

**MINUTES OF THE 30th MEETING OF THE GOVERNING BOARD OF THE
EUROPEAN AGENCY FOR SAFETY AND HEALTH AT WORK
Bilbao, 11-12 March 2010**

The **Chairperson** (Mr Remaeus) welcomed those present. **Mr Takala** announced that a photograph of the Board members would be taken after the plenary session.

Item 1: Adoption of the draft agenda (G/09/A2)

The **Chairperson** asked if any issue would be raised under Any Other Business (AOB). **Mr Takala** informed that he would introduce two items under AOB:

1. Progress on seat agreement
2. Discussion in the European Parliament about the Agency having better contacts with ILO in relation to the EU Strategy 2020.

The draft Agenda was adopted.

Item 2: Adoption of the draft minutes from last Board meeting (G/09/M2)

The draft minutes from last Board meeting were approved with a correction in Mr Constantinou's surname on page 3. The approved minutes were updated on EU-OSHA's extranet.

Item 3: For decision: Analysis and assessment of the Agency's 2009 Annual Activity Report (G/10/01)

The item was introduced by **Mr Takala** [[see presentation](#)].

The **Commission** had no comments.

The workers group (**Mr György**) asked for a shorter version of the document, and requested more precise information about the OiRA project. They also asked about when the final results of the ESENER will be published. **Mr György** noted a typing mistake in page 4, regarding the number of OSH subscribers.

The Employers group (**Ms Schweng**) agreed that the report should be as concise as possible.

The Governments group asked for an explanation of the under-spending of around € 900,000.

Mr Takala explained that the Annual Activity Report is the report of the Director. When drafting the report, the Director needs to follow the guidelines followed by other institutions and bodies. Furthermore, the Court of Auditors had in the past pointed out that the Board had sometimes taken its decisions without requesting the necessary information. To make it possible for the Board to hold the Director accountable, it is therefore important that the Board has the necessary information available – this applies particularly when the Board adopts its analysis and assessment of the Director's activity report which is the key instrument for the Board to fulfil its responsibility of holding the Director accountable on the performance of the Agency. Regarding the under-spent amount, **Mr Takala** explained that though some appropriations – those in title 3 – may be carried over – funds in title 1 cannot. Under all circumstances, the annuality of the budget makes it practically impossible to achieve a 100 per cent implementation of the budget.

Mr Rial informed that the preliminary results from ESENER were shown at the Closing Event in November 2009, and that on 24 March there would be a briefing for the European Parliament. Then, at the Focal Point meeting on 22 April there will be a discussion about the preparations for national-level events co-organised with willing focal points. The public and media launch of the full ESENER results (including an overview report, an online mapping tool, and a summary in all languages) will be on 3 June, at an event organised under the Spanish Presidency, represented by Ms Pascual from the Instituto Nacional de Seguridad e Higiene en el Trabajo (INSHT).

The Board adopted the analysis and assessment of the Annual Activity Report.

Item 4: For decision: The Agency's 2009 Annual Report (G/10/02)

The item was introduced by **Mr Takala** [[see presentation](#)]. There were no comments on the Agency's 2009 Annual Report.

The Agency's 2009 Annual Report was approved.

Item 5: For decision: Draft Annual Management plan 2011 (G/10/03)

The item was introduced by **Mr Takala** [[see presentation](#)], who asked the Governing Board to adopt the Annual Management Plan together with the annexed declaration on the OiRA project. **Mr Takala** stressed that the AMP, the declaration and the draft Budget and Establishment Plan 2011 as well as the Staff Policy Plan 2011-2013 had to be seen together.

The discussion was divided into a discussion on the OiRA declaration and a discussion on the rest of the AMP.

