

## MINUTES

<b>Meeting:</b>	44 <sup>th</sup> MEETING OF THE GOVERNING BOARD
<b>Date:</b>	Thursday, 2 June 2016
<b>Venue:</b>	Novotel Luxembourg Kirchberg Hotel 6, Rue Du Fort Niedergruenewald, Kirchberg, Luxembourg

### 1. Adoption of the draft agenda (G/16/A2)

The Chair welcomed all participants to the 44<sup>th</sup> meeting of the Governing Board of EU-OSHA and read out the administrative arrangements.

In compliance with the Agency's policy on the management of conflict of interest, the Chair asked members to declare whether they may have a potential conflict of interest with any of the items in the agenda. No Board member reported any.

The Chair asked whether there would be any items under "Any other business". The Director said she would advise members on the dates for next year's Board meetings and a short update from the PRU and CPU units would be given, as well as an update of the Brussels Liaison Office.

In addition, under item 4 "Director's progress report", the Commission will give an update on the developments related to the revision of the founding regulation, and an update on progress with the EU OSH Directives.

The German government representative mentioned that point 8 and 9 of the minutes of the previous Board meeting were not complete and should reflect the communication from the Commission concerning staff reductions. The Chair responded that these amendments will be made.

CONCLUSION: The draft agenda, together with the additional points proposed, was adopted.

### 2. Extension of the Director's Mandate

The Chair asked Agency staff and participants who were not eligible to vote to leave the room. The Chair also requested that the recording of proceedings be stopped.

The Commission presented a proposal to the Governing Board to extend the Director's mandate for a further 5 year term.

A proposal for the voting procedure was provided to the Board, outlining the arrangements for holding a secret ballot on the Commission's proposal. The procedure was approved.

In accordance with this procedure, a Secretary and two Deputy Secretaries were elected to count the votes and oversee the procedure. The Board was asked to vote by secret ballot on this proposal.

The majority (44) of the total cast votes (46) voted 'yes'. Therefore, the Commission's proposal to extend the current Director's mandate by a further 5 years was approved.

The Director, Agency staff and participants not entitled to vote were invited to return to the meeting room and informed of the result.

The Commission congratulated the Director and mentioned that the Agency performed well over the last years and that they would like to see this high level performance to continue. Therefore, they were pleased to renew the Director's mandate for another 5 years. The Director thanked the Commission and the Board for their support.

CONCLUSION: The Commission's proposal to extend the Director's mandate by a further 5 years was adopted.

### 3. Draft minutes (G/16/M1)

The draft minutes of the last meeting held on 28 January 2016 were circulated in advance of the meeting.

#### COMMENTS FROM THE BOARD:

The German government representative requested that the Communication from the Commission on programming of human and financial resources for decentralised agencies 2014-2020 (COM(213) 519 final) should be reflected in the minutes. For example, the number of temporary workers in the Agency has to be reduced from 41 to 40 in 2017 and this decrease should be recorded.

*The Agency confirmed that these changes would be made.*

CONCLUSIONS: The amended draft minutes from the January 2016 meeting were adopted.

<b>ACTION N.1</b>
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The Agency will include the changes to the draft minutes of the January 2016 Board meeting.
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### 4. Director's progress report (G/16/09)

The Director's progress report was presented at the interest group meetings earlier in the day. Before giving the floor to the Director for some highlights, the Chair invited the representative of DG EMPL B to introduce the items that were raised during the adoption of the draft agenda.

#### Revision of Agency's founding regulation

The Commission presented an update on the Agency's Founding Regulation. In the previous year, the Commission had consulted with Social Partners specifically on the future size of the Governing Board. Following the Inter-Service Consultation, no changes to the Governing Board size were now foreseen. The draft is currently being finalised, with some technical changes being made to adjust to horizontal changes for all agencies. The intention is to have the draft adopted by the Commission before the summer break.

#### Progress on OSH Directives

The Commission advised that work on the EU OSH acquis is ongoing, but there are no new developments at this stage.

The Director then presented some highlights from the Director's progress report.

