

MINUTES

Meeting:	EU-OSHA Executive Board meeting
Date:	Monday 16 November 2021
Venue:	Virtual meeting

1. Draft Agenda

The Chair welcomed the attendees and informed them about some meeting practicalities. He handed over the floor to the interim Executive Director, who, in turn, introduced EU-OSHA's staff attending the meeting – and in particular the interim Head of the Prevention and Research Unit.

The Chair introduced the draft Agenda. The Commission would take the floor under item 5 – to comment on EU-OSHA's assessment on the Agency's role and tasks vis-à-vis the implementation of the new EU-OSH strategic framework and 6 - to introduce the opinion on EU-OSHA's draft work programme 2022.

There would be two "Any other business" items.

EU-OSHA would propose some options with regard to dates for the Management Board in June 2022. There would be also an item linked to the recruitment process of the Executive Director. Given the confidential nature of the discussions, this item would not be minuted.

The Chair invited Executive Board members to assess whether they might have a potential conflict of interest with any of the items to be discussed, in compliance with the Agency's policy on prevention and management of conflict of interests, and urged them to leave the meeting should they be in that situation. This was particularly relevant for the issue linked to the Executive Director recruitment. EU-OSHA staff would ensure that all participants that had not signed the declaration of absence of conflict of interest and EU-OSHA staff not directly involved in the recruitment process would leave the meeting before the item was tackled.

CONCLUSION: The draft agenda was adopted.

2. Adoption of Draft Minutes

The draft minutes of the June meeting had been circulated previously. No comments had been received.

CONCLUSION: The draft minutes were adopted.

3. Executive Director Progress Report

The Chair gave the floor to the interim Executive Director.

The interim Executive Director referred to the Executive Director's Progress Report previously circulated to the Executive Board members. He provided a few further highlights as reported below.

Delay in the recruitment process of the ED and impact on Agency's work

The recruitment process of the Executive Director has been delayed.

William Cockburn, Head of PRU, has been called by the Chairperson of the MB to temporarily occupy the position as interim Executive Director until a new Executive Director takes over.

This reassignment to new duties entailed a reorganisation and redeployment of staff resources, in particular within the Prevention and Research Unit, which has had an impact on the work of the Unit in general and in particular on the plans for the following operational activities – for both 2021 and 2022:

- 2.11 OSH Overview on Supporting compliance: the project on regulatory influences has been delayed and the procurement of the planned in-depth report, due for 2021, is moved to 2022.

- 2.12 OSH Overview on Psychosocial risks: the research foreseen for 2022 has had to be scaled down and the work will commence with a smaller review and a number of expert articles. The more resource intensive research work is now planned to start in 2023.

Some of the financial resources foreseen for data collection through major desk research and case studies will be used to collect data on the same topics through a survey. Workload on staff will be minimised through the use of the inter-institutional Framework Contract on **Flash Eurobarometer Survey** services, which the Agency joined in June 2019. The contract offers a high degree of flexibility in terms of respondent selection and questionnaire design. The data from the survey will contribute to meeting the objectives of activities 2.10 Digitalisation, 2.11 Supporting compliance and 2.12 Psychosocial risks.

Operational preparedness and response as a result of COVID-19

A protocol for a safe return to the premises has been developed in consultation with the medical service provider. The protocol – implemented in phases from the very beginning of the crisis response, is based on a controlled return to the office building for staff. The protocol is reviewed regularly following ad-hoc risk assessments. At the moment, staff have been called to go back to the office at least once a week.

Additional measures for the health and safety of the staff allowed in the premises have also been implemented. These include: provision of antigen tests for staff, restrictions in the number of staff present at any one time in the premises, limitations in the number of people sharing office spaces, surveys on well-being of staff, provision of psychological support and assistance for staff in need, extension of financial support for teleworking ergonomic equipment.

