

**MINUTES OF THE 21ST MEETING OF THE ADMINISTRATIVE BOARD OF THE
EUROPEAN AGENCY FOR SAFETY AND HEALTH AT WORK.
BILBAO, 23-24 November 2004**

The **Chairperson** started the meeting by explaining the situation created by the new appointments to the Agency's Board by the Council on 15 November. The Agency had sent the invitations to the Board meeting on 19 October. The invitations were sent to those, who at that moment were registered as Members of the Board. The Agency had no information that the composition of the Board would change before the meeting. The Council decision on 15 November meant on the one hand that some of those who had been invited to this Board meeting would not be Members of the Board when the meeting took place and on the other hand, some of those that became Board Members as a result of the Council decision had not received an invitation. Furthermore, some of the alternates were changed as well. As a solution, those concerned were informed as soon as the Agency could receive a confirmation of the new appointments. The action taken reflected on the one hand the need to make sure that those who should participate in the decisions of the Board would have the chance to do so, and on the other hand the objective of not bringing those who had already been invited into an impossible situation. Therefore, those concerned had been informed that if they had become ex-Members or ex-Alternates but decided to participate in the meeting, they would participate as passive observers, while those who had become Members participated as normal Members. The Agency recognized the unfortunate situation, but the decision to change the composition of its Board so close to the Board meeting had been beyond its control.

The **Chairperson** welcomed those present and in particular:

New members:

All new Administrative Board Members and Alternates from the New Member States and

Herman Fonck (workers, Belgium)

Jan Kahr Frederiksen (workers, Denmark)

Giles Seitz (workers, France)

Gabriella Galli (workers, Italy)

Antoine Giardin (workers, Luxembourg)

Manuel Marcelino Pena Costa (employers, Portugal)

Javier Pinilla García (governments, Spain)

And noted apologies from:

Ziedonis Antapsons (workers, Latvia)

Lucka Böhm (workers, Slovenia)

Tony Briscoe (employers, Ireland)

Mark Gauci (government, Malta)

Nina Globocnik (employers, Slovenia)
Paul Glynn (Commission)
Thomas Holtmann (employers, Germany)
Bob Koning (employers, The Netherlands)
Ivan Majer (government, Slovak Republic)
Marc Sapir (workers, Observer TUTB)
Marina Schröder (workers, Germany)
Laura Sirvydiene (employers, Lithuania)
Paul Weber (government, Luxembourg)
Olga Poulida (workers, Cyprus)

Item 1 – Adoption of the draft agenda (A/04/A2)

The following documents were tabled:

- Director's Progress Report update and annexes (A/04/11)
- Amendment to the Work Programme 2005 as regards budgetary and human resources (A/04/13)
- Revised proposal for meeting dates 2005 (A/04/19 REV)
- Proposal for resolution on Bilbao Declaration
- Proposal for resolution on 7 Framework Programme on Research
- List of participants

The draft agenda was adopted.

Item 2 – Minutes of the last meeting, 4 March 2004 (A/04/M1)

The Board adopted the minutes.

Item 3 – Election of new chairperson and Bureau (A/04/10)

The **Chairperson** clarified that the election of the chairperson and the Bureau would be based on the current Agency Regulation.

It was decided that:

Mr Lopes (workers) becomes the new chairperson.

Ms Schweng (employers), Mr Remaeus (governments) and Mr Jansen (Commission) become the vice-chairs.

In addition to the chairperson and the vice-chairs it was agreed that the following may also attend the Bureau: Mr Sapir (workers), Ms Waltke (employers), Mr Lusi (government) and Ms Degrand-Guillaud (Commission). Furthermore, it was agreed to continue the special arrangement for the Spanish government representative so that Mr Pinilla Garcia may also attend the Bureau.

Item 4 – Director’s Progress Report (A/04/11)

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

The Director drew attention to the following issues:

- The 2004 work programme is being implemented as foreseen
- Important publications include the reports “Mainstreaming occupational safety and health into education”, “Corporate social responsibility and safety and health at work”, “Promoting health and safety in Europe’s SMEs – SME funding scheme 2002-2003”, “Achieving better safety and health in construction” and “Quality of the working environment and productivity”.
- Major emphasis has been given to the integration of the new Member States in the Agency’s activities. These efforts have included communication in all the 20 official EU languages and the implementation of the 2nd generation network structure adopted by the Board in November 2003.