#### Agenda Items for 2017

An update was provided on two issues that were provisionally scheduled to be considered by the Board in 2016.

First, the revised OiRA Business Plan is still being finalised and is not, as yet, ready to be presented to the Governing Board. However, the intention is that the final OiRA Business Plan will be presented for adoption at the next Bureau meeting in November 2016.

A session on the Performance Measurement Framework was initially scheduled for some time in 2016. However, there was no available time to schedule this during the two Board meetings that were held in 2016. As such, this will be held in 2017 instead.

### B3 Unit Visit to EU-OSHA

On 5 April 2016, EU-OSHA was visited by the B3 Unit of DG EMPL. This was an excellent opportunity for the Agency and the Commission to discuss organisation and planning and to look at ways to further improve communication. Furthermore, both parties were able to look in more depth at some key projects to identify possible synergies.

The Director thanked the B3 Unit of DG EMPL for enabling this exchange, and highlighted the value of the experience for EU-OSHA's staff and the desire to continue with similar information sharing activities in the future.

### Stakeholder Survey

The Director advised that EU-OSHA received the data from its Stakeholder Survey 2016 in May 2016 and pointed out that much of the data is reflected in the Annual Activity Report 2015 and the Revised Programming Document 2017-2019.

The Director stated that in general, the results were positive and largely in line with those received last year. All Agency wide key performance indicators for quality related to the survey were met. The intention is that this survey can be replicated in the future in almost the same form to ensure comparability of the results from year to year.

The survey provided a lot of interesting and useful data and once this has been further analysed it will be reported to the Governing Board in more detail. Some further work to refine the performance measurement framework would also be useful and this will be discussed with the Board at a later date.

### Focal Point Visits

So far this year, the Director advised that she has visited with three focal points in the UK, Poland and the Netherlands. A visit to Slovakia is also scheduled for the second half of 2016.

UK – On 7-8 March 2016 the Director visited the Health and Safety Executive in London. As part of the visit, the Agency was given the opportunity to accompany an inspector as well as meet with different representatives from the HSE and discuss their work and cooperation between HSE and the Agency.

Poland – The Director visited Warsaw on 17-18 May, both to meet directly with the Focal Point and visit the Central Institute for Labour Protection and to participate in the International Conference “Sustainable Working Life for All Ages”, which opened EU-OSHA's HWC in Poland.

Netherlands – On 23-25 May, the Director participated in the EU Presidency Conference “Preventing work-related cancer. European conference on carcinogens” held in Amsterdam.

### Renewal of EU-OSHA Governing Board

The Director advised that the membership of the Governing Board was last renewed for the last time on 2 December 2013, for a three-year period expiring on 7 November 2016.

The Council has informed the Agency that the procedure to renew the EU-OSHA Governing Board has started and this was communicated to attendees by the Director.

#### Mid-term Evaluation of EU-OSHA Strategy

The Director informed the Board that the Agency plans to initiate a mid-term evaluation of its strategy, which will be presented to the Governing Board in 2017. This is an important step in developing a strategic vision from 2021 onwards.

As the 2019-2021 programming document will be prepared in the second half of 2017, it is important that the Agency is clear about its strategic vision after the current multi-annual strategic programme expires in 2020.

A steering committee will be established, which will include the Commission and a representative from each of the interest groups. The Director advised that the Agency will be in touch in the near future to ask for nominations from the interest groups for this task.

#### New Staff

The Director welcomed the following new staff to the Agency:

Tsvetomir Tsanev returned to the Agency as the Pre-accession Project Manager (FGIV, short-term) in Network Secretariat from 1 February 2016.

On 16 March 2016, Annick Starren started at the Agency as Project Manager (AD6) in PRU.

Lothar Lissner also started in PRU filling the Senior Project Manager (AD8) in PRU vacancy on 16 May 2016.

Estelle Viard also started as a Communications Officer in CPU in May 2016.

James Sumner returned to the Agency too to support the work in the Network Secretariat to cover for a maternity leave

#### COMMENTS FROM THE BOARD:

The Latvian government representative asked why the large scale foresight activities had been cancelled.

