Kafetzopoulou (government, Greece) for whom Ms. Pissimissi is attending.
Mr. Purkiss (Observer Member, European Foundation) who will attend the 5th.
Mr. Wall (workers, Ireland) for whom Mr. Whelan is attending as an Observer.
Ms. Galli (workers, Italian) for whom Mr. Stanzani is attending as an Observer.
Mr. Costa Tavares (employers, Portugal) for whom Mr. Pena Costa is attending as an Observer.
Mr. Bylund (government, Sweden) for whom Mr. Barrefelt is attending.
Mr. Laterveer (government, The Netherlands) for whom Mr. Middelplaats is attending.
Dr. Asherson (employers, UK) for whom Dr. White is attending.
Ms. Gibson (workers, UK) for whom Mr. Tudor is attending as an Observer

General issues

2. The Commission clarified the current situation regarding new nominations to the Board. The Council of Ministers have accepted the list of nominations for consideration, but there are still some outstanding nominations from each interest group. Interest groups were asked to submit these to the Commission by 10th March.
3. The Board were informed that all outstanding expenses claims from previous meetings had been passed by the Agency to the Financial Control in January 1999.

Item 1: Adoption of the draft agenda (A/99/1A)

The Board adopted the agenda unamended.

Item 2: Adoption of the minutes of the last meeting, 17-18 November 1998 (A/98/2M)

4. The Chairperson invited comments on the minutes. It was noted that Mr. Thillaud attended in an administrative capacity for Mr. Tassin (employers, France) at the November 1998 meeting.

It was AGREED to amend paragraph 18 to add a new sentence: “The Commission were asked what resources would be made available to the Agency to enable them to carry out European Week activities.”

It was AGREED to amend paragraph 24, first sentence, to substitute “Parliament” for “Council”.

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

Item 3: Action points arising out of the minutes (A/99/1)

5. Some queries were raised regarding Topic Centres (Action points 5 and 6). It was confirmed that, according to the decision at the last Board meeting, steps had been taken to widen the involvement of institutions in Topic Centres.
6. The relationship of Topic Centres acting as consultants to the Agency was clarified.

Item 12: Presentation of the Agency’s website (A/99/10)

7. Teuvo Uusitalo, the Assistant Internet Manager made the presentation. Copies of the visual aids to be used were tabled on the day. The website and the extranet are still in preparation. Features of the site, the progress to date and future plans were presented.
8. The following clarification was provided in discussion:
 - Most Agency information would be available in all languages on the site. Individual Member States would not be obliged to provide their site information in all languages.
 - A “what’s new on the site” feature is planned to allow easy access to new information for frequent visitors.

Item 4: Director’s Progress Report (A/99/2)

9. The Director outlined the key points in his progress report and gave a verbal report on developments since the paper had been written. He reported on five additional topics:
 - The Year 2000 Computer Software Problem (Millennium Bug).
The Commission had made a request to the Agency to carry out some awareness raising activities on this issue, within the confines of the Work Programme. The Commission has accepted the Agency’s proposal to i) create a webpage with links to other sites providing information; ii) set up a discussion forum on the Internet, with the assistance of UK Health and Safety Executive.

- Launch of the Agency's new website.
This will take place in the second half of the year. The campaign will take place across all Member States and the Agency will provide a common package of PR tools for Focal Points to use. Members of the Board will be invited to participate.
- Topic Centre and Thematic Network Group development.
The Topic Centres have now been established. They have been enlarged to include more partners. Following kick-off meetings with all Topic Centres, the Agency has discussed the draft work plans of these centres with the Thematic Network Groups on Research and on Good Practice. These discussions have been very helpful both for the Agency and for the Topic Centres, which now have to finalise their planning activities.
- Approval of Annual Report and of non-automatic carry-overs.
These two approval processes have now been completed. They had to be carried out by written procedure as their dead-lines fell before the Board meeting (the approval of the Annual Report 1998 - 31st January; the approval of some non-automatic carry-overs - 1st March). The Board were thanked for their co-operation in meeting these tight deadlines.
- Enlargement.
Several of the applicant countries have shown interest in a closer co-operation with the Agency. DG I/A (Deputy Director General M. Lamoureux) and the Secretary General of the Commission have stressed the important role Agencies can play during the pre-accession period. They have indicated that the applicant countries should be involved in the Agency activities.