EU-OSHA conducted an occupational risk assessment to its staff based on the Agency's Health and Safety Policy. Due to the extensive telework arrangements, the risk assessment was based on a questionnaire/checklist to staff focused on the assessment of the teleworking work conditions. The objective was to identify work conditions that may not be suitable for the Health & Safety of staff, and to determine possible preventive or corrective actions to improve the situations identified. This measure has sparked great interest within the Network of EU Agencies and has been shared as a good practice.

The Agency participates also in the regular bi-weekly meetings organised by the EU Agencies Network (EUAN) on Return to Office where all Head of Administrations/Resources exchange views and review measures, good practices and emergency responses from their respective agencies.

Additional work done as a result of COVID-19

The COVID-19 pandemic brought about additional and unplanned need for action for the Agency. This also shows the Agency's relevance to stakeholders' needs.

A paragraph on such COVID-19 related work is included in the progress report. Latest work include a survey of labour inspectors to assess the exposure and management of risks of vulnerable workers which has been carried out with SLIC. The Agency has also organised expert discussions related to exposure to biological agents at work and pandemic preparedness at work, as well as on its COVID-19 prevention guidance as a support to the Commission. In line with the request in the Commission's Communication on seasonal workers, the agency contributed to a campaign on seasonal workers, organised by ELA, with a flyer and infographic on OSH for migrant seasonal workers in the agri-food industries and contribution to an expert workshop. At the request of the Commission, the Agency has produced jointly with ECDC a report on rapid antigen diagnostic testing in occupational settings, including collection of information on national approaches through the Focal Points.

Key data related to the 2021 work programme implementation

The unplanned work arising from the COVID-19 pandemic, together with the delay in the recruitment process of the Executive Director, have had an impact on the work programme 2021. The amendments have been significant but not substantial in the meaning of the MB decision from 2019, therefore the interim Executive Director was able to approve them. The amendments are included in the progress report.

There have been five cancellations of outputs, all linked either directly or indirectly to the COVID-19 pandemic and so far 24 deliverables are delayed to 2022 (the figure may increase because of new delays reported for 2.10)

At the moment, the estimated implementation score at the end of the year is at 89%, cf. the target of 90%. This is a very good forecast considering the circumstances and the fact that EU-OSHA is a networking organisation.

Budget forecasts at year-end foresee a general implementation of 97% for the annual commitment appropriations.

EP studies on EU Agencies

The EP Committee on Budget commissioned three studies that the Committee discussed last week. Such studies addressed the following topics:

- Impact and role of the EU decentralised Agencies – focusing on the health and safety cluster, with a focus on the COVID-19 crisis
- The issue of decisions on the Agencies locations
- The Management Boards of the Agencies

EU-OSHA was amongst the Agencies under assessment for the first and third study and some MB members were also involved to provide their input.

All in all the results were very positive, some highlights include:

- Agencies should do more work on foresight to prepare for future crisis/pandemics. EU-OSHA's work was mentioned as a good example here
- The location of some agencies creates problems with regards to recruitment and achieving a geographical balance among its staff
- One MEP (from S&D) asked for more information on the savings that could be achieved by avoiding overlaps between agencies. The consultants stated clearly that there are no serious overlaps between the agencies covered by their study (the cost study), but there is a potential in further exchange of knowledge and good practice between the agencies.
- The practice followed by EU-OSHA asking MB members to declare their interests (not just saying they don't have a conflict of interests) was mentioned as good practice.
- Broad support for the development of 'codes of good conduct' for MB members in the individual agencies.
- The absence of gender balance in MB was criticised. Some suggested targets in the founding regulations. Under all circumstances, this is something the EP and Council have to address.

Visits

Vice-President Šefčovič on 18 October

Commission Vice-President Šefčovič paid a visit to the Agency on 18 October. In his portfolio, he deals with Interinstitutional Relations and Foresight. Discussions with Agency's staff were about the role of EU-OSHA in implementing the new EU-OSH Strategic Framework and on EU-OSHA's work on foresight on circular economy and digitalization.

