

ACTION POINTS

Meeting:	MEETING OF THE EXECUTIVE BOARD OF THE MANAGEMENT BOARD
Date:	14 November 2023 – 09.30-13.00
Venue:	Online

1. ADOPTION OF THE DRAFT AGENDA

The Chairperson welcomed the participants and introduced the draft agenda. Before working through the agenda, he asked the participants to declare whether they may have any conflict of interests in relation to any of the items of the draft agenda. No Executive Board member reported any.

The main business for this meeting was to discuss the main items that will be presented for decision to the Management Board at their meeting in December.

There were two items proposed for AOB:

- Information on the launch event of the Healthy Workplaces Campaign on Digitalisation
- Follow-up to the request of a more active role to be played by Management Board members at key EU-OSHA events.

CONCLUSION: The Executive Board adopted the draft agenda.

2. FINAL SINGLE PROGRAMMING DOCUMENT 2024-2026

According to the schedule agreed with the Management Board, in January 2023 the Management Board adopted a draft document, which included the multi-annual objectives and plan and a detailed annual work programme for 2024, outputs and performance indicators as well as all the required annexes. The draft SPD 2024-2026 was sent to the Parliament, the Council and the Commission – as well as to the Agencies EU-OSHA has cooperation agreements with, for consultation.

The current version includes the feedback from the Management Board from January 2023 and the consultation's feedback and the Executive Board was expected to review the document and give a recommendation to the Management Board over its adoption.

Finally, the Management Board is expected to decide on its adoption at its meeting in December.

The Commission introduced to the Executive Board the main elements of their opinion, appreciating the efforts made by the Agency to take on board in the current draft all the suggestions and requests contained in the Commission opinion, which was adopted in July this year. The Commission will be invited to present their opinion to the Management Board in December.

COMMENTS FROM THE EXECUTIVE BOARD AND AGENCY'S FOLLOW-UP:

The Workers asked for more information to be provided in relation to a new strategy for EU-OSHA which is included as a new output for the work programme 2024.

The Executive Director explained that the drafting of a new strategy has been postponed for a number of years. With the Executive Director in post, the time has now come for a more in-depth reflection and a new strategy will be an opportunity to reinforce a common understanding on what the Agency does and how it works with stakeholders by engaging the staff, the Management Board and the Focal points

in this reflection. The plans for the new strategy and the main milestones will be outlined to the Management Board at their meeting in January 2024.

At the last meeting, there was a suggestion from the Workers' group to incorporate the development of European-level training programs for workers and employers into the agency's activities. This initiative could begin with an overview, mapping and assessment of existing OSH training programs across the EU.

The Executive Director explained that training is being addressed from a horizontal perspective in EU-OSHA's activities. Stressing the importance of mainstreaming OSH into training and education will continue to be a priority for EU-OSHA and the new strategy will be an opportunity to emphasise that. However, delivering training sessions goes beyond the Agency's mandate and capacity.

Finally, the Workers asked about the current discussions on occupational exposure limits for cobalt and the role played by EU-OSHA in supporting these discussions within the Commission.

EU-OSHA has been involved in the group that followed the contract on the external study supporting the OELs impact assessment preparation (OELs-6), together with the members of the WP Chemicals. Cobalt belongs to the critical raw materials that the Commission has identified for the implementation of its policies (e.g. sustainability, as it is used for batteries). The policy on essential materials was dealt with in an interservice group lead by DG RTD that EU-OSHA was invited to attend (together with other issues such as REACH and CLP) but now has been lifted up to the cabinets of Commissioners.

Cobalt is also addressed in the Workers' Exposure Survey. EU-OSHA has been working on a background document that describes the risk factors included in the WES that will be published with the WES methodology. This document has already gone through the WESAG and there is information on uses, worker exposure and toxicology, including on cobalt.

EU-OSHA's role in the groups is to support with knowledge and the Agency does not engage in discussions at political level, for example on acceptable risk¹.

CONCLUSIONS: The Executive Board took note of the final draft and agreed to issue a positive recommendation on its adoption by the Management Board in December.

3. EX-ANTE EVALUATIONS FOR DRAFT SPD 2025-2027

According to the schedule agreed with the Management Board, the Agency is presenting the ex-ante evaluations related to the two new OSH overviews whose topics had been decided by the Management Board in June.

These topics were: Climate change and Occupational exposure to cancer risk factors.

The OKAG had the chance to review and discuss the ex-ante evaluations at their meeting earlier this month. The main feedback from the OKAG was that the scope of both activities seems very broad and needs to be better focussed. The Agency explained that the two activities will be preceded by a scoping phase with expert groups and other key stakeholders, including the OKAG, where prioritization of the different issues will be discussed.

The Management Board is expected to review the ex-ante evaluations at their meeting on 14 December and decide on the 2025 plans in January 2024 and adopt the draft SPD 2025-2027.

