

**MINUTES OF THE 16TH MEETING OF THE ADMINISTRATIVE BOARD OF THE
EUROPEAN AGENCY FOR SAFETY AND HEALTH AT WORK.
BILBAO, 27-28 FEBRUARY 2002**

The **Chairman** welcomed those present and

New members:

Mr Bernhard Jansen, representing the Commission.

Ms Lone Jacobsen for the Danish workers until her nomination is formally confirmed

Mr Tapio Kuikko for the Finnish employers until his nomination is formally confirmed

Mr H.C.V. Schrama for the Dutch government

And noted apologies from:

Mr Jannerfeldt (employers, Sweden)

Mr. Lehr (employers, Germany)

Mr Pedersen (employers, Denmark)

Mr Sapir (Observer, TUTB)

Mr. Stanzani (workers, Italy)

Dr Asherson (employers, UK) for whom Mr Platt attends as an observer until his nomination is formally confirmed.

Mr Beegan (government, Ireland) for whom Ms Wood attends.

Mr Bergström (workers, Sweden) for whom Ms Sjöholm attends.

Mr Bodin (observers, European Foundation) for whom Mr O'Shea attends.

Mr Briscoe (employers, Ireland) for whom Mr Enright attends.

Mr Christodoulou (governments, Greece) for whom Ms Pissimissi attends.

Ms Díaz Ojeda (workers, Spain) for whom Mr Carcoba attends.

Ms Ferraro (government, Italy) for whom Ms Rocca-Ercoli attends.

Ms Frenkel (employers, The Netherlands) for whom Mr Koning attends.

Ms. Szymanski (government, Austria) for whom Ms. Breindl attends

Item 1 – Adoption of the draft agenda (A/02/A1)

Mr Carcoba gave information about a gathering to be held in Plaza Moyua to raise awareness of asbestos risks to workers and the plight of victims of asbestos-related illnesses.

The following documents were tabled:

- Director's progress report update A/02/02

With these amendments the agenda was adopted.

Item 2 – Minutes of the last meeting, 06-07 November 2001 (A/01/M2)

At the suggestion of **Mr Pelegrin**, the Board agreed that meeting attendance lists shall be annexed to the minutes of future meetings.

The Board adopted the minutes.

Item 3 – Action points arising out of the minutes (A/02/01)

The **Director** informed that the Agency is checking, together with the Commission DG Budget, how to implement the Board's decision regarding designation of the Topic Centres.

The action points were agreed.

Item 4 – Conclusions from pre-Board seminar on Good Practice

A document summarising the seminar conclusions was tabled in the second plenary session.

The **Chairman** clarified that the conclusions are those of the seminar itself and should not be taken as representing the opinion of the Board. They will give input to a Bureau meeting discussion on a future communication strategy, together with the results of the user communication needs survey. Language versions of the document will be on Oshanet shortly.

Item 5 – Director's Progress Report (A/02/02)

The **Director** introduced the report on the activities of the Agency from November 2001 to January 2002 and tabled a brief update, including the following annexes:

- Overview of contacts between external sources and the Agency
- Agency publications
- List of Agency events and meetings
- Web statistics

The Director drew attention to the following issues:

Projects from work programme 2001 are being finalised and a number of related publications are due shortly. The two Topic Centres have agreed a work plan for 2002.

The directors of the three Agencies with quadripartite administrative boards have agreed to work towards a common position regarding how to manage the consequences of enlargement by the end of the year. The process will involve a meeting of the Board Chairman, vice-chairs and interest group representatives in April/May and Board decision in November.

The Board noted the report with no further comments.

Item 6 – OSH monitoring project sheet (A/02/03)

A revised project sheet was tabled in the second plenary session.

Following group discussions, the following interventions were made.

The **Chairman** reminded members that the project sheet is the result of extensive prior consultation with the Bureau and Focal Points and that, due to the advanced preparations, the possibilities for amendment are very limited.

Mr Remaeus approved the project sheet on behalf of the government group, but asked the Agency to look beyond the member states when organising the seminar and include international organisations such as the World Health Organisation.

For the employers' group, **Ms Schweng** drew attention to the amendments proposed by the Bureau with the purpose of clarifying that any continuation of the project would require decision by the Board. The employers' group further proposed the inclusion of the words "the feasibility of" in the sentence "The aim of the project is to identify *the feasibility of* a common European approach..."

Mr Biosca agreed with the tabled document and the proposed amendments.

On behalf of the workers' group, the **Chairman** agreed the amended project sheet and the changes proposed by the employers' group. In view of the limited possibilities for amendment of the project, the following proposals will be raised at the workshop and discussions on future work programmes. A desire to broaden the project to include national prevention systems and institutions and also sanction, compensation and rehabilitation systems. There is also the wish to see social partner participation guaranteed.

Replying to a question from **Ms Schweng** asking who will participate in the workshop, the **Director** informed that it would be principally the Board together with some other experts.

The Board agreed the revised document with the amendments.

Item 7 – Mandates for Agency's expert groups (A/02/04)

The **Director** informed that the proposed mandates include the comments of the Focal Points. They reflect the change from four TNGs to two and also the Board and Bureau's request to make the groups' roles more specific.