The Swedish government representative asked how the Dutch Presidency's Roadmap, signed by the Agency in the Netherlands, was reflected in the Agency's activities.

The Latvian government representative congratulated the Agency on the high rate of budget implementation.

*The head of PRU explained that last years' work plan contained two seminars which did not take place in 2015 because of the unforeseen staff absences in PRU. Also, it was not possible to arrange the planned second seminar with a sectoral social dialogue committee to promote the findings of the first foresight.*

*The head of PRU replied that the new Dutch Roadmap was reflected in the updated Campaign (2018-2019) concept paper and that the foreseen networking activities are covered in the planned actions of the Healthy Workplaces Campaign 2018-2019.*

CONCLUSION: The Board took note of the Director's progress report.

## 5. Analysis and Assessment of the Annual Activity Report 2015 (G/16/10)

The Director introduced the Annual Activity Report 2015, which was prepared on the basis of the guidelines and templates issued by an ad hoc working group established within EU Agency's network in cooperation with the Commission.

The Activity Report is a key document for the discharge procedure. It is the report where the Director of the Agency, in her capacity as Authorizing Officer, gives an account of the activities of the Agency and gives assurance that the resources were spent for the intended purposes.

### COMMENTS FROM THE BOARD:

No comments

CONCLUSION: The Board adopted the assessment of the Annual Activity Report 2015.

## 6. Annual Report 2016 (G/16/11)

The Director introduced the Annual Report which was circulated prior to the meeting.

### COMMENTS FROM THE BOARD:

No comments

CONCLUSION: The Board adopted the Annual Report 2015

## 7. Opinion on the Final Accounts for the Financial Year 2015 (G/16/12)

The Final Accounts 2015 were circulated before the meeting and discussed in the interest groups.

### COMMENTS FROM THE BOARD:

No comments.

CONCLUSION: The Board adopted the opinion on the final accounts

## 8. Revised Draft Programming Document (G/16/13)

The Director introduced the Revised Draft Programming Document. The initial draft version was adopted by the Board at the meeting of 28 January 2016. Since that time, a number of changes were made to the document. A revised draft programming document for 2017-2019 was circulated prior to the meeting and discussed in the interest groups.

The Agency's proposal on the restructuring of the activities takes into account the strategic objectives of the Agency as they were established in the MSP 2014-2020.

In the first place, it is expected that a closer and even more coordinated approach between awareness raising, communication and translation actions would help the Agency better deliver on its core mandate. To this end, Communication is moved from Priority area 6 –networking and communication to Priority area 4 – Awareness raising, which now becomes Awareness raising and communication. Two of the activities to be carried out under this priority area are merged into one: Awareness raising actions and communication. Translation is envisaged as a new, separate activity. This is expected to help the Agency better coordinate the efforts to reach intermediaries and beneficiaries. The Healthy Workplaces Campaign will remain flagship activities under this priority area.

Secondly, the OSHwiki activity is integrated into Networking knowledge actions with the purpose of consolidating the Agency's actions related to facilitation and exchange of OSH knowledge and best practices under the same umbrella thereby creating synergies.

Thirdly, a new OSH overview on musculo-skeletal disorders (MSD) has been added as an activity in 2017. The ex-ante evaluation of this project was presented and adopted by the Governing Board at the meeting of 27-28 January 2016.

Finally, strategic and operational networking is integrated into one activity to enable a more comprehensive approach to the Agency's key stakeholders and secure their sustained engagement.

The amendments affect both the multi-annual work programme as well as the annual part related to 2017 and are marked in tracked changes.

After its adoption by the Board, the Agency will have to send the revised draft Programming Document to the Parliament, Council and Commission.

The results from the external consultation will be included in the draft that will be presented to the Bureau for discussion in November. The Board is expected to adopt the final Programming Document in December 2016 by written procedure.

#### COMMENTS FROM THE BOARD:

The governments' representatives complimented EU-OSHA on doing a very good job despite decreasing resources. The governments' spokesperson asked the Director to evaluate the work pressure on staff and to reduce activities if necessary.