The Board noted the report with no further comments.

Item 5 – Draft Rolling Work Programme 2005-2008 (A/04/12)

The **Director** introduced the item.

On behalf of the governments, **Mr Remaeus** made the following comments:

- Regarding the two general goals in section “1.2, Strategic goals”, of document A/04/12, the governments requested further information on the background to the two general goals mentioned.
- Regarding the section “3.1 Building the links – Promoting global network partnership” the governments commented that it is important that the activities in the area “Beyond the EU” do not lead to a lower priority to activities within the EU.
- There is a general concern in the governments group about the focal points’ workload as regards language checking, though it is recognized that the Board has asked the Agency to communicate in as many of the official EU languages as possible and that it is necessary that the focal points check the language before publications are published.
- There had been good synergy effects with SLIC in the organization of the campaign on Construction. Therefore, as SLIC may choose MSD as a theme in 2007 the governments would like to suggest to change the order of the European Week themes in 2007 and 2008, so that MSD would become the theme for 2007 and Risk Assessment for 2008. This change would however, only take effect if SLIC in the end would choose MSD as the 2007 theme. It was stressed that this should not be seen as SLIC telling the Agency what its priorities should be.
- In section “5. Supporting Policy Making and Implementation”, the governments would request a rewording of the bullit point which read, “Provide strategic and practical information company level.”, so it would read, “Provide technical, scientific and economic information that can support company level.”

The **Director** remarked:

- Regarding the strategic goals: The two general goals in section “1.2 Strategic goals” are in fact quotes from the Agency Strategy which was agreed at the November Board meeting 1999. Furthermore, these strategic goals have since then been included in previous work programmes in exactly the same way.
- Regarding the activities outside the EU: The Agency spends a very limited amount of resources on these activities. The budgetary resources are mainly provided via the budget line 3032 which in the draft budget submitted to the Board (document A/04/14) provides for expenses of 66.690 EUR (or around 1 pct. of the proposed title 3 budget). The cooperation with the Candidate Countries is financed via the PHARE-programme. The Agency Regulation prescribes that the Agency shall cooperate with partners outside the EU, and the cooperation is organized in cost-efficient ways via e.g. cooperation on joint web-sites.
- The Agency recognizes that it is a burden for the focal points to language check Agency publications, however it is a necessary burden due to the reasons mentioned by the governments. The Agency has though, taken measures to reduce the burden by different activities which aim at improving the quality of the documents the focal point receive for checking.

On behalf of the workers, **Mr Lopes** made a general comment about the way the Agency and the focal points work. As the Agency network has now been enlarged to include 10 more Member States and as a new regulation is expected to be adopted, it is the moment to consider how tri-partism works. At the central level (i.e. in the Board) tri-partism is well-established. However, in the view of the workers’ group, tri-partism does not work equally well in all Member States when it comes to the focal points. With the new Agency Regulation involvement via the Board may diminish as there would only be one annual Board meeting. It is therefore important to consider how social partner involvement can be strengthened at other levels.

The **Director** replied, that the Agency has taken note of the comment by the workers. The proposed amendment to the Agency Regulation makes it clear that tri-partism has a role at the focal point level. In article 4 it is specified that the national authorities (the focal points) shall take into account the point of view of the social partners at national level, according to national legislation and/or practices. The Agency will discuss the consequences of the new regulation with the focal points in December and ask the focal points to invite their national Board members to a meeting in order to discuss how to make sure that national social partners are involved in an adequate way in the work of the focal points.

Mr Biosca added that the proposed amendment to the Agency Regulation reflects the desire by the social partners to be more involved at national and at European level. If the social partners are not involved in accordance with the regulation in some Member States the social partners should inform the Commission as there are established procedures to deal with these issues in the Community system.

Ms Degrand-Guillaud commented that the Commission supported the Rolling Work Programme.

On behalf of the employers, **Ms Waltke** informed that the employers supported the Rolling Work Programme, but would have preferred other themes than MSD for the European Week. However, considering the clear majority in the Board not in favour of changing the theme, the employer would go along with the general opinion in the Board.