10. The following points were made in discussion:

- The Launch Campaign is part of the current Work Programme. The Agency welcomes an active input from the Board and Focal Points.
- Regarding a joint EU-US activity on construction (section 4.4) and its relation to the Work Programme, the Commission had asked the Agency to take part in an information exchange. This was discussed by the Thematic Network Group on Good Practice. It has been agreed that an information exchange will take place using the Internet. It is a voluntary activity for Focal Points and not resource demanding.
- UK Health and Safety Executive welcomed the opportunity to assist the Agency with the Y2K activity. There are different approaches in different countries and the UK HSE would welcome an exchange of experience with other Board members outside of the meeting.
- The announcement regarding the Y2K activities should be kept low key as the timing is quite late.
- Regarding the launch, Member States need flexibility to approach it in different ways. Involving ministers will not be practical everywhere, for example. The Agency should

call upon the services of the information professionals in each Member State. The Agency confirmed that this was what was planned.

- It would be helpful if the Director's report could be structured to clearly show cross-references to the numbered paragraphs in the Work Programme.
11. The Commission was asked to clarify the situation regarding the review of the Agency's Regulation. The Commission responded that there is an obligation to review the Regulation later this year and will then make recommendations if any changes are needed. It should be an agenda item for the November Board meeting.

Item 5: Draft model for Agency project information sheets (A/99/3)

12. The Director presented the proposal to introduce a standard project sheet to be used to specify the project activities to be carried out under the Work Programme, following the Board's decision. A sheet for each Work Programme project activity would be given in an annex in future work programmes.
13. The following points were made in discussion:
- The introduction of project sheets was welcomed and supported. They will facilitate better understanding of the Work Programme, assist project management and assist in interest group discussions.
 - The project code should be part of a clear project and Agency document referencing system.
 - The sheets can be used at different stages: To specify project proposals; as a tool for the TNGs and Board to monitor the progress of projects and check that they are inline with the objectives, user needs, etc.; for final assessment by the Board at the end of the project; and for evaluation in the future. They could be included as an annex to the Director's Progress Report.
 - The sheet and its use should be open to review and revision after a year.
 - It should be possible to see the justification for the project, according to the Regulation and the Work Programme.
 - The main outcomes of the project should be clearly shown.
 - Target groups and user needs need to be shown in detail.
 - If possible under item 5, provide an estimate of the work expected from Focal Points to assist Member State planning and timetabling.
 - It should be possible to see from the sheet the stage the project is at in its timetable.

It was AGREED that the project sheet would be revised accordingly. Point 3 would be divided to specify user needs, target groups. A clear description of objectives would be given at point 4. Steps and actors in the project should be shown at point 5. If possible,

at point 5 an assessment of Focal Point workload should be made. Availability of data would be assessed at the project planning stage.

Item 6: Presentation of the “Economic Impact” Report (oral - for information)

14. Project Manager Martin den Held gave a short presentation of the results of the Agency study of the economic impact of health and safety policies and strategies in Member States.
15. The report was welcomed as a source of valuable information. The following points were made in discussion:
 - The costs of poor health and safety are high both in terms of economic costs and social costs. This emphasises the economic benefit of good standards of health and safety. CBA is a crude tool which does not adequately take into account the costs of poor safety standards.
 - Policy making on health and safety is a social, political and ethical decision making process. An economic analysis can enrich this process but does not determine it. The report emphasises this.