Commission EMPL C2 on 11-12 November

The practice of regular meetings between the Agency and the Health and Safety Unit has been resumed with a Commission delegation headed by Charlotte earlier in November. The role of EU-OSHA in implementing the actions foreseen in the new EU OSH Strategic Framework was discussed as well as the issue of the ED recruitment process.

EMPL Committee delegation – 20-21 December

A delegation from the EP EMPL committee proposed to visit EU-OSHA. The last one was postponed because of the pandemic¹.

Comments from the Executive Board and Agency's clarification

The Executive Board took note of the update and overall expressed appreciation of the work done by the Agency in 2021. The Workers inquired about the reasons behind the delay in the delivery of the planned work for activity 2.10 – OSH overview on OSH and digitalisation.

EU-OSHA informed that the delay was due to unexpected challenges related to the research on workers' monitoring and artificial intelligence and significant in-house resources were required to address them. Furthermore, a staff member contributing to this activity was the current acting Head of the Prevention and Research Unit who had to step back to take up her new responsibilities.

Regarding cooperation with other Agencies, and in particular with ELA, the Executive Board welcomed it but at the same time they stressed the need to strike the right balance between engaging in joint actions and keeping an eye on the Agency's own resources.

EU-OSHA informed members that the evaluation of the campaign on seasonal workers – where concrete cooperation between ELA and EU-OSHA took place – is ongoing and that would be a good basis to re-discuss and clarify the scope of the cooperation between the two Agencies.

CONCLUSIONS: The Executive Board took note of the progress report.

4. Update on Advisory Groups and Focal Points

Reporting on the Focal Points, the Interim Executive Director informed the Executive Board that the national focal point managers had met online with the nominated SLIC national campaign representatives to share approaches to enhance both the SLIC inspection campaign on MSDs and EU OSHA's HWC campaign. Successful collaboration is already being undertaken in some Member States (Greece being just one example). The focal points had also been briefed by the Agency on the next priority area for the campaign. The final focal point meeting will be held online on 30 November in connection with the Slovenian Presidency conference on 1 December.

The Agency also gave an update on the latest discussions within the advisory groups.

The TARAG and OKAG met in October.

At the TARAG, there were interesting discussions around the alignment between the EU-OSH strategic framework and the Agency's activities linked to tool development and raising awareness.

The Advisory Group also discussed the Healthy Workplaces Campaign on Musculoskeletal disorders, and, in particular, the role played by the Social Partners in the campaign and the adaptations required because of the pandemic – the conclusion being that overall, the adaptations met the needs. Furthermore, they welcomed the good cooperation with SLIC. Cooperation with ELA was also discussed as well as an initiative in the framework of the OSHVET project – a roundtable during Lifelong Learning Week planned on 2 December focussing on the central role that lifelong learning could play in the prevention of MSDs.

At the OKAG, ESENER's secondary studies, work delivered under the OSH overview on Musculoskeletal disorders and OSH and digitalisation – including in the context of the respective Healthy Workplaces Campaigns – was presented and discussed. A presentation was also made on the progress of work under the two OSH overviews on Supporting compliance and Psychosocial risks. The Commission introduced the newly adopted EU-OSH Strategic Framework and its implications on the work of the Agency.

¹ In early December, the EMPL Committee Coordinators informed the Agency that the visit had to be rescheduled due to the public health situations worsening across Europe.

The latest meeting of the WESAG took place in May and the outcome of the work of the national expert in revising the survey questions was presented.

The Brussels Liaison Office followed, starting with the European week for Safety and Health at Work. As per standard practice for some years now, the Council organised a broad range of activities, this year focussing on musculoskeletal disorders. With the new EU OSH strategic framework, the Agency has been liaising with the Commission – and, in particular, with the C.2 Unit and the Advisory Committee working party on Strategy. Liaison work with the Parliament was ongoing and the Parliament's opinion on the strategic framework was under preparation. Other actions included involvement in the Liaison Forum for the European Social Partners, expected to take place in early December with a focus on OSH and digitalisation. The Agency would also provide input to the exploratory opinion on the importance of social dialogue and OSH in the European Economic and Social Committee, instigated by the forthcoming French EU presidency.