The Board adopted the Rolling Work Programme 2005-2008 as suggested in document A/04/12 on the condition of a positive opinion from the Advisory Committee's interest groups and with the following amendments:

- The context of the strategic goals in section "1.2 Strategic Goals" should be explained as requested by the governments
- The wording in section "5 Supporting Policy Making and Implementation" should be amended as requested by the governments.
- The order of the European Weeks 2007 and 2008 should be reversed if SLIC decides in March 2005 that MSD shall be the 2007 theme.
- The text on the risk sectors in section "5.2 Provision of information to risk sectors" should be changed.

Finally it was agreed that the Bureau at its extra meeting in January would have a first discussion on tri-partism in the Agency network.

Item 6 – Draft Work Programme 2005 (A/04/13)

The **Director** introduced the item.

On behalf of the governments, **Mr Remaeus** informed that the governments were in favour of the work programme, but as regards the Risk Observatory they would request further explanation on the link between focal points and the proposed national contact points.

Mr Paoli remarked that national focal points would be asked to nominate the national contact points. The tasks related to the Risk Observatory were considered to exceed the resources available within the focal point system.

On behalf of the Commission **Ms Degrand-Guillaud** informed that the Commission supported the work programme, but stressed that it is important that new information on emerging risks is produced by the Risk Observatory. An early warning system should be established.

On behalf of the workers, **Mr Lopes**, commented that the workers would like to see a special emphasis on the issue of how to communicate to young people in the preparation of the European Week 2006. Furthermore, the workers would encourage the Agency to communicate in as many of the official languages of the EU as possible.

Ms Waltke welcomed in general the work programme on behalf of the employers. However, the employers had the following specific comments:

- Regarding the Risk Observatory:
 - There should be a clear focus on risks as such. This also applies to the themes for 2005.
 - The quality procedures to be put in place must involve all relevant groups
 - The company panel could be postponed to a later stage.
- Regarding the project on OSH and Economic Performance:
 - In order to create added value, the project should include a workshop, the proposed literature review should go beyond Agency publications and company cases should be included.
- Regarding the European Week on Young People:

- Communication issues should be given special priority.
- The Enlargement Action Plan:
 - The employers consider this project to be very important and they would prefer that the project could be carried somehow – even without the requested additional funding.

The **Director** remarked that the OSH and Economic Performance project should include sources outside the Agency, that communication is one of the key issues to be addressed when preparing the European Week on Young Workers and that as regards the Enlargement Action Plan, there has to be additional funding to carry it out. Without additional funding, the Agency would not be able to initiate activities of a size and quality that could match the needs in the new Member States.

Regarding the comments on the Risk Observatory, **Mr Paoli** clarified, that the themes for 2005 were a mixture of classical and emerging issues. The Risk Observatory should be an early warning system, but it should also provide an overview of existing data. As regards the company panel, the idea is not to establish it now, but to carry out a feasibility study. Finally, to guarantee the quality of the products and data, these will be presented to the Expert Group before they are published.

The Board agreed the work programme 2005 as suggested in document A/04/13 on the condition of a positive opinion from the Advisory Committee and with the following amendments:

- The OSH and Economic Performance project sheet should be amended as requested by the employers
- In the preparation of the European Week 2006 special emphasis should be given to the issue of communication
- The Risk Observatory has to start working and the development of a methodology for the risk alert function has a high priority. When addressing the company level, the Agency should cooperate with organizations at the European level. Finally, the quality and coherence of data must be assured.

Item 7 – Financial matter/Budget matters. Draft budget 2005 (A/04/14)

Mr Blanch introduced the item.

All groups and the Commission supported the proposed budget, though **Mr Lopes** informed that the workers would have supported a higher budget and **Ms Waltke** informed that the employers would have liked to see the Risk Observatory and the Enlargement Action Plan to go ahead even without the requested additional funding.

The Board adopted the budget and the establishment plan as presented in document A/04/14.

Item 8 – Board and Bureau arrangements following the revised Agency Regulation – including revised rules of procedure (A/04/15)

The Chair clarified that as the Agency Regulation most probably would not be adopted before the next Board meeting, the Board did not have to agree on the new Rules of Procedure at this meeting. However, an agreement on the future procedure for the preparation of the work programme was necessary.