OiRA:

Mr Alvarez explained the background to the position of the Commission. In January, the Director of EU-OSHA sent the Commission a draft multi-annual Staff Policy Plan 2011-13, including additional staff resources (6 temporary agents) for the Online interactive Risk Assessment (OiRA) project. The Commission analysed the proposal together with DG Budget and DG HHRR and sent EU-OSHA a reply beginning of March, with some technical comments.

Regarding OiRA, the Commission is fully supporting the project, being part of the Steering Committee. OiRA is considered to be useful and contribute not only to risk assessment, particularly in SMEs, but also to reduce the administrative burden.

However, taking into account the current situation of economic crisis, the Commission recommends redeploying existing staff rather than increasing staff, in line with the Commission's position in general for other agencies and EU Institutions. Finally, **Mr Alvarez** reminded that the Commission fully respects the autonomy of the Governing Board and will not comment on the resolution.

Mr Smith explained the nature of the tasks to be developed by the additional 6 staff members, which include testing the tool, guidance to developers, promoting the tool, helping develop the tool, assessing the needs, training etc. They would work with the European Sectoral Social Dialogue Committees as well as with Member States. The 2010 pilot exercise will test the diffusion strategy drawn up by the Agency which incorporates both top-down and bottom-up approaches. In devising the pilot, the Agency has tried to reflect the diversity of national and institutional contexts. As part of the 'top-down' approach, the Agency is in advanced negotiations with the construction and working sectors in the frame of the European Sectoral Social Dialogue, while the bottom-up will be run in Belgium, France,

Cyprus and Spain with different types of lead organisations – including national authorities, to expert institutes and social partner organisations.

Ms Koradecka agreed that the tool should be strongly supported especially in this context of economic crisis, as it is useful also to save money.

Mr Munar offered a practical demonstration of the OiRA project and **Mr Smith** presented the diffusion model for the OiRA [[see presentation](#)], after request from the Board for more information.

The Employers asked for a business plan with a description of what is planned for the 6 extra staff, an evaluation of the pilot exercise, and information on number of countries and sectors interested in the tool.

The Workers are convinced that OiRA is a useful tool, but it should be clearly stated that risk assessment is the employers' responsibility. On the other hand, the workers also agreed that there was a need for more information.

The Governments agreed with the request for more information. Furthermore, tri-partism has to be respected meaning active involvement of labour inspectorates. It is important not to give the impression that social partners can make binding interpretations of OSH legislation.

Mr Takala confirmed that the requested information would be provided at the next Bureau meeting. He also confirmed the tri-partite nature of the OiRA project and the importance of involving the labour inspectorates.

The three groups agreed to delete the last paragraph of the declaration “The Governing Board therefore”.

The AMP:

Mr Takala noted that in the AMP 2011, in page 9 there is a mistake, which will be corrected.

The Employers group presented the conclusions from their group meeting:

- It was recognised that the Agency had followed up on the comments from the previous meeting.
- Make the WEI section shorter and split the outputs of the activities on the campaigns to avoid confusions.
- The text on the 2012-2013 campaign should be redrafted to focus more on the holistic approach (i.e. prevention), rather than the individual elements, such as occupational health promotion
- Globally Harmonized System (GHS) campaign: the employers asked why EU-OSHA should do this and not ECHA

The Workers group requested that:

Where possible, the Agency should make the management plan shorter in the future.

The Governments group presented their conclusions:

- The document had improved considerably since November 2009.
- In document G-10-3b, the Governments questioned whether the answer rate could be judged as ‘very good’.
- The explanation of ‘Agency influence’ in the illustration on page 7 of the AMP had to be made clearer.
- It would be useful to make part 4.2 in the WEI section shorter.

- In the WEI section it should be considered whether other indicators would help monitor the performance in this area.

Mr Alvarez expressed the Commission's position of austerity in the current situation, but also remarked their interest in the Agency being able to develop its tasks and activities in the best possible conditions. Regarding the resolution in annex II, the Commission abstains. Regarding the Annual Management Plan 2011, the Commission, as usual after internal consultation, will provide its opinion in due time.

