

Meeting:	34th MEETING OF THE GOVERNING BOARD	
Date:	23 November 2011	24 November 2011
Time:	15.30 h – 18.00 h	09.00 h – 16.30 h
Venue:	Palacio Euskalduna Avda. Abandoibarra 4, E-48011 Bilbao	

MINUTES

The **Chairperson** (Mr György) welcomed those present. Ms Sedlatschek was particularly welcomed to this first meeting as the Agency's Director.

The **Chairperson** informed about the papers tabled and the timetable for the meetings.

1. Adoption of the draft agenda (G/11/A3)

CONCLUSION: The draft Agenda was adopted.

2. Adoption of Draft Minutes from March Board meeting (G/10/M3)

CONCLUSION: The draft Minutes of the March Board meeting were adopted without any comments.

3. Director's Progress Report (G/11/14)

The Director introduced the report and gave an update on the work in the Inter-institutional Working Group (presentation can be found here:

<http://extranet.osha.europa.eu/92659/11998/32028/32137/2011-meeting-3-november/agenda-attachments/presentations>).

The Director also provided an update on the building and seat agreement issue. The Agency had been offered a building by the Basque Government but it was unfeasible for the Agency to undertake the necessary renovation work. As regards the seat agreement the situation was difficult. The current draft did not provide significant advantages compared to the current situation. It had therefore been decided not to sign at the moment though the immediate future did not offer many promises either.

Mr Fonck asked about the work in the Inter-institutional Working Group and what was meant by the terms "emerging conclusions" used in the Director's presentation. He also requested further information on the issues of merging agencies and the composition of Boards.

The Director replied that the terms "emerging conclusions" were used as the Inter-institutional Working Group had not finalised its work yet and that the points highlighted are based on the information available. As regards the issues of merging agencies and the composition of Boards, the Agency does not have further information available. The agencies do not form part of the Inter-institutional Working Group.

Mr Nicolaides asked the Agency to provide the Board with an organisation chart indicating which staff member is responsible for what. **The Director** confirmed that such a chart would be provided.

Ms Kirton-Darling, on behalf of the workers, requested a timetable for the OSH wiki and further information on activities foreseen on active ageing. The workers also pointed out the unions were sometimes not involved in the development of OiRA tools. In general, the workers would

appreciate if the future progress reports could illustrate how much progress has been made on the different projects.

Mr Rial-Gonzalez replied that the Agency foresaw providing a full update on the OSH wiki activity to the Board in March. At the moment 69 articles had been finalised but the articles will not be published until they have been quality assessed. For the active ageing activity (European Year 2012), the Agency has contracted Prof. Juhani Ilmarinen to produce an article on which two co-branded factsheets will be based, and a Single Entry Point will be produced for the website.

The Director added that regarding OiRA the Agency stresses the importance of tripartism to the stakeholders involved in the development of tools, and that the case mentioned will be followed up by the Agency staff.

The employers had no comments.

Ms Breindl (governments) requested a business case for the OSH wiki activity. In future progress reports the budget tables should be accompanied by explanatory text. It would also be helpful to have information on which staff resources are involved in which activities.

Mr Rial-Gonzalez replied that the Agency would prepare ex-ante assessments of the main activities suggested to go into the next EU-OSHA strategy. The budgetary tables in the report give the status by 31 October in the main areas of the Agency's activities. It is foreseen that the Agency will pay significant amounts during the last two months of the year, when invoices are received.

The Director added that the Agency would be moving towards Activity Based Management and Budgeting in 2012 which would create a much clearer link between activities and human and financial resources.

CONCLUSION: The Board took note of the report.

4. Annual Management Plan 2012 (G/11/15)

The Director introduced the final management plan 2012 (presentation can be found here: <http://extranet.osha.europa.eu/92659/11998/32028/32137/2011-meeting-3-november/agenda-attachments/presentations>).

Ms Breindl (governments) provided the following comments:

- It is not the role of the Agency to 'influence the policy debate'. The wording should be adapted.
- SLIC should be involved in the promotion of OiRA
- 2012 is too early for awareness raising on the EMF directive
- The Agency must define the targets for the OiRA project.
- The document needed to be adapted following the latest information on the future of the EU OSH policy

Ms Smith informed that the employers had no comments.

Mr Constantinou (Commission) supported the opinion that 2012 would be too early for a campaign on a new EMF directive given the latest developments, and also that SLIC should be involved in the OiRA project. Finally, the Commission wanted to include text in the work programme to allow the Agency to play an active role in the formulation of the future EU OSH policy.

