

**MINUTES OF THE 20TH MEETING OF THE ADMINISTRATIVE BOARD OF THE
EUROPEAN AGENCY FOR SAFETY AND HEALTH AT WORK.
BILBAO, 4-5 MARCH 2004**

The **Chairperson** welcomed those present and:

New members:

Anne Degrand-Guillaud (European Commission)

The new representatives from the Accession Countries:

András Békés (Government, Hungary)

Marius Dagys (Workers, Lithuania)

Judith Nosztrai (Employers, Hungary)

And noted apologies from:

Janet L. Asherson (Employers, UK)

Antonios Christodoulou (Government, Greece)

François Engels (Employers, Luxembourg)

Alexander Heider (Workers, Austria)

Lone Jacobsen (Workers, Denmark)

Edgars Korcagins (Employers, Latvia)

Tapio Kuikko (Employers, Finland)

Luis Lopes (Workers, Portugal)

Leandros Nicolaides (Government, Cyprus)

Marcelino Pena Costa (Employers, Portugal)

Petros Petrou (Employers, Cyprus)

Lubos Pomajbik (Workers, Czech Republic)

Olga Poulida (Workers, Cyprus)

Marc Sapir (Workers, Observer TUTB)

Natascha Waltke (Employers, Observer UNICE)

Paul Weber (Government, Luxembourg)

Luisa Benedettini (Workers, Italy) for whom Ms Galli attends

Willy Buschak (European Foundation) for whom Mr O'Shea attends

Andreas Horst (Government, Germany) for whom Dr Grütte attends

Samo Hribar-Milic (Employers, Slovenia) for whom Nina Globocnik attends

Patrick Levy (Employers, France) for whom Ms Cazals attends

Petr Simerka (Government, Czech Republic) for whom Ms Kubickova attends

Item 1 – Adoption of the draft agenda (A/04/A1)

The following documents were tabled:

- Director's Progress Report update and annexes
- List of participants
- Work Programme Procedure
- Designation of Topic Centre New Member States
- Declaration on subsidy situation
- Draft conclusion from Pre-Board seminar as regards Risk Observatory

The draft agenda was adopted.

Item 2 – Minutes of the last meeting, 25-26 November 2004 (A/03/M2)

The Board adopted the minutes.

Item 3 – Director's Progress Report (A/04/01)

The Director introduced the report on the activities of the Agency from November 2003 to March 2004.

The Director drew attention to the following issues:

- The Agency has been working on the implementation of the 2nd generation network structure adopted by the Board in November 2003. The implementation is progressing well and a detailed status is included as an annex to the Progress Report update.
- Implementation of the 2004 work programme has commenced. Kick-off meetings with the Topic Centres have been arranged to initiate work.
- Via the Agency cooperation with OAS (Organization of American States) an information system covering all American states is being build up.
- Regarding enlargement it seems that the Agency may get a part of a PHARE III programme covering Bulgaria and Romania. Furthermore, discussion with the Commission has been initiated to explore the possibility for using TAIEX funds to raise awareness of the acquis in the Candidate Countries.
- **Text hidden based on the exceptions covered in Article 4 of Regulation No 1049/2001**
- The new staff reform has been adopted but the detailed implementing rules are not in place yet. The situation of the local staff is of special concern to the Agency. The 9 local agents with indefinite contracts will be offered to continue with the current local staff contract or change to "contract agents" in accordance with the new staff regulations. However, as regards posts occupied by local agents with definite contracts ending after 30 April 2004, these posts will have to be published as contract agents once the contracts finish.

The Board noted the report with no further comments.

Item 4 – Amendment to the Work Programme 2004 – Risk Observatory (A/04/02)

The Chair introduced the item stressing that the Board had been asked to agree the document provided by the Agency. Based on the discussions at the pre-Board seminar the Chair presented the following as the Chair's conclusions:

- The Risk Observatory shall focus on safety and health risks at work. Relevant context data should also be taken into consideration where appropriate
- Priorities should be set by the Board as part of the annual work programme Only validated data should be used and the results should be consolidated - through an appropriate methodology incl. the analysis
- Appropriate resources should be allocated for collecting and analysing data
- The outcome should include best practices for the prevention of risks at the workplace
- Clear and realistic communication of the scope of the risk observatory
- Target audience: information should be useable for policymakers as well as at the workplace level

The Chair stressed that in addition to these conclusions the comments given during the pre-Board seminar should be taken into consideration when drafting the final document. The Bureau should oversee the finalization of the document submitted to the Board and the Board should decide on the next steps in November.

Speaking on behalf of the Employers, **Ms Schweng** informed that she could agree that the Agency would proceed on the basis of the document submitted and on the conditions mentioned.

Mr Remaeus informed that the Governments could accept to continue work on the basis of the document submitted and the comments given by the Chair.

Ms Perimäki Dietrich informed that the workers would not regard the Chair's conclusions as binding but that they could accept to go on on the basis of the document submitted by the Agency and the comments given by the Chair. As regards the next steps of the Risk Observatory, it is important that sufficient time is given for consultation.