In view of the Topic Centre designation issue, the Bureau recommended removal of Focal Point mandate point nine relating to their task of nominating national institutions.

Mr Remaeus expressed the agreement of the Government group, with the clarification that the last mandate is to the Focal Point as a group and not individually. The words 'in principle' need to be explained regarding the 'Composition' sections of the mandates.

The **Director** replied that the stipulation in the mandates that members should not belong to more than one group is only 'in principle' because in some cases it is unavoidable.

Ms Schweng noted that two of the Bureau amendments to the mandates to TNGs were missing from the one for TNG Research. With their inclusion, the employers agreed the revised mandates.

For the Commission, **Mr Biosca** agreed the documents, adding that the changes added precision and clarity to the text.

The **Chairman** reported that the Agency had clarified to the Bureau that the role of the National Editors is wider than production of the newsletter and there is one meeting per year. The Bureau proposed focusing the mandate on the Focal Point group and leaving the issue of tripartism for the 'Role and Responsibilities' document to be discussed at a future meeting.

The **Director** agreed to make available lists of members of the expert groups.

The Board adopted the revised mandates with the amendments.

Item 8 – SME Funding Scheme 2002 & 2003 (A/02/05)

Mr Oostens gave the background to the scheme. On proposal from the Commission, the budgetary authority transferred €4M to the budget of the Agency. The Commission's legal services said last year that the amount should be transferred to the Agency's budget line and this was requested two weeks ago. The implementation excludes administrative expenditure, including remuneration of staff.

The **Chairman** drew attention to the tight deadlines and other planning problems that arise from still being in the pilot phase of a possible multiannual programme.

The **Director** informed that the Agency proposes using the same model as last year, with detail improvements, as this proved to be efficient and there is no evaluation yet on which to

base major changes. The Agency proposes broad-ranging eligibility criteria for projects combined with priorities, such as psychosocial issues and stress, in order to give focus and so increase effectiveness. A link with the Agency's ongoing tasks will also ensure best use of resources and increased visibility.

Mr Oostens clarified that due to the annual nature of the budget, it is not possible to fund multiannual projects. All activities must finish in the year after they are contracted.

Mr Boisnel asked whether a claim could be made against the Agency by an organisation whose project was not selected if their proposal met the budgetary authority's eligibility criteria but not the Agency's priorities. **Mr Oostens** explained that this would not be the case as the budgetary comments are indicative only.

Responding to a request from **Mr Boisnel** for clarification of the legal basis of the budgetary transfer, **Mr Oostens** explained that all expenditure needs a legal basis, whether it is a regulation or directive. The budgetary authority decided to use the Agency regulation as the legal basis for the implementation of the SME line and the Commission is implementing the transfer based on this.

Following the interest group discussions, the following interventions were made.

Mr Remaëus reported on two discussions in the government group. The first related to the legal basis and it was decided to rely on the Agency and Commission for a proper solution. The second issue was the proposal to focus on accident prevention when the European Parliament has expressly widened the scope. The government group would like accident prevention to be retained, but with the inclusion of other elements such as health and safety management systems.

For the employers' group, **Ms Schweng** called on the Commission to take steps towards a multiannual programme so that planning is easier and project quality is ensured. In its evaluation of projects the Agency is urged to focus on quality rather than geography and to give weight to recommendations of Focal Point regarding national projects. The employers' group agrees with the broad scope of the call for tender that includes accident prevention, but would like more priorities such as health and safety management, including specifically risk assessment and information and training.

Mr Biosca informed that the Commission does not intend to propose a multiannual programme. The initiative for the 2002 programme came from the European Parliament against the opinion of the Commission. An appropriate solution may be for the budgetary authority to allocate the necessary resources and the Agency's regulation to be changed to allow four-year programmes. Regarding the call for tender, the Commission reserves its opinion until it sees the final text. The text submitted last year by the Agency is an adequate basis for this year's call. The Commission agrees with the government group that health as well as safety issues should be covered.

On behalf of the workers' group, the **Chairman** referred to the problems the annual budgetary cycle gives with respect to deliver applications on the call for proposals as well as execution of the activities in a very restricted period. This limits the interest to apply to the call and possibilities to execute meaningful activities. Given the fact that the Agency has to live up to those limitations the workers group is willing to support the new budget for the SMEs and supported calls for a multiannual programme. The changes to the Agency's regulation suggested by the Commission would be welcomed. The workers' group supports the European Parliament's broad scope, but recognises the need for focus and linking with the Agency's work programme. The Agency is asked to use criteria as similar to last year as possible and to make the final version of the call available for comment.

The **Director** confirmed that quality is the most important criterion for judging projects. The Focal Point ranking was given as high a priority as possible last year, but there is also a desire to find a variety of projects.

The Board agreed that the Bureau should decide on the final text of the call for tender.

Mr Boissel commented that the government group also supported the move to a multiannual programme. For a proper legal basis, the Commission should either publish very soon changes to the Agency's regulation to that would allow this, or the Spanish Presidency should request clarification from the Council's legal services regarding what can be done within the current regulation.