CONCLUSION: The Executive Board took note of the update.

5. EU-OSHA and the new EU OSH Strategic framework

The interim Executive Director informed the Executive Board that the Agency has assessed the six priority areas defined by the Management Board in the Multi-annual Strategic Programme for EU-OSHA against the backdrop of the actions addressed to EU-OSHA in the new EU-OSH Strategic Framework.

Such assessment was reflected in a note shared with the Executive Board prior to the meeting.

The conclusion is that the current arrangements and planned activities provide a good framework for EU-OSHA's contribution to the strategic framework across the six strategic objectives and priority areas. The opinion from the Commission (included under the agenda item on the final SPD 2022-2024) confirmed this assessment.

The Chair gave the floor to the Commission to comment on EU-OSHA's assessment and the role of EU-OSHA in implementing the framework. The Commission observed that the assessment by the Agency reflects very well both the specific actions as well as the indirect actions that EU-OSHA is called to address under the framework. The Commission also referred to the opinion on the draft Single Programming Document 2022-2024. The opinion was based on two elements: the new EU-OSH strategic framework on the one hand and the impact of COVID-19 on OSH on the other. The Commission's opinion was appreciative of the Agency's planned work for 2022 and referred to specific actions as particularly relevant in the view of the adaptations required by the green and digital transition and public health preparedness. The Commission confirmed that the opinion was well reflected in the revised draft across the six strategic priority areas.

Comments from the Executive Board and Agency's clarification

In general, the Executive Board welcomed the assessment provided by the Agency. The Workers asked how the topic on musculoskeletal disorders would be followed up as well as the actions linked to work-related cancer. They also invited the Agency to undertake work aimed at monitoring the implementation of the EU OSH strategic framework at the national level. The Governments stressed the importance of keeping a strong focus on vulnerable groups, including seasonal workers.

EU-OSHA confirmed that the focus on vulnerable groups is an important aspect, as also mentioned in the EU-OSH strategic framework, which the Agency streamlines across all activities.

Regarding the work done on musculoskeletal disorders, the campaign will remain an important vehicle for promotion still throughout 2022. When it comes to actions on work-related cancer, EU-OSHA referred to the Workers' exposure survey as an activity with great potential in this respect and whose results will be thoroughly exploited in the coming years. The Agency has also been liaising with the focal points on the national strategies and is carrying out a new mapping exercise comparing the national strategies with the policy priorities included in the EU OSH strategic framework. This information will feature in the OSH Barometer updates and OSHwiki articles are also expected to address this topic.

CONCLUSION: The Executive Board endorsed the Agency's assessment.

6. Final Single Programming Document 2022-2024

The Interim Executive Director recalled that according to the schedule agreed with the Management Board, the Agency presented a preliminary draft version of the SPD 2022-2024 at the Executive Board meeting in November 2020 for discussion on the multi-annual objectives and multi-annual work programme. In January 2021, the Management Board adopted a complete draft, which included the comments made by the Executive Board on the multi-annual part, a detailed annual work programme for 2021, outputs and performance indicators as well as all the required annexes. The draft SPD 2022-2024 was sent to the Parliament, the Council and the Commission – as well as to relevant agencies.

Normally at this time of the year, the Agency would also present the preliminary draft SPD for the following planning year – i.e.: 2023-2025. The preliminary draft usually includes the multi-annual work programme and the ex-ante evaluation for any new activities. Since no new activity is planned to start in 2023 and the multi-annual part of the SPD will, by and large, be similar to the one for 2022-2024, no preliminary draft has been provided to the Executive Board for this meeting. The draft SPD 2023-2025, complete with multi-annual and annual (2023) parts, will be presented for approval to the Management Board meeting in January 2022.