On behalf of the governments, **Mr Remaeus** informed that the governments could support the procedure proposed but that a way should be found in order to involve the Board members more closely in the process. With only one annual Board meeting, there was a need to explore other ways to make sure that the stakeholders are involved.

The Director remarked that the Agency together with the Commission will examine the possibilities to add one extra day to the Advisory Committee autumn session in order for the Board interest groups to discuss Agency planning matters. The Agency would finance the travel costs for those Board members who are not members of the Advisory Committee.

Mr Biosca confirmed that the Commission would participate in the examination of the possibilities to arrange meetings for the Board interest groups in connection with the Advisory Committee autumn session.

The Board agreed the procedure for the preparation of the work programme as described in document A/04/15 with the addition that in 2005 an extra meeting for the interest groups should be arranged in connection with the Advisory Committee autumn session.

Item 9 – Expert Group Mandates (A/04/16)

Mr Lopes commented on behalf of the workers, that there should be a more balanced participation of social partners and governments.

The Director replied that the proposed expert group mandates were in line with the revised network structure agreed by the Board in November 2003. One of the elements in the decision on the network structure was the composition of the expert groups. Furthermore, it should be kept in mind that members are supposed to be nominated as experts and not as government representatives. However, the Agency takes note of the message from the workers' group and suggests that the issue of tripartism should be discussed at the extraordinary January Bureau meeting and the next Board meeting.

On behalf of the employers, **Ms Waltke** supported the mandates while expressing understanding for the workers' concerns. The employers supported discussing the general issue of tri-partism at the January Bureau meeting.

Mr Remaeus informed that the governments supported the mandates and that a general discussion on tri-partism should take place at the January Bureau meeting.

Ms Degrand-Guillaud could agree the mandates on behalf of the Commission. Regarding the composition of the groups, the Commission's concern was that they should not have too many members.

The Board agreed the mandates proposed in document A/04/16. Furthermore, it was agreed that the January Bureau meeting should discuss tri-partism in general and the Bureau would report back to the Board in March.

Item 10 – Topic Centres (A/04/18)

All the groups and the Commission supported the model proposed in document A/04/18. However, on behalf of the workers, **Mr Lopes** expressed concern about the nomination process for Topic Centres and the involvement of social partners in this process. Furthermore, the workers would like to see that the future Topic Centres respect tri-partism.

The Director replied that the procedure for nomination of potential Topic Centres is established in the Agency Regulation according to which the designation is done by the Board. As the new Topic Centres will be selected based on open calls for tender the social

partners are invited to inform institutions and others about the call, once it has been published. As regards the Topic Centres' respect of tri-partism, the Agency will include a criterion about experience of working with governments and social partner in the call.

The Board agreed the proposed model in document A/04/18 and that the Agency should include a criteria on experience with involvement of social partners in the call for tender.

Item 11 – Meeting dates 2005 (A/04/19)

The Board agreed the proposed meeting dates in document A/04/19.

Item 12 – Any other business

Two resolutions had been tabled: One on the 7th Framework Programme on Research and one on the Bilbao Declaration from the European Week Summit.

Resolution on 7th Framework Programme on Research

The three interest groups adopted the resolution on the 7th Framework Programme on Research (available here:

<http://extranet.osha.eu.int/livelink/livelink.exe?func=ll&objId=371704&objAction=browse&sort=name>).

Resolution on Bilbao Declaration (European Week Summit 2004)

On behalf of the employers, **Ms Waltke** informed that they would not sign the proposed resolution as the Board had not been involved in the work on the Bilbao Declaration until after it had been signed. However, the employers acknowledge the work, which has been done by the social partners in the sector and further progress is supported.

On behalf of the workers, **Mr Lopes** informed that the workers would have signed the proposed the resolution. However, as not all interest groups would be able to sign the resolution, the workers preferred that the resolution be not signed by any of the groups.

Mr Remaeus informed that the governments like the workers would have signed the resolution, but for the same reason as the workers the governments suggested not to sign it.

The resolution on the Bilbao Declaration was not adopted.