Mr György (workers) gave the following comments:

- The indicators should also cover qualitative aspects.
- In relation to the ESENER work, good cooperation with EUROFOUND must be ensured.
- 2012 is the 100th anniversary of the first workers' representative in Sweden. This could be reflected in the campaign.

The Director thanked for the comments which will all either be included in the text or taken into account during the implementation. The Agency completely agrees that SLIC must be involved in

the OiRA work. As regards EUROFOUND there is strong cooperation on the basis of a Memorandum of Understanding. The Director already visited EUROFOUND in October and discussed closer cooperation with the Director there.

Mr Rial-Gonzalez added that work is ongoing to define targets for OiRA.

CONCLUSION: The Agency's 2012 Management Plan was adopted with the comments provided.

5. Amending Budget 2011 (G/11/16)

The Director introduced the amendment and explained that the purpose was to take into account the IPA III agreement signed with the Commission, to take into account the decrease in income due to a lower subsidy than expected from the Spanish Government and to incorporate transfers of appropriations between chapters and articles.

The Chair regretted that the Spanish Government had not fulfilled the expectation regarding the subsidy. Further information on the last chapter of the budget on IPA was requested. Why are so relatively many resources allocated to the first year?

The Agency was not able to answer the question about IPA at the meeting, but can now inform that this is the way the Commission manages these schemes. They pay 70 per cent of the total amount in the beginning. The Agency needs as much funding as possible in the beginning to be able to make commitments. It should be noted that as these funds are earmarked they can be carried forward from one year to another.

CONCLUSION: The amending budget was adopted

6. Annual Budget and Establishment Plan 2012 (G/11/17)

The Director introduced the item stressing the continuity in the budget compared to previous years (presentation can be found here:
<http://extranet.osha.europa.eu/92659/11998/32028/32137/2011-meeting-3-november/agenda-attachments/presentations>).

Mr Alvarez Hidalgo outlined the Commission's answer to the Agency's consultation on the draft 2012 work programme and budget. The comments on the work programme were very supportive and the only request was that the Agency should foresee to contribute to the development of a new EU OSH policy. As regards the establishment plan, the Commission wanted the Agency to calculate with 26 contract agents instead of 27. The Commission stressed the importance of budgetary rigour.

The Director clarified that the documents the Board had in front of them were distributed before the Commission's answer became available. The Agency had made clear the purpose of the additional contract agent as well as the tasks this staff member would undertake. However, the Agency did not want to be in manifest opposition to a clear EU policy line. Reducing the foreseen number of contract agents should, however, mean that this reduction will be included in calculations on future staff reductions and also the Agency will have to look into the consequences for its activities.

Mr Alvarez Hidalgo clarified that he was not in a position to guarantee that the reduction in the number of contract agents could be taken into account in the foreseen five per cent reduction in staff.

Mr György (workers) expressed his group's dissatisfaction with the Commission's answer on the 27th contract agent. He also raised the question about the sustainability of the Commission strategy adding new tasks to the Agency's work while not providing the necessary resources.

Mr Constantinou (Commission) replied that the Agency must plan within the existing resources. The Commission's position was explained in its answer to the Agency's consultation.

CONCLUSION: The Budget and Establishment Plan 2012 were adopted with the amendment agreed regarding number of contract agents.

7. OiRA Business Plan and Impact Assessment (G/11/18)

Mr Rial-Gonzalez provided an update on the OiRA business plan and impact assessment (presentation can be found here:

<http://extranet.osha.europa.eu/92659/11998/32028/32137/2011-meeting-3-november/agenda-attachments/presentations>).

Ms Breindl (governments) suggested to remove the information on countries not interested in the Business Plan. She also pointed out that it would have been relevant to consider the option of a mixed Agency-Member State intervention.

Mr Engels (employers) welcomed the business plan and expressed the employers' conviction that OiRA will be a big help for SMEs.

Mr György (workers) stressed the importance of workers being involved in the development of the OiRA tools. This was a key condition for the success of the project in the Netherlands. It is clear that the employer is responsible for having a risk assessment but he must fulfil that obligation in cooperation with the workers. The Agency should prepare guidelines on the involvement of workers' representatives. Furthermore, OiRA should complement rather than substitute existing tools. Mr György also raised the issue of ensuring the quality of the various OiRA tools.

CONCLUSION: This was an information item.

8. External evaluation of EU-OSHA Strategy and follow-up (G/11/19)

Ms Claire Tyers and **Mr Dan Lucy** from Institute for Employment Studies presented the findings and recommendations from the evaluation of the EU-OSHA Strategy. They also presented the organisational framework with the Bureau as Steering Group involved in the development of the methodology and in discussions on the preliminary findings. (presentation can be found here:

<http://extranet.osha.europa.eu/92659/11998/32028/32137/2011-meeting-3-november/agenda-attachments/presentations>).