The Agency's Multi-annual Strategic Programme covers the period up to 2023. With the new EU-OSH Strategic Programme, it seems appropriate that the Management Board is engaged in a discussion on the next MSP. However, it seems equally appropriate that the next Executive Director, once appointed and in office, would lead the discussion on such an important topic. As explained under item 5, the current six strategic objectives serve as a good framework for future work to be undertaken in the context of the new EU OSH strategic framework.

The proposed final draft for the SPD 2022-2024 presented to the Executive Board includes the Agency's follow-up to the consultation feedback received, including the necessary references to the new EU OSH Strategic Framework adopted in June 2021. The Commission feedback was overall appreciative of the Agency's work and included a number of specific tasks for the Agency to carry out in 2022 and beyond in the context of the new framework.

As from 2023, an additional post will also be requested to strengthen ICT security and to comply with upcoming regulatory requirements regarding this issue.

There are additional minor amendments that would be integrated into the version to be sent for adoption by the Management Board such as possible additions to the list of outputs due to last-minute delays or small clarifications on the texts and other clerical oversights – nothing substantial.

EU-OSHA informed that they would organise a virtual session of the Management Board on 2 December 2021 where the final version of the SPD 2022-2024 and the final budget will be presented.

Comments from the Executive Board and Agency's clarification

In general, the Executive Board welcomed the proposed final draft. The Workers suggested that under priority area one on "Anticipating change", a clearer remark on the impact of climate change should be included. The Employers expressed concerns over the shrinking resources in the research area due to the delay in the recruitment of the Executive Director and the subsequent reallocation of staff.

EU-OSHA confirmed that the Agency will do work related to climate change and that this is certainly an important topic. In relation to the shortage of resources in the research area, the Agency has been looking into the possible options to compensate for that and meet the needs with temporary recruitments.

CONCLUSIONS: The Executive Board discussed the SPD 2022-2024 and agreed to issue a positive recommendation to the Management Board on its adoption. On 2 December 2021, the Agency will organise a virtual session with the Management Board to present the SPD in its final version.

7. Knowledge development procedure at EU-OSHA

One of the recommendations included in the final report of the evaluation of the four Agencies under DG EMPL's remit reads as follows: "The Agency should improve the quality and relevance of

research/monitoring reports and activities by: improving the readability and policy focus of publications, in particular for non-academic users and policy-makers and; basing the activities on a robust quality assurance process”.

To meet the recommendation, the Management Board decided - in the framework of the action plan - that the Agency should adopt a knowledge development procedure.

To this end, the Agency prepared, discussed and adopted the following documents:

- A knowledge development framework – with the objective to define overall goals for the research work carried out by the Agency and codify the quality principles and standards to which the Agency’s work is expected to attain;
- A knowledge development procedure – with the objective of streamlining the current practices and arrangements related to knowledge development and aligning them to the goals.

With these documents, the Agency formalised well-established and well-working practices. These are also expected to help also communicate to the outside world how research is carried out at the Agency.

With this last pending action finalised, the action plan for the follow-up of the recommendations from the four Agencies’ evaluation would be implemented in its entirety and an update will be presented to the Management Board at their meeting in January 2022.

Comments from the Executive Board and Agency’s clarification

The Executive Board appreciated the work done by the Agency in implementing the actions defined for the follow-up to the recommendations from the four Agencies’ evaluation and on this specific action in particular. The Workers observed that the key role played by dissemination in reaching out to the intended audiences was not clearly addressed in the document. The Governments asked whether this new procedure would have any impact on the budget and resources allocation at the Agency.