Before the end of the meeting, **Mr Remaeus** thanked on behalf of the governments Ms Breindl for her work in the Bureau.

The Board also thanked Ms Schweng for her work as chairperson of the Board and welcomed Mr Lopes as the new chairperson.

ADMINISTRATIVE BOARD MEETING BILBAO, 23-24 NOVEMBER 2004

	NAME	INTEREST GROUP	COUNTRY
1	ASHERSON Janet L.	Employers	UNITED KINGDOM
2	BÉKÉS András	Government	HUNGARY
3	BERGSTRÖM Sven	Workers	SWEDEN
4	BIOSCA DE SAGASTUY J.R.	European Commission	LUXEMBOURG
5	BOISNEL Marc	Government	FRANCE
6	BREINDL Gertrud	Government	AUSTRIA
7	BROWN Peter	Government	UNITED KINGDOM
8	BURISÍN Miroslav	Employers	CZECH REPUBLIC
9	CAZALS Véronique	Employers	FRANCE
10	DEGRAND-GUILLAUD Anne	European Commission	BELGIUM
11	DELIA Joseph	Employers	MALTA
12	ENGELS François	Employers	LUXEMBOURG
13	FONCK Herman	Workers	BELGIUM
14	FREDERIKSEN Jan Kahr	Workers	DENMARK
15	GALLI Gabriella	Workers	ITALY
16	GERADA Joseph	Workers	MALTA
17	GIARDIN Antoine	Workers	LUXEMBOURG
18	GIUSTI Franco	Employers	ITALY
19	GYÖRGY Károly	Workers	HUNGARY
20	HEIDER Alexander	Workers	AUSTRIA
21	HESELMANS Marc	Government	BELGIUM
22	HURMALAINEN Mikko	Government	FINLAND
23	JANNERFELDT Eric	Employers	SWEDEN
24	JANSEN Bernhard	European Commission	BELGIUM
25	JENSEN Jens	Government	DENMARK
26	KAADU Tiit	Government	ESTONIA
27	KORCAGINS Edgars	Employers	LATVIA
28	KRISTJUHAN Ülo	Workers	ESTONIA
29	KUIKKO Tapio	Employers	FINLAND
30	KYRIAKONGONAS Pavlos	Employers	GREECE
31	LINK Ilmar	Employers	ESTONIA
32	LOPES Luis	Workers	PORTUGAL
33	LOPEZ ARIAS Tomás	Workers	SPAIN

34	LUSIS Renars	Government	LATVIA
35	NICOLAIDES Leandros	Government	CYPRUS
36	O'SHEA Barry	European Foundation	IRELAND
37	ONELLI Paolo	Government	ITALY
38	PAWLACZYK Iwona	Workers	POLAND
39	PEDERSEN Anders Just	Employers	DENMARK
40	PELEGRIN André	Employers	BELGIUM
41	PENA COSTA M. Marcelino	Employers	PORTUGAL
42	PERIMÄKI DIETRICH Raili	Workers	FINLAND
43	PINILLA GARCIA Javier	Government	SPAIN
44	PISSIMISSI Matina	Government	GREECE
45	POMAJBÍK Lubos	Workers	CZECH REPUBLIC
46	REMAEUS Bertil	Government	SWEDEN
47	RÜCKERT Anette	Government	GERMANY
48	SABAITIENE Aldona	Government	LITHUANIA
49	SCHRAMA H.C.V.	Government	THE NETHERLANDS
50	SCHWENG Christa	Employers	AUSTRIA
51	SEITZ Gilles	Workers	FRANCE
52	SIMERKA Petr	Government	CZECH REPUBLIC
53	TEIXIDO CAMPAS Pere	Employers	SPAIN
54	VEIGA E MOURA Joao	Government	PORTUGAL
55	WALTKE Natascha	Employers	BELGIUM
56	WHELAN Fergus	Workers	IRELAND
57	KONKOLEWSKY Hans-Horst	European Agency	
58	BLANCH José G.	European Agency	
59	MURILLO Françoise	European Agency	
60	PAOLI Pascal	European Agency	
61	SMITH Andrew	European Agency	
62	BEJER Jesper	European Agency	