The governments' representatives commented that the networking chapter, regarding exchanging knowledge and good practices, should be further developed. They had asked in January for networking at policy level to be included in the AMP. It is spread around the document in a not very visible way. The governments' representative urged the Agency to expand on this, to share good practice and to provide the necessary support to policy makers.

The German government representative repeated her comment on the reduction of posts which should already be mentioned in the establishment plan of 2017 instead of 2018. She also requested clarification on the starting time of the MSD project.

The Finnish government representative said that the list of activities of the Agency was impressive, but he wondered how long the Agency could do so much work given the cuts that the Commission insists upon, whilst simultaneously asking for new activities and increased planning, monitoring and reporting tasks. All of this contributes to the overall heavy administrative burden.

The Commission responded that this reduction of posts is necessary in order to comply with the rules on resources of European agencies as stated in the Communication from the Commission COM(2013) 519 final.

The Commission also asked for a clearer explanation on why the Agency changed the structure of the revised draft programming document.

The employers' representatives suggested that the new activity report on MSDs should take a holistic approach and take age, gender and basic diseases into account. It should also focus on the shared responsibility between the employer and the workers. Moreover, the scientific data needs to be verified.

The workers' representatives agreed that the revised document was a reasonable structure, especially regarding the unfortunate reduction of staff. The workers' representatives expressed deep concern about the staff cuts. Regarding MSDs, they agreed that it was an issue to be tackled and a holistic approach should indeed be taken. However, the timing (2018) was far away and work on this topic should be done earlier.

The workers' representatives requested that the Covenant and Roadmap which were the result of the Amsterdam conference (25-27 May 2016) is taken on board by EU-OSHA and that it also deserves the active support of the FOPs. The group also agree that social partners should be more included in FOP activities.

*The Director responded that the change in the structure of the Draft Programming Document resulted from an evaluation of priority areas. A strong link or overlap was seen between communication (priority 6) and awareness raising. Also multilingualism was added as a separate activity in order to improve the translation process.*

*Regarding MSDs, the topic was chosen by a majority of the Board. The planning and procurement of this activity will start in 2017. Some outputs will already be available in 2018, which will be the first year of the activity proper.*

*The Director mentioned that the Agency is undertaking an internal planning procedure to reduce staff resources. Following the 5% cut in 2014, the Commission asked for a further 5% reduction for a re-deployment pool. The Agency made the first of these cuts this year (2016) and another one is due in 2017 at the request of the Commission. The Agency asked the Commission to clarify this further.*

*This problem of a disproportionate administrative burden is recognised in the Heads of Agencies Group. The Commission is trying to streamline planning, but at the moment it is creating a duplication of processes. Smaller agencies, such as EU-OSHA, are particularly challenged by this. The Agency hopes the worst is over and thanks the Governing Board for their concern.*

*The point made by the government group on networking and awareness raising is taken and facilitation of the exchange of good practice also at policy level will be given due priority.*

*During the last FOP meeting the FOPs agreed on taking forward the Covenant and Roadmap.*

CONCLUSION: The Board adopted the revised Draft Programming Document

ACTION N.2
The Agency will send the draft Programming Document 2017-19 to the relevant institutions and will include comments from the Board and the institutions in the final draft to be approved in December 2016.

## 9. Revised Draft Budget and Establishment Plan 2017 (G/16/14)

The Director advised that in light of the changes to the Programming Document 2017-2019, the draft Budget and Establishment Plan for 2017 has been revised.

In addition, in order to comply with the Activity Based Management principles, the budget structure for the operational expenditure (Title 3 of the Agency's budget) has been amended to be aligned with the six priority areas of the Agency. This approach will reinforce the consistency of the financial information between the Budget and the Programming Document, and the future monitoring and reporting to the Agency's stakeholders.

The proposal for revised structure of Title 3 only impacts the distribution of the appropriations within among Title 3. Totals in the revenue and expenditure sections, as well as the occupation of the staff in the establishment plan and estimation for the contract agents & local staff, are not affected.

#### COMMENTS FROM THE BOARD:

The Commission added that the reduction in staff as mentioned in the COM(2013) 519 final also applied to all other European institutions.