Item 7: Proposals to implement Work Programme 1999 (A/99/4a-c)

7a Project follow up to “Economic Impact” Report
(Marketing/Procurement Strategy)

16. The Director introduced the proposals for two follow up projects to the “Economic Impact” Report.
17. Regarding project 1: Use of OSH as a procurement strategy. The following specific points were made in discussion:
 - The review should be broader than procurement.
 - The effectiveness of the systems – the context in which systems can be successfully applied and how – should also be investigated.
 - The Commission expressed serious doubts regarding the project’s added value and potential interference with Single Market Legislation.
18. Regarding project 2: use of OSH as a marketing strategy. The following specific points were made:
 - Care is needed in relation to overlaps such as: Work being under taken with the World Trade Organisation; existing community directives, e.g. procurement services; barriers to trade; internal market restrictions.
 - The Commission expressed serious doubts regarding the project’s added value and potential interference with Single Market Legislation.
19. The following general points were made in discussion:
 - Potentially important and useful projects.

- Projects should contain illustrative conclusions on what is best practice - what is actually happening - rather than seeking to describe an instrument. Opinions on the use of instruments should not form part of the projects as this is not the Agency's role. Users can make their own assessments.
- Opinions on the use of instruments should be given, including interest groups' views.
- Define expected outcomes more precisely. Target groups and user groups should be defined.
- Carry out a broader project to include how company health and safety strategy can be used and integrated into their overall commercial policies.
- TNGs need to be more closely involved including regarding what information to collect and in what way.
- Set criteria for case study selection in advance.
- Include the Member State legal contexts.
- Merge the two projects.

It was AGREED that the Agency would redraft the two proposals into one proposal incorporating the Board's comments.

It was AGREED that the Bureau would be given a mandate to be consulted on and agree the final proposal. New mandate 4 from the Administrative Board to the Bureau given in paper A/99/16 was AGREED.

7b Changing World of Work – Information project activities.

20. The Director introduced the three project proposals. Following the Board's decision, a small expert group, including interest group and Commission representatives, had met to discuss items for projects on the Changing World of Work and the programme for a joint Agency-Finnish Conference in 1999 (see item 7c).
21. The following points were made in discussion on "The role and positioning of major actors":
 - Overlap with other projects, e.g. by ILO.
 - More specification and clearer objectives required.
 - The role of the employer as an actor would need to be included.
22. The following points were made in discussion in "The monitoring of the State of OSH":
 - More specification and information needed on the proposal.
 - Overlap with other outgoing projects.
23. The following points were made in discussion on the OSH of self employed and temporary employed workers with agency contracts.
 - Objectives need to be specified further.
 - It could be useful to look at which measures have been taken and have been effective in reducing risk. It should be limited to specific groups for study, e.g. construction workers.

- Self employed and temporary workers are not a homogeneous group so should be studied separately. The self employed issue is being looked at by the Advisory Committee; temporary workers are covered by the Framework Directive so the Commission could carry out work to check transposition but this is outside of the Agency's remit.
24. The following general points were made concerning the three projects:
- The project proposals look at general issues relating to changes in work. The Topic Centres have been asked to gather information on changes in work that are specific to their subject matter only (e.g. stress), so there is not an overlap of activity.
 - Changing World of Work is an important area but the projects as drafted do not sufficiently add to information already available or other projects underway. Any work needs to proceed in a measured way which avoids overlap.
 - Carrying out all three projects and the Conference in 1999 would be a heavy workload for the Agency.
25. In conclusion, the work of the brainstorming group was welcomed and it was emphasised that the Changing World of Work was an important area. However, in this instance, the Board did not think that the projects sufficiently met user needs or gave sufficient added value. The projects also overlapped with other ongoing and existing work at European Union level.
26. The Board confirmed that there was a need for the Agency to carry out some work on the issue, possibly targeted at a specific group. At the Conference all the Board interest groups would have an opportunity to participate and put their views. At this stage, the Board would be in a position to assess and finalise the need for projects in this area.