Ms Degrand-Guillaud informed that the Commission strongly supports the proposed establishment of Risk Observatory as the Risk Observatory is a requirement according to the Community safety and health strategy.

The Chair concluded that the Agency would revise the document in the light of the comments given today and during the pre-Board seminar, that the Bureau would oversee the finalization of the document and that the Board would decide the next steps in November at the Board meeting.

Mr O'Shea informed that the Dublin Foundation welcomed the Risk Observatory and would make available the data needed. Furthermore, to avoid overlaps between the Dublin Foundation and the Bilbao Agency the joint action plan should be reviewed.

Item 5 – Preliminary Work Programme 2005 (A/04/03)

The Director explained the background to the preliminary draft work programme. The preliminary draft presented to the Board only included activities programmed in the Rolling Work Programme and the proposal for an Enlargement Action Plan as an optional activity. The Board was invited to adopt the preliminary draft work programme now, as the Agency following new legal requirements has to attach the work programme to the budget to be

forwarded to the Commission by 31 March. After the Board meeting the usual planning procedure would be initiated which among other things will imply the involvement of the Focal Points in the drafting of the final draft to be presented to the Board in November 2004.

Mr Boisnel asked the Commission when it was expected that the new Agency regulation would be adopted. Furthermore, Mr Boisnel asked the Director to explain how he would integrate the Enlargement Action Plan into the Agency budget and work programme.

Mr Biosca de Sagastuy answered that the new Agency regulation was currently being discussed in the college of Commissioners. At this moment it was not possible to give an exact date.

The Director commented that the Enlargement Action Plan was integrated in the preliminary draft work programme and budget presented to the Board.

Ms Perimäki Dietrich informed that the workers could accept the document subject to the comments given by the Director, particularly that the work programme would be presented to the Board in November for final approval after the normal consultation procedure.

Mr Remaeus remarked that the governments could accept the current document as the preliminary draft on the same conditions as mentioned by the workers.

Ms Degrand-Guillaud could accept the document with the following comments: 1. The Enlargement Action Plan should be more specific when it comes to the SME actions; 2. The ongoing project on Economic Incentives is regarded as very important by the Commission; 3. It is important that the mainstreaming activities be coordinated with the Commission.

Ms Schweng informed that the employers could accept the document on the same conditions as given by the workers with the following comment: The project sheet on migrant workers is biased and it should be revised to find a better balance.

The Chair concluded that the Board could agree the preliminary draft work programme on the basis of the comments given. The project sheet on migrant workers should be revised and the SME action in the Enlargement Action Plan should be more specific. The Bureau would oversee the finalization of the work programme before it is sent to the Commission.

Item 6 – Financial matters / Budget matters – Draft budget 2005 (A/04/04)

The Director introduced the draft budget 2005 and explained that a revised budget note had had to be tabled due to last minute information on changed budgetary expectations for 2005. The draft budget includes an increase of 3,3 pct. for title 1 and 2 and 2,6 pct. plus EUR 288.261 for the establishment of a Risk Observatory for title 3. In addition, the budget includes EUR 3,5 mio. for an Enlargement Action Plan.

Mr Boisnel asked for information about the 2003 budget execution.

The Director answered that final figures for the budget execution were not available yet, but that almost 97 pct. of the 2003 budget has been committed.

Mr Remaeus informed that the governments could accept the budget with the Enlargement Action Plan.

Ms Perimäki Dietrich informed that the workers could accept the budget with the Enlargement Action Plan.

Ms Schweng gave her support to the budget, including the Enlargement Action Plan, on behalf of the employers. At the same time, the employers would like the Agency to provide information on the budget execution the previous year at the first Bureau meeting every year in the future.

Ms Degrand-Guillaud informed that the basic budget without the Enlargement Action Plan will be presented by DG Employment to DG Budget, who will present it to the European Parliament. The budget with the Enlargement Action Plan included is mainly based on an expectation from DG Enlargement and the European Parliament. It is not possible today to give any indication about these provisions.

The Chair concluded that the Board could approve the preliminary draft budget and establishment plan as presented by the Agency with the alterations tabled at the meeting.

The Director explained the situation as regards subsidies from the Biscayan and Basque authorities. The subsidies have been gradually reduced over the years. The Agency has been informed that there will no longer be any subsidy from the Biscayan authorities and that the subsidy from the Basque authorities will be reduced to 10 pct. of its original amount. The Agency has contacted the Spanish authorities to find a solution to the problem and the Spanish authorities are prepared to negotiate an agreement. It would, however, be important for the Agency if the Board expressed its opinion on the matter.

On the request from **Mr Mellish**, **the Director** commented that it was not likely that the Spanish authorities would impose obligations on the Agency if they were to finance the missing subsidies from the Basque and Biscayan authorities. The argument from the Biscayan and Basque authorities for giving a subsidy to the Agency has been the positive impact on the region in which the Agency is placed and on the promotion of safety and health in general.

Mr Reameus informed on behalf of the governments that they could support the declaration.