Mr Takala confirmed that the suggested amendments would be made in the management plan – where possible now, and the remaining amendments would be included in the document for the second Board meeting 2010. Mr Takala also explained that EU-OSHA would carry out the GHS mini-campaign based on existing sources as ECHA mainly has a regulatory role whereas EU-OSHA has a campaigning role and a role towards workplaces.

The Draft Annual Management plan 2011, including the resolution in Annex II, was approved with the above mentioned amendments.

Item 6: For decision: Draft Budget and Establishment Plan 2011, including Staff Policy Plan (SPP) (G/10/04)

The Draft Budget 2011, the Establishment Plan 2011 as well as the SPP 2011-2013 were approved.

Item 7: For decision: IAS Strategic Audit Plan 2010-2012 for EU-OSHA (G/10/05)

Ms Murillo introduced the item stressing that the foreseen web-site audit had been postponed to autumn 2010 in order to allow for a follow-up audit in spring 2010.

The IAS Strategic Plan 2010-2012 for EU-OSHA was approved.

Item 8: For decision: Amendment of 2010 Budget and establishment plan (G/10/06)

Ms Murillo introduced the item, mentioning the main changes in the amending budget.

The Amendment of the 2010 Budget was approved.

Item 9: For decision: ECHA memorandum of understanding (G/10/07)

Mr Takala introduced the item, highlighting that the Bureau recommended amending article IX, including the sentence “reviewed and subsequently amended”. Furthermore, article IX should be amended to read “The MoU may be terminated by either of the agencies ...”.

Mr Alvarez from the Commission considered that it was important and very positive to have this memorandum established.

The ECHA memorandum of understanding was approved with the above mentioned amendment.

Item 10: For decision: Procedure for selection of new Director (G/10/08)

Mr Takala introduced the issue and reminded all those members of the Board interested in the post should not be present when discussing this issue in order to avoid any conflict of interest.

Mr Alvarez explained that the reason for the high cost of the process of recruitment is the cost of the publication of the vacancy notice, which applies to all Agencies. Other important expenses are the cost for interviews of pre-selected candidates.

Mr Alvarez also explained the usual procedure and following steps for the recruitment of the new Director, which is expected to last around one year. First, the Commission will prepare and publish the vacancy notice for the open competition in the Official Journal and the main international newspapers. Interviews will take place with the pre-selected candidates and a short list of candidates will be proposed for the Governing Board to make a decision.

Taking into account that Mr Takala's mandate will end in September 2011, the intention is to have a decision taken by March 2011.

It was agreed that the Governing Board gives a mandate to the Bureau to take care of all preparatory steps to the appointment of the new Director of EU-OSHA.

Necessary actions should be taken to ensure the absence of conflict of interest of those involved in the process.

Item 11: Election of Chair, Vice-chair and other Bureau members (G/10/09)

The following members of the Bureau were elected:

Chair: Ms Schweng

Vice-chair: Mr Riese, Mr György, Mr Alvarez

Coordinators:

Governments: Ms. Petricek

Workers: Mr. Cerfedda

Employers: Ms. Smith

Bureau representatives and alternates:

Governments: Ms. Breindl

Alternates: Mr. Lusi, Ms. Koradecka and Mr. Grau-Rios

Workers:

Member of Bureau: Ms. Böhm

Alternates: Mr. Frederiksen, Ms. Schröder and Mr. Seitz

Employers:

Member of Bureau: Mr. De Meester

Alternates: Ms. Buet, Mr. Engels and one vacant

Commission:

Member of Bureau: Mr. Constantinou

Alternates: Ms. Stadnik

Item 12: For information: Coordination of Agencies issues (Agencies evaluation and inter-institutional dialogue) and Item 13: Presentation on the political context of the inter – institutional process on the Agency system

Mr Takala introduced the items [[see presentation](#)].

Items for information.