The workers' representatives agreed to adopt the Revised Draft Budget and Establishment Plan 2017, but mentioned that it was an ongoing plan and should be discussed in November again.

CONCLUSION: The Board adopted the revised Draft Budget and Establishment Plan 2017

### **10. Healthy Workplaces Campaign 2018-19 - revised concept paper (G/16/15)**

The Director presented a revised campaign concept paper for the HWC 2018-19, developed on the basis of the theme agreed upon by the Governing Board in March 2015. A Focal Point survey and first exchange with major stakeholders helped further define campaign goals, priority themes and possible actions, including actions to support current policy developments such as the amendment of the carcinogens Directive.

The concept paper was circulated prior to the meeting and discussed in the interest groups.

#### COMMENTS FROM THE BOARD

The employers' representatives commented that the concept paper is a work in progress and some amendments in the wording and content should be made. For example, the number of workplaces affected on page 1 and the number of companies affected on page 2. The word 'lay people' on page 4 should be replaced by 'laymen', also words like carcinogens and endocrines should be used in a concise way.

The workers' representatives recommended that point 3 (goals/themes) on occupational illnesses should have a general focus in the first year and a specific focus on carcinogens in the second year.

The governments' representatives said that the concept paper could be improved by adding control measures for exposure, such as good practice examples. Also, the Roadmap should be mentioned in the concept paper.

The Commission commented that the Campaign is a good instrument to raise awareness on legislation in this field and welcomed the references to carcinogens. Greater visibility for OSH legislation on chemicals should be a key element. The Commission also suggested including international promotion in point 3.1 (page 4) and adding European scientific committees in point 5.1.

*The Agency advised that these comments will be taken into account in the finalisation of the concept paper.*

CONCLUSION: The Board adopted the concept paper for the HWC 2018-2019, provided the comments were taken into account.

<b>ACTION N.3</b>
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The Agency will include the Board's comments in the final concept paper.
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## 11. Staff Implementing Rules (G/16/16)

The Director introduced a series of decisions submitted for approval by the Governing Board.

- Working time under article under Article 55 of the Staff Regulations and Articles 16 and 91 of the Conditions of Employment of Other Servants of the European Union (CEOS);
- Part-time work under Article 55a of the Staff Regulations and Annex IVa thereof;
- Reclassification of Temporary Agents to a higher grade under Article 54 of the CEOS;
- Reclassification of Contract Agents to a higher grade under Article 87(3) of the CEOS.

The Agency has the obligation to adopt implementing rules that are in line with the Staff Regulations and the Conditions of Employment of Other Servants of the European Union (CEOS), laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68.

With this objective, the Agency has prepared the four above mentioned decisions based on EC decision or models provided by the Commission.

### COMMENTS FROM THE BOARD:

No comments

CONCLUSIONS: The Board adopted the four decisions

## 12. Any other business

The Chair gave the floor to the Director, who advised the Board that the dates for the Governing Board and Bureau meetings for 2017 have been selected in order to comply with the requirements for planning and reporting. The following dates have been chosen:

- |   |                         |
|---|-------------------------|
| • I Bureau meeting (with Governing Board):  | 24 January – Bilbao     |
| • I Governing Board meeting (with Seminar): | 25-26 January – Bilbao  |
| • II Bureau meeting (with Governing Board): | 1 June – Luxembourg     |
| • II Governing Board meeting:               | 1 June – Luxembourg     |
| • III Bureau meeting:                       | November (tbc) – Bilbao |

Updates from PRU and CPU and the Brussels Liaison Office were also provided.

### COMMENTS FROM THE BOARD:

The employers' representatives advised that the early June timeframe for the Board and Bureau creates difficulties for them as it coincides with the ILO International Labour Conference. As such, many representatives are not able to attend the Board. If it is possible, they would prefer that a date is chosen later in June to enable more members to attend.

*The Agency advised that it would look and see if any other dates were possible for the June meeting, taking into account the Agency's programming and reporting requirements.*

CONCLUSIONS: The Board noted the meeting dates for 2017

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The Chair thanked the Board members, the Agency's Director and staff and closed the meeting.