Ms Degrand-Guillaud informed that the Commission could support the declaration.

Ms Perimäki Dietrich informed that the workers could support the declaration.

Ms Schweng informed that the employers could support the declaration. The employers would like to see a formal agreement with the Spanish government about the Agency.

The Chair concluded that the Board agreed the tabled declaration.

Item 7 – Detailed rules for the implementation of regulation regarding public access to documents (A/04/05)

The Director introduced the item.

The Board agreed the document.

Item 8 – Mandate to designate legal representative of the Agency (A/04/06)

The Chair introduced the item. There were no further comments.

The Board agreed the proposed authorization.

Item 9 – Designation of Topic Centre New Member States (A/04/07)

Mr Paoli and **the Director** introduced the item making reference to the tabled document. 9 out of the 10 new Member States were represented in the proposed Topic Centre. The Director gave his recommendation of the proposed designation.

The Board agreed the proposed designation.

Item 10 – Amendment of mandates for ad hoc Expert Groups (A/04/08)

The Chair introduced the item.

The Board agreed the proposed amendment.

Item 11 – Any other business

Mr Whelan commented on the upcoming staff reform: While he accepts that staff policy is the responsibility of the Director it is important to stress that the Agency must be in the vanguard on this issue. Therefore it is important that changes at the Agency following the staff reform be based on social dialogue and that best practices are applied.

The Director replied that he regretted the changes imposed by the staff reform as regards local staff, but that the Agency was obliged to implement these changes and that the staff committee would be involved in the process.

Mr Remaeus asked if it would be possible to prepare an introduction package for new Board members.

The Director confirmed that an introduction package would be prepared.

Annex – Attendance list

NAME	INTEREST GROUP	COUNTRY
ANTAPSONS Ziedonis	Workers	LATVIA
BÉKÉS András	Government	HUNGARY
BERGSTRÖM Sven	Workers	SWEDEN
BIOSCA DE SAGASTUY José Ramón	European Commission	OBSERVER
BÖHM Lučka	Workers	SLOVENIA
BOISNEL Marc	Government	FRANCE
BREINDL Gertrud	Government	AUSTRIA
BROWN Peter	Government	UNITED KINGDOM
CAZALS Véronique	Employers	FRANCE
DEGRAND-GUILLAUD Anne	European Commission	OBSERVER
DONNELLAN Pat	Government	IRELAND
FERNANDEZ SANCHEZ Leodegario	Government	SPAIN
GAUCI Mark	Government	MALTA
GIUSTI Franco	Employers	ITALY
GLOBOCNIK Nina	Employers	SLOVENIA
GOEREND Marcel	Workers	LUXEMBOURG
GRÜTTE Karl-Heinz	Government	GERMANY
GYÖRGY Károly	Workers	HUNGARY
HESELMANS Marc	Government	BELGIUM
HURMALAINEN Mikko	Government	FINLAND
JANNERFELDT Eric	Employers	SWEDEN
JENSEN Jens	Government	DENMARK
KAADU Tiit	Government	ESTONIA
KONING J.J.H.	Employers	THE NETHERLANDS
KOSOVSKY Jan	Workers	SLOVAK REPUBLIC
KRISTJUHAN Ülo	Workers	ESTONIA
KUBICKOVA, Daniela	Government	CZECH REPUBLIC
KYRIAKONGONAS Pavlos	Employers	GREECE
LOPEZ ARIAS Tomás	Workers	SPAIN

LUSIS Renars	Government	LATVIA
MAJER Ivan	Government	SLOVAK REPUBLIC
MELLISH Tom	Workers	UNITED KINGDOM
NOSZTRAI Judith	Employers	HUNGARY
ONELLI Paolo	Government	ITALY
O'SHEA Barry	European Foundation	OBSERVER
PAWLACZYK Iwona	Workers	POLAND
PEDERSEN Anders Just	Employers	DENMARK
PELEGRIN André	Employers	BELGIUM
PERIMÄKI DIETRICH Raili	Workers	FINLAND
PHILIPS François	Workers	BELGIUM
PODGÓRSKI Daniel	Government	POLAND
REMAEUS Bertil	Government	SWEDEN
SABAITIENE Aldona	Government	LITHUANIA
SCHRAMA H.C.V.	Government	THE NETHERLANDS
SCHRÖDER Marina	Workers	GERMANY
SCHWENG Christa	Employers	AUSTRIA
SCICLUNA John	Employers	MALTA
SEITZ Gilles	Workers	FRANCE
SIRVYDIENE Laura	Employers	LITHUANIA
TEIXIDO CAMPAS Pere	Employers	SPAIN
VEIGA E MOURA Joao	Government	PORTUGAL
WHELAN Fergus	Workers	IRELAND
KONKOLEWSKY Hans-Horst	European Agency	
SMITH Andrew	European Agency	
PAOLI Pascal	European Agency	
MURILLO Françoise	European Agency	
ORTEGA Elena	European Agency	
CARREIRA José António	European Agency	
BEJER Jesper	European Agency	
RIAL-GONZALEZ Eusebio	European Agency	