For the Commission **Mr Oostens** replied that the budgetary authority confirmed the legal basis for the programme in 2002 as being the Agency's regulation. It therefore appears that this is sufficient to carry out this type of programme, however it would then have to be included in the Agency's work programmes and the appropriations would have to be allocated to the Agency's budget directly. Up to date this has not been the case and it has been at the instance of the Parliament that these appropriations have been made. The Agency would need to request the appropriations in the same way as it did for the European Week.

Item 9 – Budget matters (A/02/06-10)

Mr Pijuan, head of administration, introduced the preliminary draft budget for 2003. Members' attention was drawn to a typing error in document A/02/07, 'Non-automatic carry-overs' to the effect that the total is €190000 and not €120000 as appears in the text. Document A/02/08 'Discharge to the Director' is based on the Court of Auditors report and therefore relates to the year before last. Document A/02/09 'Appointment of the Assistant Accountant' has no budgetary effect, as the person is already a member of staff. Document A/02/10 increases payment of expenses to experts in line with the cost of living.

Mr Biosca asked for clarification of the actions taken by the Director in response to comments 26 and 28 in the Court of Auditors report, referring to recruitment and human resources efficiency.

The **Director** replied that the Agency agreed with the comment regarding recruitment, adding that the Commission and other Agencies are always informed about administrative vacancies. However, the comment on staff productivity is misleading as a measurement based on the ratio of expenditure under Titles 1 & 2 compared to Title 3 is not reliable. The Agency has taken important steps to improve efficiency.

The **Commission** commented that an increase in budget of 2.5% is in line with the change in the cost of living and that no change in the number of staff in 2003 will allow a period of stability and increased efficiency.

The budget documents were approved.

Item 10 – Any other business

Mr Tsamoussopoulos announced that he would no longer attend as Board member and thanked colleagues. On behalf of the Board the Chairman thanked Mr Tsamoussopoulos.

At the suggestion of the **Chairman** the three interest groups of the board (governments, employers, employees) adopted the following resolution:

"The interest groups of the workers, employers and governments of the Administrative Board of the European Agency for Safety and Health at Work have agreed the following resolution:

In the light of the forthcoming Community Strategy on Safety and Health at Work, these groups wish to express their strong support for the inclusion of a specific health and safety at work element in the Community Programme in the Area of Research (6th Framework Programme for Research and Technological Development)."

Mr Jansen gave an update on the new Community Strategy on health and safety at work. The Commission's draft Communication is due to be presented to the Social Affairs Council on 7th March. The Spanish Presidency intends to propose a Council Resolution on health and safety at work and is organising, together with the Commission, a conference on the new strategy in Barcelona in April. The Commission has also prepared a draft Council recommendation on health and safety and the self-employed, for adoption by the Commission in mid March. With regard to the 6th Framework Programme, the current text makes no reference to health and safety at work although it is possible to request its inclusion and this should be done principally by raising awareness in the European Parliament. Mr Jansen added that as the Commission has formulated and tabled its own proposal to Council, it would not be appropriate to now suggest an amendment. The Commission therefore abstains from the proposed Board resolution.

Mr Horst enquired about the Agency's recently published report on research priorities and its aim of giving input to the Community Strategy.

The **Director** informed that the priorities and needs identified in the report has been discussed at a meeting with representatives from DG Research. There has also been a second round of consultation with national Focal Points and the conclusions have been sent to the Commission and European Parliament. The Agency is collaborating with the Commission, European Parliament and Spanish Presidency for specific inclusion of OSH in the 6th Framework Programme on Research. A joint letter on the matter has been sent to DG Research by the Agency and the lead organisation of the Topic Centre Research (INRS) on behalf of all Topic Centre organisations.

Ms Schweng requested, on behalf of the employers' group, that the Agency try and hold meetings on either Monday/Tuesday or Thursday/Friday.

Annex 1 – Attendance list

ALEXOPOULOU Celia	JANSEN Bernhard	SCHRÖDER Marina
BIOSCA DE SAGASTUY J.R.	JENSEN Jens	SCHWENG Christa
BOISNEL Marc	KONING J.J.H.	SEDES Maurice
BREINDL Gertrud	KUIKKO Tapio	SJÖHOLM Börje
CARCOBA ALONSO Angel	LEANDRO Eduardo	TEIXIDO CAMPAS Pere
DRAPER Mel	METZLER Fernand	THILLAUD Pierre
ENRIGHT Kevin	NASCIMENTO LOPES L.F.	TSAMOUSOPOULOS Elias
FERNANDEZ SANCHEZ L.	OOSTENS Marc	TUDOR Owen
GIARDIN Antoine	PELEGRIN André	WALTKE Natascha
GIUSTI Franco	PERIMÄKI DIETRICH Raili	WEBER Paul
HEIDER Alexander	PISSIMISSI Matina	WHELAN Fergus
HESELMANS Marc	PLATT Mark	WILDERS Marcel
HORST Andreas	REMAEUS Bertil	WOOD Sylvia
HURMALAINEN Mikko	ROCCA-ERCOLI Giovanna	
JACOBSEN Lone	SCHRAMA H.C.V.	