EU-OSHA conceded that dissemination is key to achieve impact and is indeed a very important dimension of the Agency’s work. How EU-OSHA intends to reach out to intended audiences and disseminate the work is well covered by EU-OSHA’s communications approach and specific procedures are in place to ensure its implementation. Conversely, the purpose of this procedure is to ensure that the research work carried out at the Agency is based on robust quality standards as acknowledged by the scientific community and that stakeholders’ consultation was appropriately taken into account. The Agency also reiterated that this exercise was mainly to document practices and arrangements that are already in place and are highly appreciated by the stakeholders. The procedure will therefore have no budgetary or resource implications.

CONCLUSIONS: The Executive Board took note of the information.

8. Cybersecurity Regulation and need to strengthen ICT

The Agency informed the Executive Board that a new EU regulation on Cybersecurity is in progress and, as currently drafted, it is expected to introduce new tasks, obligations and responsibilities for all European Union Institutions, Bodies and Agencies.

The regulation will have an impact on EU-OSHA as it would require that financial and human resources are allocated to ensure its implementation. An ICT Security Officer will need to be recruited to meet the new needs.

Discussions are underway with other Agencies to check for efficiency-oriented solutions such as sharing an ICT Security Officer. The Agency has also requested an additional CA FG IV in the establishment plan 2023.

Comments from the Executive Board and Agency’s clarification

The Commission commented that according to the inter-institutional agreement, staffing levels in the Agencies should remain frozen until 2027 and temporary reinforcements may be requested but only within the limits of the maximum number of contracts agents authorised by the budgetary authority. The

Commission informed therefore that the prospects for the Agency's request in the establishment plan for 2023 at the moment are not positive. The three groups expressed support for the Agency's request for additional resources for what qualifies as a new task and asked the Commission to take this into account when the discussions around the Agency's budget and establishment plan for 2023 would start.

CONCLUSION: The Executive Board took note of the information.

8. AOB

Under any other business, the Agency had the following item:

Management Board meeting dates for 2022

At their last meeting in June, the Management Board decided that in principle the Management Board would meet once physically and once virtually. Given the public health circumstances and travel restrictions, it is not advisable to arrange a physical or hybrid meeting in Bilbao.

The next Management Board meeting has been scheduled on 19-21 January and will be held virtually.

Regarding the June meeting, the Agency is planning to organise it as a physical/hybrid meeting in Bilbao, provided that the circumstances allow. Finding a meeting date proved to be difficult due to concomitant international meetings such as the International Labour Conference and national holidays in some Member States. Finally, the Executive Board agreed on 9-10 June 2022 as the meeting date.

CONCLUSION: The Executive Board agreed on 9-10 June as the date for the June Management Board meeting.

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The Chairperson thanked the participants and closed the meeting.

ANNEX: LIST OF PARTICIPANTS

Renārs	LŪSIS	Government	Chairperson
Yogindra	SAMANT	Government	Observer
Marie	DALTON	Government	Alternate
Patrice	FURLANI	Government	Alternate
Michael	GILLEN	Employers	Vice-Chairperson
Anna	KWIATKIEWICZ-MORY	Employers	Coordinator
Isaline	OSSIEUR	Employers	Coordinator
Kris	DE MEESTER	Employers	Observer
Eckhard	METZE	Employers	Alternate
Jesús	ÁLVAREZ	European Commission	Vice-Chairperson
Julia	NEDJELIK-LISCHKA	Workers	Vice-Chairperson
Ignacio	DORESTE	Workers	Coordinator
Károly	GYÖRGY	Workers	Observer
Silvana	CAPUCCIO	Workers	Alternate
Andreas	STOIMENIDIS	Workers	Alternate
William	COCKBURN	EU-OSHA	
Andrea	BALDAN	EU-OSHA	
Jesper	BEJER	EU-OSHA	
Malgorzata	MILCZAREK	EU-OSHA	
Brenda	O'BRIEN	EU-OSHA	
Elena	ORTEGA	EU-OSHA	
Ilaria	PICCIOLI	EU-OSHA	
Andrew	SMITH	EU-OSHA	