The Agency presented the two ex-ante evaluations with the aid of a PPT and also clarified that the Management Board will be engaged all the way through and will be kept informed about the progress on the research. The Agency also reported to the Executive Board on the feedback from the OKAG.

¹ Whereas this information could not be provided in real time at the meeting, it has been included here as a follow up to a request for information from the Workers' group.

COMMENTS FROM THE EXECUTIVE BOARD:

Climate change and OSH	Occupational exposure to cancer risk factors
(WIG) address domestic workers	(WIG) address domestic workers (cleaning and healthcare sectors)
(EIG, GIG) do not limit to extreme temperature conditions (extreme heat or extreme cold) but also take into account those other phenomena that have an impact on workers (for example, storms, floods etc).	(WIG) explore if lack of enforcement or compliance of existing legislation is one of the drivers for current exposure levels.
(GIG) consider exploring link between climate change and possible future pandemics.	(WIG) explore potential impact of night shifts at work as a cause for occupational cancer.
(GIG) analysis of existing literature on climate change and OSH	(COM) covers all relevant needs and is in line with EU OSH strategic framework.
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CONCLUSION: The Executive Board provided comments to the ex-ante evaluations to be further discussed at the Management Board meeting in December. The Agency will prepare a revised version incl OKAG and Executive Board's comments.

4. DECEMBER 2023 AND JANUARY 2024 MB MEETINGS

This Executive Board meeting will also serve the purpose of preparing the Management Board meetings in December 2023. For the January 2024 meeting, another Executive Board meeting is scheduled on 18 January.

Today, the Executive Board was expected to:

- Review the agendas of both meetings and suggest any amendments or additional item as required
- Request any clarification that is needed at this stage to prepare for the meetings with the groups (particularly for the December meeting)
- Raise any other issue that is considered appropriate.

Both the December 2023 and January 2024 meetings are organised as online meetings. Meetings of the groups will be held a few days before the plenary Management Board session to allow discussions amongst the groups and clarifications to be provided by Agency's key staff in good time.

For the December 2023 meeting, the following timetable is foreseen:

- Governments group meeting: 9-12 CET on 13 December
- Employers group meeting: 12.30 – 15.30 CET on 12 December
- Workers group meeting: 9-12 CET on 12 December
- Executive Board wrap up meeting: 13.30-15.00 CET on 13 December
- Management Board plenary session: 9.30-13.30 CET on 14 December

The Chairperson also recalled that participating to the Management Board plenary session on 14 December is important as it is the place where the Management Board is called to take decisions. If the quorum is not attained, no decision can be taken at the meeting. If any member cannot take part in the plenary session, he/she should be invited to delegate his/her vote to another member of his/her group. This message should be passed on Management Board members during group meetings.

The Agency highlighted the main items on the agendas:

Main items on December 2023 MB agenda:

- Final Single Programming Document 2024-2026 – for adoption
- Final budget 2024 – for adoption
- Ex-ante evaluations of new OSH overviews on climate change and occupational exposure to cancer risks factors – for review, comments and decision

Main items on January 2024 MB agenda:

- Draft Single Programming Document 2025-2027 – for approval
- Draft budget 2025 - for approval
- Appointment to EB, Advisory Groups etc incl election of a new Chairperson – for decision
- Preliminary ideas for the HWC strategy on mental health – for discussion
- New EU-OSHA strategy – outline of the process – for information
- Presentation of “Heat guide” – for information²

Under this item, the Executive Board also discussed the modality of Management Board meetings – hybrid or online, further to some suggestions advanced in recent meetings. The Agency had prepared a note to facilitate the discussion.

The Executive Director explained that there is a political pressure to reduce face-to-face meetings (cf among others Commission’s Staff Working Document on 4 agencies’ evaluation from 2019; European Green Deal and objective of climate neutrality by 2030; Court of Auditors’ report for 2022). By way of comparison, the Advisory Committee for Safety and Health at Work and the three tripartite Agencies hold one hybrid meeting per year. At the moment, the Management Board meets three times a year, one hybrid (in June) and two on-line (December and January).

The Agency identified two possible options:

- (1) To keep the current practice
- (2) To hold two hybrid meetings per year (June and December). The items which were normally dealt with at the January meeting would be put forward to December. Having an additional hybrid meeting will have both a financial and an environmental impact:
 - Financial impact: + 100.000 EUR³ needed to be re-allocated from other operational activities (Agency’s suggestion due to the multiannual character of the work of other activities: translation budget)
 - Environmental impact: as a minimum, estimated 18 tons CO₂ for the flights which will have to be compensated with offsetting actions with rather limited financial impact.

Based on this initial assessment, the Executive Board was invited to discuss the issues and decide whether it should be included on the agenda of the Management Board meeting in December for discussion and/or decision. If this is the case and the Management Board decides to go for option (2),

² For the January 2024 meeting, the presentation of the “Heat guide” has finally been removed from the agenda and an online seminar to present newly available OSH content shall be organised for the Management Board and Focal points around spring.
³ The financial impact has been re-assessed in the light of the Governments’ group’s comment mentioned further below, and the new proposal submitted to the Management Board for discussion and decision was revised accordingly (80.000 EUR instead of 100.000 EUR).

in 2024, the Management Board will meet in January (online), in June (hybrid) and in December (hybrid); as from 2025, the Management Board will meet in June and December (both hybrid).