Item 14: Presentation on findings and recommendations on the evaluation of the Agencies system

Ms Sylvest, from Rambøll presented the item [[see presentation](#)], exposing the major findings of the evaluation of the EU de-centralised agencies in 2009 for the Commission.

There were several remarks from **Mr Frederiksen**, **Mr Remaeus** and **Mr György** concerning some points of the Evaluation Report about the size of the Boards. The specific feature of tri-partism in the social policy areas was stressed. Furthermore, it was recalled that the composition of the Board is set up by the Founding Regulation of the Agency. The positive impact on efficiency having key stakeholders involved in decision-making in a network organisation should also be considered.

Mr György also asked if the evaluation had taken into account the specific characteristics of the agencies in the social policy area and if an evaluation on the satisfaction of end users had been carried out.

Ms Sylvest informed that the horizontal evaluation did not include an evaluation of user satisfaction. To the extent that such information was already available it had been included. She acknowledged that a tri-partite Board may be necessary in certain Agencies, but this did not mean that all Member States necessarily had to be present – a rotation scheme could be adopted.

Mr De Meester remarked the importance of this type of evaluations, in order to learn and improve and stressed that being Member of the Board should not be seen as an automatic right due to being a representative of certain interests but rather as a role involving rights as well as obligations.

Mr Remaeus asked whether it would be possible to identify those agencies which perform well.

Ms Sylvest answered that information on performance was too scarce to allow comparisons among agencies.

Mr Alvarez considered the evaluation useful and interesting, containing valuable elements regarding governance and the role of agencies. The Commission considers tri-partism to be essential in the social policy area.

Item 15: Any Other Business

1)

Ms Schweng asked to change the date of the next Bureau meeting, scheduled for 25-26 May. It was agreed to reschedule the next Bureau meeting for 14-15 June (Monday and Tuesday).

2)

Mr Takala and **Ms Pascual** offered an update on the seat agreement situation, which is quickly progressing. The text from the Spanish Ministry of Labour is well advanced and the Basque Government has offered EU-OSHA two floors in a building free of charge, plus an increased subsidy of € 100,000; however the renovation of the new building will have to be covered by EU-OSHA. The challenge is now how to make the renovation in terms of budget and practicalities.

3)

Mr Takala informed that there was a suggestion by Mr Cercas that EU-OSHA should cooperate more closely with ILO under the EU Strategy 2020. **Mr Alvarez** informed that there is an ongoing cooperation between the Commission and the ILO in OSH matters, and

he would appreciate any relevant information by EU-OSHA in this matter in order to avoid overlap.

4)

As this was **Mr Koning's** last meeting, **Mr Remaeus** thanked him for his active participation in the Agency's work since the very beginning.

Mr Remaeus also announced that he was retiring and took the opportunity to thank all present for the cooperation throughout the last years.

Ms Schweng, Mr György, Mr Riese, Mr Alvarez and Mr Takala, expressed their gratitude personally and on behalf of their respective groups and EU-OSHA to Mr Remaeus, highlighting his capacity of reaching consensus and establishing team work over his long career.

Mr Remaeus thanked all the Board and all EU-OSHA staff for their dedication and the high quality of the work done at the Agency.

The Chair thanked the interpreters and closed the meeting.

Encl. Annex II: Resolution adopted by the Governing Board 12 March 2010 on Online interactive Risk Assessment tool (OiRA), signed by the Chair.