**LIST OF ATTENDEES:**

	<b>NAME</b>	<b>REPRESENTING</b>
1	ADAMAKIS Ioannis	Workers GREECE
2	ALVAREZ Jesús	EUROPEAN COMMISSION
3	ANDREOU Nicos	Workers CYPRUS
4	ANTAPSONS Ziedonis	Workers LATVIA
5	ANTAUER Igor	Employers SLOVENIA
6	AUVINEN Erkki	Workers FINLAND
7	BÖHM Lučka	Workers SLOVENIA
8	BREINDL Gertrud	Government AUSTRIA
9	BRISTOW Stuart	Government UNITED KINGDOM
10	CALLERMO Boel	Government SWEDEN
11	CASTRILLO NÚÑEZ Laura	Employers SPAIN
12	CONSTANTINOAIA Corneliu	Workers ROMANIA
13	CRUTZEN Véronique	Government BELGIUM
14	CRUZ Vanda	Workers PORTUGAL
15	GILLEN Michael	Employers IRELAND
16	GOUGH Paula	Government IRELAND
17	GREVFORTS ERNOULT Charlotte	EUROPEAN COMMISSION
18	GYÖRGY Károly	Workers HUNGARY
19	HEIDER Alexander	Workers AUSTRIA
20	HLAVÍN Jaroslav	Government CZECH REPUBLIC
21	HUSBERG Wiking	Government FINLAND
22	JANČUROVÁ Laurencia	Government SLOVAKIA
23	JÄRNSTEDT Christina	Workers SWEDEN
24	KAVALOPOULOS Christos	Employers GREECE
25	KEMPA Viktor	Workers ETUC
26	KONSTANTAKOPOULOS Ioannis	Government GREECE
27	LEUZZI Fabiola	Employers ITALY
28	LEVY Patrick	Employers FRANCE
29	LIA Alfred	Workers MALTA
30	LŪSIS Renārs	Government LATVIA
31	MAASIKAS Aija	Workers ESTONIA

	<b>NAME</b>	<b>REPRESENTING</b>
32	MARIPUU Maret	Government ESTONIA
33	MELLBLOM Bodil	Employers SWEDEN
34	MORTENSEN Henrik Bach	Employers DENMARK
35	MURATTI Zdravko	Government CROATIA
36	PALADA Marko	Workers CROATIA
37	PÁLSSON Jón R.	Employers ICELAND
38	PARENT-THIRION Agnes	EUROFOUND
39	PERA Alessandra	Government ITALY
40	PEREIRA Carlos	Government PORTUGAL
41	PETRISIC Nikolaj	Government SLOVENIA
42	PODGÓRSKI Daniel	Government POLAND
43	PODNIECE Zinta	EUROPEAN COMMISSION
44	PRICOP Anca Mihaela	Government ROMANIA
45	RUGINIENE Inga	Workers LITHUANIA
46	SÆMUNDSSON Eyjólfur	Government ICELAND
47	SCHNEIDER John	Government LUXEMBOURG
48	SCHWENG Christa	Employers AUSTRIA
49	SEIFERT Nenad	Employers CROATIA
50	SIGURJÓNSSON Björn Ágúst	Workers ICELAND
51	SKJOLDAGER Charlotte	Government DENMARK
52	SUROVÁ Silvia	Employers SLOVAKIA
53	SVENSLI Marianne	Workers NORWAY
54	TEJEDOR AIBAR Mercedes	Government SPAIN
55	VAN MIERLO Mario	Employers NETHERLANDS
56	VAN STEENBERGEN Rik	Workers NETHERLANDS
57	YIANNAKI Anastassios	Government CYPRUS
58	ZWINK Ellen	Government GERMANY
59	SEDLATSCHEK Christa	EU-OSHA
60	COCKBURN William	EU-OSHA
61	O'BRIEN Brenda	EU-OSHA
62	SMITH Andrew	EU-OSHA
63	EMONTS Manon	EU-OSHA