

MINUTES

Meeting:	9 th MEETING OF THE MANAGEMENT BOARD
Date:	Wednesday 19 and Friday 21 January 2022
Venue:	Virtual

This Management Board meeting was held virtually with the aid of an online platform which allowed simultaneous interpretation to and from EN, FR, DE and ES. The meeting was organised around a first plenary session, interest groups meetings and a final plenary session. During the first plenary (19 January), EU-OSHA presented the agenda items to the Management Board whose members had the opportunity to ask questions and request clarifications. Such items were discussed by the interest groups on 20 January. Finally, on 21 January, the Management Board reconvened in plenary where conclusions were drawn and necessary decisions taken.

These minutes intend to cover both the Agency's presentations and clarifications provided during the first plenary as well as report the discussions and decisions taken by the Management Board at the final plenary.

For item no 10 "EU-OSHA's Executive Director recruitment":

- To the first plenary on 19 January only members, alternate members and observers who had signed the declaration of confidentiality and absence of conflict of interests were admitted;*
- To the plenary on 21 January where the Management Board concluded and decided on the item, only members (or in their absence, alternate members) and observers who had signed the declaration of confidentiality and absence of conflict of interests were admitted.*

1 ADOPTION OF THE DRAFT AGENDA

The Chairperson opened the meeting and welcomed participants.

He reminded that the online platform of the meeting would allow simultaneous interpretation to and from EN, FR, DE and ES. He handed over to the Agency's contractor in charge of the meeting organisation who gave a brief recap of the main functionalities in addition to the instructions provided before the meeting.

The Chairperson invited the interim Executive Director to take the floor for some introductory words. The interim Executive Director joined the Chair in welcoming participants and expressed the importance of ensuring a smooth dialogue with the Management Board despite the challenging circumstances caused by the COVID-19 pandemic.

The interim Executive Director passed the floor back onto the Chairperson, who reminded about some meeting practicalities.

Next, the Chairperson introduced the draft agenda. He informed that on this occasion and contrarily to the usual practice the Commission was not going to give any update under item 2 – "Executive Director's progress report" as an exhaustive account to the Management Board had been provided at other recent occasions.

Before starting to work through the Agenda, the Chairperson asked Management Board members to declare whether they may be in a situation of conflict of interests with regard to any of the items of the

Agenda. If there was a conflict of interests, the Management Board member should abstain from participating in the discussion of the related item and leave the meeting, in compliance with the Agency's policy on management of conflict of interest. At that stage, no member reported any. The Chair recalled that a potential issue was item 10 – when the recruitment procedure of the Executive Director would be discussed and a decision on the next step was to be taken.

The Chairperson informed the Management Board that the following delegations of votes had been received:

- From Bulgarian Workers' representative to Austrian Workers' representative
- From Croatian Workers' representative to Austrian Workers' representative
- From German Workers' representative to Austrian Workers' representative
- From Slovenian Employers' representative to German Employers' representative
- From Estonian Employers' representative to German Employers' representative
- From Maltese Employers' representative to Irish Employers' representative
- From Croatian Employers' representative to Irish Employers' representative

To establish the quorum for the meeting, the rules of procedure (Article 9.1) require that the majority of the members from each of the three interest groups and at least one Commission representative attend the meeting. As this was the case¹, the Chairperson informed that the Management Board could work through the agenda and take the decisions as required.

CONCLUSION	<u>The Management Board adopted the draft agenda by consensus</u>
DECISION-MAKING PROCESS REQUIRED	Absolute majority
RECORD OF VOTES	N/A, decision taken by consensus

2 EXECUTIVE DIRECTOR'S PROGRESS REPORT

The Chairperson invited the interim Executive Director to introduce this item.

The interim Executive Director referred to the report circulated, which included an account of the implementation of the activities foreseen for 2021.

He recalled that in 2021, the global COVID-19 pandemic continued to be an important framework condition that had a significant impact on the work of the Agency. The pandemic has made occupational safety and health an even more relevant topic on the EU agenda. EU-OSHA has been strongly involved in the EU response to the crisis. Early on, EU-OSHA provided COVID-19 guidance for the workplace, an OiRA COVID-19 risk assessment tool along with other resources to facilitate the return to workplaces in safe and healthy conditions. As regards the operations of EU-OSHA, the Agency was able to deliver its planned work programme almost in its entirety and at the same time to assume and deliver unplanned COVID-19 related tasks and meet its stakeholders' needs in uncertain and challenging times.

The resulting budget implementation was at 97% (target: 95%) and work programme implementation at 96% (target: 90%).