It was AGREED that the projects would be withdrawn.

7c Joint Agency-Finnish Conference 1999

27. The Director introduced the proposal to hold a joint Conference with the Finnish Presidency on employability and safety and health at work, on 27-29 September 1999.
28. The following points were made in discussion:
- Important subject matter for a conference.
 - Workers are the ones being employed and employers are the ones doing the employing. They must participate as experts in all parts of the Conference.
 - Part 3 on the reintroduction of workers into the workplace is very important and needs strengthening. Care is needed to ensure that the programme does not overlap with other planned conferences.
 - There are public and individual responsibilities to maintaining employability.
 - Emphasise the positive aspects of good practice, not just the negative effects of poor practice.
 - Many statistics are available. Validity of the figures could be explored. Can absence related to disability, not just sickness, be looked at for example.

29. The employers group said they would send written comments to the Agency.

30. General support for the Conference was given.

It was AGREED that the programme would be modified to incorporate the Board's comments, in particular:

It was AGREED that Social Partners must participate in all parts of the Conference, as speakers, rapporteurs, etc. This will enable them to be reimbursed, ensuring that all groups can be present at the Conference.

It was AGREED that more investigation of background statistics was needed.

31. The Director said the Agency would e-mail the amended documents to the Working Group and Social Partners for final approval.

Item 8: Proposal for the "European Week of Safety and Health at Work - 2000" (A/99/5)

32. The Director introduced the proposal for the Agency to continue the organisation of the European Week of Safety, commencing in 2000, as it was not planned or budgeted for within the 1999 Work Programme.

33. The Commission clarified that the budget available was not certain at this stage. A request was being made to Parliament to obtain additional funding from the B5 900 Budget reserves set aside for additional activities carried out by the decentralised agencies. There was an indication that the Parliament would support the funding request.

34. In response to questions about the availability of Commission resources spent on the Week in previous years, the Commission clarified that the Week had previously been funded out of a budget line for campaigning which was no longer available.

35. The following points were made in discussion:

- There is continued, enthusiastic support from most Member States for the Week and momentum for this annual event has been built up, although some Member States felt that they had not got sufficient benefit in respect of the resources committed
- Regret that there would be no official week in 1999. In view of this, some individual Member States would organise activities in week 43 and refer to it as European Week.
- Member States wanted as much latitude as possible to organise activities. There has been a wide variety of different approaches and practices. Many use it to support other national priorities.
- A month of programmed events, e.g. in October, could be a way forward as there was now some momentum for the Week in October, but would allow flexibility.
- The theme should be broader than prevention of work related back pain.
- One action theme "Musculoskeletal Disorders", broader than back pain, would still provide a clear focus for a European Week.
- The Focal Points should plan and organise activities in a tripartite way in each Member State. The paper should make clear that there will be co-determination of projects between Focal Points and Social Partners.
- The greatest level of activity is at workplace level.

36. The Director clarified that any co-funding of Member State activities would be restricted to the chosen theme, but that Member States would still be free to organise other activities during the Week.

37. The Commission were asked if they could produce an information paper for the Board which would outline the budgetary process and how decisions are made.

It was AGREED that the Agency should start detailed planning for a European Week in 2000 once the budget has been finalised.

It was AGREED that a month would be designated in which Member States could organise activities, and October was proposed.

It was AGREED that the theme for the Week would be prevention of work related musculoskeletal disorders with special emphasis on back pain.

It was AGREED that priority would be given to Member State activities related to the chosen theme in determining Agency co-funding.

It was AGREED there should be co-decision making between Focal Points and Social Partner on the preparation of proposals for co-funding, and this should be made clear in the Agency proposal.

Item 9: Preboard Seminar

38. The Seminar, held on March 3rd between the Focal Points and Board members to discuss the development and functioning of the Agency's network, was welcomed.