The Agency also clarified that whereas the scope of the December meeting could be expanded covering the items that were originally discussed at the January meeting, the opposite would not be possible. The Agency's programming requirements foresee that in December the budget and the programming document for the following year need to be adopted.

COMMENTS FROM THE EXECUTIVE BOARD AND AGENCY'S FOLLOW-UP:

The Workers argued that face-to-face or hybrid meetings foster active democracy amongst the members and ensure good discussions within the groups and across the groups, with positive spill-over on the Management Board's engagement and decisions. Whereas environmental and financial constraints are an issue, maybe alternative ways could be found to limit face-to-face participation at events of a different nature and prioritise Management Board meetings.

In the light of the recommendations from the Court of Auditor introducing additional requirements for environmental performance and sustainability reporting for the Agency and the Commission's commitment to carbon emission neutrality by 2030, the Governments suggested that an additional category of impact should be considered – on (failure to meet) environmental governance targets. They also remarked that if the January meeting items would be covered under the December agenda, the financial impact would be lower as the cost for organising the December meeting would have to be deducted.

The Commission mentioned that the current situation (option 1) functions well, but it can have an open position.

CONCLUSION: The Executive Board took note of the agendas of the meetings and the importance of ensuring the quorum for the December and January meetings. The Executive Board agreed to bring the item on the meetings modality for discussion and decision for the Management Board at their meeting in December and asked the Agency to include this on the agenda. The Agency will revise the note and clarify that in option (2) the January meeting will not take place and all the items would be moved to the December meeting.

5. EXECUTIVE DIRECTOR PROGRESS REPORT

Under this item, the Commission gave an update on the following items:

- Evaluation of the four Agencies under DG EMPL (EU-OSHA, Eurofound, Cedefop and ETF) – recalling that the findings in the draft evaluation study are overall very positive for EU-OSHA, with some rooms for improvements identified in the following areas: (1) better focus outputs to target audiences; (2) tailor specific support and guidance to Member States with less advanced OSH structures, although it is recognised that this may be resource-dependent; (3) improve cost effectiveness in procurement and contract management. The final report is being finalised and will be followed up by a Staff Working Document drafted internally by the Commission which is the Commission's analysis on the findings and lessons learnt and recommendations. It is expected that both the final report and the SWD will be made available around summer 2024.
- Communication on Comprehensive Mental health Initiative and role of EU-OSHA.
- Structural cooperation meeting between DG EMPL and EMPL Agencies in September 2022.

The Commission will be invited to provide this update to the Management Board in December.

The Executive Director also referred to the progress report and highlighted in particular the high rate of implementation of the work programme and the budget; the progress made in relation to the action plan to improve the work with the Focal points; the ongoing cooperation with other agencies; the Spanish EU presidency event in Toledo in September and the launch of the new Healthy Workplaces Campaign on

Digitalisation in October together with Commissioner Schmit. Last but not least, he also informed about the recent appointment by the European Parliament as the new independent expert to the Management Board – Mr Johan Danielsson from Sweden. Finally, he also reminded about two strategic recruitments that are on-going – for the post of Head of the prevention and research unit and for the post of Head of Communication and Promotion Unit – and the efforts that the Agency put in place to encourage applications from candidates from Member States that are underrepresented vis-à-vis the current composition of EU-OSHA's staff.

The Executive Director will report exhaustively to the Management Board on these highlights in December.

CONCLUSIONS: The Executive Board took note of these updates and congratulated the Agency on the achievements.

6. UPDATE ON ADVISORY GROUPS AND FOCAL POINTS (VERBAL)

A brief report on the recent TARAG and OKAG meeting was provided. In particular regarding the TARAG, comprehensive information was provided in relation the communication plans foreseen for the Healthy Workplaces Campaign.

7. ANY OTHER BUSINESS

The items raised under AOB were:

- Information on the launch of the Healthy Workplaces Campaign on Digitalisation – which was already covered by the information provided earlier (under item 5 and item 6)
- Follow-up to the request of a more active role to be played by Management Board members at key EU-OSHA events – the Agency has been following up with this. In particular, the groups are invited to nominate participants – e.g.: Campaign Kick-off meeting; Smart digital systems for monitoring of workers' OSH; e-tools; OSH in agri-food and construction supply chains. Sometimes Management Board members are invited as speakers depending on the type of event – e.g.: Advanced robotics and AI-based systems for automation of tasks; Digital platform work; OSH Management in the Education sector; Overview of research and practices in relation to new monitoring systems for improving OSH; E-tools seminar 2023; LIFT-OSH seminar.

The Executive Board took note of the two AOB items.

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The Chairperson thanked the attendees and closed the meeting.