Ms Koradecka asked if 98 interviews were enough to generate reliable findings.

Mr Lucy and **Ms Tyers** answered that 98 interviews is a very good number of interviews for qualitative interviews. It should be kept in mind that many of the findings are in line with previous findings which support the validity of the research. Finally, when reaching a certain level of consistency in answers across different respondents the added value of more interviews becomes very low.

Mr Kahr Frederiksen commented that the wording of the report gave too little emphasis to workers. The report should have had more focus on workers.

Mr Engels wanted more information on why not more employer representatives had been interviewed.

Mr György would have liked to see more interviews with the social partners.

Mr Lucy and **Ms Tyers** explained that they had interviewed those who had accepted to be interviewed. A number of people had declined or not answered the invitation to be interviewed. The assessment was, however, that overall the sample interviewed was representative of the different groups of stakeholders.

Mr Bristow thanked for the presentation and the report. Though he appreciated the report in general he pointed out that the executive summary could lead to the impression that employers have a responsibility to understand EU legislation.

Ms Smith (employers) pointed out that her group had doubts about the methodology of the evaluation. The next evaluation should be thought into the formulation of the next strategy.

Ms Breindl (governments) considered the evaluation report to be well done and the governments supported the conclusions.

Mr György (workers) found it interesting that it is suggested that the Agency should focus on fewer, bigger projects. The workers would like to see an evaluation of the focal points. Also, the workers' view was that their voice was not strong enough in the evaluation.

Mr Alvarez (Commission) found the report and its findings interesting and informed that the Commission had noted the report.

The Director informed that the Agency will follow up on the evaluation and could present its ideas in a pre-Board seminar. At the focal point meeting before the Closing Event there had been a discussion on how to strengthen the focal point network. This discussion had provided many interesting ideas, among others a stronger presence of the Agency in the countries.

CONCLUSION: The Bureau was mandated to oversee the follow-up to the evaluation.

9. Next EU-OSHA Strategy (G/11/20)

The Director gave an introduction to the discussion on the Agency's mission, vision, values and strategic areas on the basis of a discussion with the Bureau (see presentation here: <http://extranet.osha.europa.eu/92659/11998/32028/32137/2011-meeting-3-november/agenda-attachments/presentations>).

The groups provided preliminary feedback from their group discussions:

The employers (Ms Smith) made the following comments:

- General: The next strategy should outline the monitoring and evaluation framework.
- Mission: The new mission statement is better than the current one. It is important that the Agency is realistic and the aim of finding convergent approaches should be highlighted.
- Vision: The second alternative, "Our ultimate goal is the creation of safer, healthier and more productive workplaces in Europe ..." was preferred.
- Vision: There was support for the inclusion of the three words: safer, healthier and more productive.
- Strategic areas: OiRA is also about awareness raising.
- Values: Added value is what is complementary to Member State activities.

The workers (Ms Kirton-Darling) provided the following feedback:

- General: A new EU-OSHA strategy must be seen in the context of increased pressure on workers.
- General: Tripartism must be stressed in all relevant places.
- General: Decent work should be a reference.
- General: Risk prevention is key.
- General: The focal points must be strengthened.
- General: Cooperation with EUROFOUND must be strengthened.
- Mission: The 'facilitator' concept is good.

The governments (Ms Breindl) made the following comments:

- General: For this kind of discussions, it is important that the Board gets the documents in advance of the meeting.
- General: This was a good moment to discuss the future direction of the Agency and a seminar should be organised with the Agency to discuss the future. The seminar should involve Agency staff.
- Mission: The governments preferred the current mission statement. It is important to ensure that the mission statement is within the formulation of the regulation.
- Vision: The current vision statement should be combined with the 2nd alternative, "Our ultimate goal is the creation of safer, healthier and more productive workplaces in Europe ...". Clearer and simpler sentences should be considered and well-being could be included.
- Values: A question mark regarding the need for the accountability value was raised.

The Commission (Mr Constantinou) appreciated the clear definitions of the key concepts and stressed that the regulation must be the reference point.

The Director thanked the Board for the input which will be taken into account and also welcomed the idea of a seminar in March.

CONCLUSION: The groups and the Commission provide feedback on the paper tabled by the end of the year.

10. Dates for Board meetings in 2012 (G/11/21)

The Director introduced the proposed dates (27 and 28 March).

CONCLUSION: The Agency was asked to explore the possibilities of organising the meeting one week earlier.