39. The following points were made in discussion:

- Members commended the Agency for organising the Seminar. They reported that it had been very useful to have met with the Focal Points and to have had an open discussion about problems and the way forward.
- Lessons from the Seminar need to be drawn, to help review and redefine the Agency's objectives and the way it operates in order to maximise its effectiveness for the future.
- The report from the Seminar contributions should be used for the "brainstorming" discussion on the Agency's strategy which will take place at the June Bureau, and for discussion within interest groups.
- It would be useful to repeat the Seminar in the future.
- Seminar results could be used to help discussion on the review of Regulation and regarding issues like reinforcement of tripartism and clarification of the role of national networks.
- The Agency work and reports, such as "Economic Impact" Report have been very valuable. To date, the Agency has been carrying out this set of projects with individual

objectives. It is now at the point where there is a need to evaluate the whole strategy and structure of the Agency to date and clarify the overall focus and goals of the Agency – what it does, for whom, and how - and how this fits into overall European health and safety activity. The Agency needs to ensure that it has a transparent structure and there is clear view of the relative roles of the different parts – who reports to whom, who manages what, who can request information from whom.

- The report should include an overview description of the relative roles of each part of the Agency.

40. The Chairperson summed up the discussion.

It was AGREED that a detailed report of the Seminar should be produced. This would be used as a background paper by the Bureau to discuss the strategy, structure and overall aims of the Agency at their June meeting. The results of the discussion will then be discussed by the Board at the November meeting.

Item 10: Budget matters

Discharge to the Director in respect of the implementation of the Budget 1997 (A/99/6)

41. The Head of Resources introduced the routine procedural process of discharging the implementation of the 1997 Budget to the Director. He clarified that the Agency had been working with the Court of Auditors to improve the financial management of the Agency.
42. The Board welcomed the papers which allowed assessment of progress made.

The Board AGREED to the discharge to the Director in respect of the implementation of the 1997 Budget.

Draft Budget 2000 (A/99/7)

43. The Head of Resources, Mr. Pijuan, introduced the draft budget 2000. An increase of 7% was requested to cover the cost of living increase, two extra administrative posts following the advice of the Court of Auditors and an increase in publication translation costs.
44. The Commission explained that they believed the increase was justifiable. It has to go forward to DG19 who will incorporate it into the preliminary draft budget of the Commission.
45. The Commission also reported that: Parliament has to adopt personnel for second generation Agencies; all Agencies need to adopt the Commission's accounting system.
46. In discussion, the following points were made:
- Can the Agency achieve some savings by using more economical print formats.
 - Major proportion of publications' costs is associated with publication in electronic format. The Agency is reviewing whether to price publications in the future.

- The benefits of extra staff recruitment will not be seen immediately, although the cost will be borne immediately. This needs to be recognised.

The Board ADOPTED the draft budget 2000.

Amendment of the Financial Regulation (A/99/8a-b)

47. The Head of Resources, Mr. Pijuan, introduced the two amendments. Article 13 needed to be amended to allow the Agency's Budget to be published on the Internet.

The Board ADOPTED the decision to amend Article 13 according to document A/99/8a, subject to the opinion of the European Court of Auditors.

48. The Head of Resources, Mr. Pijuan, introduced the document A/99/8b which explained the need to amend Article 2(1) and (3) of the Regulation to introduce reference to the EURO.

The Board ADOPTED the decision to introduce this change as given in document A/99/8b, subject to the opinion of DG XX ("Financial Control") of the European Commission and the Court of Auditors.

Item 11: Code of Conduct for Good Administration Services (A/99/9)

49. The Director introduced the request from the Ombudsman (tabled on the day) for each Agency to adopt a code of conduct regarding the administrative behaviour of officials in their relations with the public. The Agency is awaiting a document on this issue from the Commission. This will then be discussed with the other Agencies and internally with the Agency's Staff Committee before being put to the Board for approval.

The Board AGREED this approach.

Secretariat, Bilbao
March 1999