List of participants

	NAME	INTEREST GROUP	REPRESENTING
1	ADAMAKIS Ioannis	Workers	GREECE
2	ALVAREZ HIDALGO Jesús	European Commission	EU
3	ANDREOU Nikos	Workers	CYPRUS
4	ANSELMANN Norbert	European Commission	EU
5	ANTAPSONS Ziedonis	Workers	LATVIA
6	BÉKÉS András	Government	HUNGARY
7	BENDIK Bohuslav	Workers	SLOVAK REPUBLIC
8	BÖHM Lucka	Workers	SLOVENIA
9	BREINDL Gertrud	Government	AUSTRIA
10	BRISTOW Stuart	Government	UNITED KINGDOM
11	CASARU Anthony	Workers	MALTA
12	COJOCARU Adrian	Workers	ROMANIA
13	CRONIN Sylvester	Workers	IRELAND
14	DOYLE Theresa	Employers	IRELAND
15	ENGELS François	Employers	LUXEMBOURG
16	FLIER Martin	Government	THE NETHERLANDS
17	FRASCHERI Cinzia	Workers	ITALY
18	FREDERIKSEN Jan Kahr	Workers	DENMARK
19	GALANOPOULOU Elizabeth	Government	GREECE
20	GAUCI Mark	Government	MALTA
21	GOMES Fernando	Workers	PORTUGAL
22	GRAU-RIOS Mario	Government	SPAIN
23	GYÖRGY Károly	Workers	HUNGARY
24	HEIDER Alexander	Workers	AUSTRIA
25	IGLESIAS Pilar	Employers	SPAIN
26	IMBRECHTS Willy	Government	BELGIUM
27	JANCUROVA Laurencia	Government	SLOVAK REPUBLIC
28	JÄRNSTEDT Christina	Workers	SWEDEN
29	KAADU Tiit	Government	ESTONIA
30	KELLY Daniel	Government	IRELAND
31	KEMPA Viktor	Workers	ETUC
32	KOLCHAKOV Atanas	Government	BULGARIA

33	KONING J.J.H.	Employers	THE NETHERLANDS
34	KORADECKA Danuta	Government	POLAND
35	KUBICKOVA Daniela	Government	CZECH REPUBLIC
36	KYRIAKONGONAS Pavlos	Employers	GREECE
37	LEPORE Michele	Government	ITALY
38	LEVICKIS Vaidotas	Employers	LITHUANIA
39	LEVY Patrick	Employers	FRANCE
40	LUSIS Renars	Government	LATVIA
41	MELLBLOM Bodil	Employers	SWEDEN
42	METZE Eckhard	Employers	GERMANY
43	MOZURA Gediminas	Workers	LITHUANIA
44	NASCIMENTO LOPES Luis F.	Government	PORTUGAL
45	NICOLAIDES Leandros	Government	CYPRUS
46	NIELSEN Thomas Philbert	Employers	DENMARK
47	OÑA Dionís	Workers	SPAIN
48	PAOLINI Pierre	Government	FRANCE
49	PARENT-THIRION Agnès	Others	EUROFOUND
50	PASCUAL Concepción	Government	SPAIN
51	PENA COSTA M. Marcelino	Employers	PORTUGAL
52	PETRICEK Tatjana	Government	SLOVENIA
53	PETRZELKA Karel	Employers	CZECH REPUBLIC
54	PHILIPS François	Workers	BELGIUM
55	REMAEUS Bertil	Government	SWEDEN
56	RIESE Ulrich	Government	GERMANY
57	SCHWENG Christa	Employers	AUSTRIA
58	SKJOLDAGER Charlotte	Government	DENMARK
59	SMITH Rebekah	Employers	BUSINESSEUROPE
60	SOON Argo	Workers	ESTONIA
61	SUOMAA Leo	Government	FINLAND
62	WEBER Paul	Government	LUXEMBOURG
63	SYLVEST Janne	Speaker	RAMBOLL
64	TAKALA Jukka	European Agency	
65	BEJER Jesper	European Agency	
66	DE PRADO Marta	European Agency	

67	COCKBURN William	European Agency	Staff representative
68	MURILLO Françoise	European Agency	
69	O'BRIEN Brenda	European Agency	
70	RIAL-GONZALEZ Eusebio	European Agency	
71	SMITH Andrew	European Agency	
72	TAYLOR Terry	European Agency	