11. Any Other Business

The Chair thanked Mr Kaadu for his work over a long period for the Agency. This was Mr Kaadu's last Board meeting.

The Chair thanked the interpreters and closed the meeting.

List of attendees.

NAME	INTEREST GROUP	REPRESENTING
ADAMAKIS Ioannis	Workers	GREECE
ALVAREZ Jesús	European Commission	EU
ANDREOU Nicos	Workers	CYPRUS
ANTAUER Igor	Employers	SLOVENIA
AUVINEN Erkki	Workers	FINLAND
BALJEU Sonja	Workers	THE NETHERLANDS
BENDIK Bohuslav	Workers	SLOVAKIA
BENONISEN Ann Toril	Observers	NORWAY
BÖHM Lucka	Workers	SLOVENIA
BOMBERA Géza	Employers	HUNGARY
BREINDL Gertrud	Government	AUSTRIA
BRISTOW Stuart	Government	UNITED KINGDOM
COJOCARU Adrian	Workers	ROMANIA
CONSTANTINOU Costas	European Commission	EU
CRONIN Sylvester	Workers	IRELAND
DE MEESTER Kris	Employers	BELGIUM
ENGELS Francois	Employers	LUXEMBOURG
FONCK Herman	Workers	BELGIUM
FREDERIKSEN Jan Kahr	Workers	DENMARK
GÁDOR János	Government	HUNGARY
GYÖRGY Károly	Workers	HUNGARY
HANSEN Thorfrid	Observers	NORWAY
HEIDER Alexander	Workers	AUSTRIA
JANCUROVA Laurencia	Government	SLOVAKIA
JÄRNSTEDT Christina	Workers	SWEDEN
KAADU Tiit	Government	ESTONIA
KELLY Daniel	Government	IRELAND
KEMPA Viktor	Workers	ETUC
KIRTON-DARLING Judith	Workers	ETUC
KOLCHAKOV Atanas	Government	BULGARIA
KORADECKA Danuta	Government	POLAND

NAME	INTEREST GROUP	REPRESENTING
KYRIAKONGONAS Pavlos	Employers	GREECE
LEPORE Michele	Government	ITALY
LEUZZI Fabiola	Employers	ITALY
LEVICKIS Vaidotas	Employers	LITHUANIA
LEVY Patrick	Employers	FRANCE
LUSIS Renars	Government	LATVIA
MELLBLOM Bodil	Employers	SWEDEN
METZE Eckhard	Employers	GERMANY
MEUNIER Olivier	Government	FRANCE
MEZGER Erika	Observers	EUROFOUND
NICOLAIDES Leandros	Government	CYPRUS
NYGAARD Sven-Peter	Employers	DENMARK
PÁLSSON Jón R.	Observers	ICELAND
PENA COSTA Manuel Marcelino	Employers	PORTUGAL
PETRICEK Tatjana	Government	SLOVENIA
PETRZELKA Karel	Employers	CZECH REPUBLIC
SABAITIENE Aldona	Government	LITHUANIA
SÆMUNDSSON Eyjólfur	Observers	ICELAND
SCHÖNGRUNDNER Alexandra	Employers	AUSTRIA
SCHRÖDER Marina	Workers	GERMANY
SEITZ Gilles	Workers	FRANCE
SEPP Marek	Employers	ESTONIA
SIGURJÓNSSON Björn Ágúst	Observers	ICELAND
SIXTOVA Anežka	Government	CZECH REPUBLIC
SJÖBERG Mikael	Government	SWEDEN
SKJOLDAGER Charlotte	Government	DENMARK
SMITH Rebekah	Employers	BUSINESSEUROPE
SUOMAA Leo	Government	FINLAND
SVENSLI Marianne	Observers	NORWAY
TANASE Marian	Government	ROMANIA
VAN MIERLO Mario	Employers	THE NETHERLANDS
ZAGOROV Alexander	Workers	BULGARIA

NAME	INTEREST GROUP	REPRESENTING
ZAVADIL Jaroslav	Workers	CZECH REPUBLIC
ZWINK Ellen	Government	GERMANY
LUCY Daniel	Institute for Employment Studies	UNITED KINGDOM
TYERS Claire	Institute for Employment Studies	UNITED KINGDOM
SEDLATSCHEK Christa	EU-OSHA	
BEJER Jesper	EU-OSHA	
MURILLO Françoise	EU-OSHA	
RIAL-GONZALEZ Eusebio	EU-OSHA	
SMITH Andrew	EU-OSHA	
O'BRIEN Brenda	EU-OSHA	
PALMER Kate	EU-OSHA Staff Representative	