¹ The quorum requirement only applies to the session on 21 January 2022, where the Management Board took the required decisions. The numbers that follow are related to the mentioned session. No of members from Governments group: 27, No of members from Workers' group: 23, No of members from Employers' group: 22, No of members from the Commission: 3. Alternate member is counted only if replacing the member; delegated votes are also counted.

EU-OSHA has continued collaborating closely with other EU Agencies in 2021 – both those within the employment and social affairs policy field and beyond. In addition to continuing the established cooperation with Eurofound, EIGE, ECHA, ETF and Cedefop, EU-OSHA has already engaged with the newly established European Labour Authority (ELA) to formalise collaboration.

The interim Executive Director also provided a few highlights from the activities.

The fieldwork for the third edition of the enterprises' survey ESENER finalised in 2019 and during 2020 the dataset was made available. The first in-depth analyses were launched in 2020, with the publication at the beginning of 2022 of (1) the Overview Report, shedding a special light on legislation and the appointment of health and safety representatives and (2) the Human health and social work activities report. In the first quarter of 2022, the report on the in-depth study on psychosocial risk management will be published, as well as six country reports, based on qualitative research among micro and small establishments interviewed in ESENER-3.

EU-OSHA initiated an activity aimed at delivering a workers' survey to determine their exposure to cancer risks factors in the workplace and analyse the resulting data. The survey draws on the conclusions of the feasibility study from 2017 and the input from experts. Building on the experience of the Australian Worker Exposure Study (AWES), this activity sets out to fill an important information gap that has been widely identified in the main EU policy documents.

Since 2019, EU-OSHA fully took over the development of an EU-OSH information system (comprising a dashboard, the aka 'EU-OSH barometer' and an analytical report, the 'State of OSH in the EU') to strengthen the support provided to the Commission for its establishment. The OSH Barometer is online since May 2020 and functions as an official comprehensive source of OSH information. The activity will include the publication of a report (the 'State of OSH in the EU'). After exchanges with the Commission, the publication of the report – initially due in early 2022 – was postponed to early 2023. This would enable to integrate further data and to launch it in good time for the preparation of the stocktaking exercise linked to the EU OSH Strategic Framework. The work programmes 2022 and 2023 would need to be amended accordingly. Further versions of the analytical report will be published at regular intervals so that developments over time or trends can be presented in a way that supports the policy cycle; in particular the drafting of national and EU strategic documents on OSH.

Work has continued on two new OSH overviews: the one on OSH and digitalisation; and another one on supporting compliance. The former will provide insights into the consequences of digitalisation on workers' safety and health and the challenges it poses to prevention, policy and practice as well as the opportunities it offers. The latter will focus on providing insight on the environment or 'context' that incentivises and assists enterprises – including small and micro – to fulfil their obligations under OSH regulations.

Last but not least, EU-OSHA has been serving as an information-based resource and platform for debate, facilitating the exchange of information on OSH research, policy and practice. In particular, it has provided support to the Commission, other Institutions and key stakeholders when requested, to strengthen the evidence base for their decision-making and to provide them with the input necessary for their policy work.

He also informed that EU-OSHA was amongst the Agencies under assessment in a study commissioned by the European Parliament Committee on Budget during 2021, addressing the impact and role of the EU decentralised Agencies – focusing on the health and safety cluster, with an emphasis on the COVID-19 crisis. The conclusions were overall very positive for EU-OSHA. In particular, the Agency's work on foresight was mentioned as a good example to prepare for future crisis/pandemics. EU-OSHA had also been most recently involved in a Study for the European Parliament on Occupational Safety and Health: Adjusting provisions in the light of COVID-19 which is looking at the impact of COVID-19 on workers (biological risks, psychosocial risks, MSDs, organisational risks), including a differentiated analysis of the risks based on the workers' professions as well as on criteria of vulnerability. The objective is to explore the actions undertaken and policy options necessary to protect workers against the risks generated or aggravated by the pandemic.

Finally, the interim Executive Director informed that in spring 2022, EU-OSHA would launch its biennial stakeholder survey, which is a key source for qualitative KPI data and internal discussion and learning. Through this regular survey, the Agency gets a general insight into the relevance, added value and use made of its work. In this particular edition, stakeholders' feedback on the work done with regard to COVID-19 will be one of the focuses. Results and an analysis thereof will be included in the Consolidated Annual Activity Report for 2021, which the Management Board would be asked to review in June.

COMMENTS FROM THE MANAGEMENT BOARD AND CLARIFICATIONS:

The Management Board commended the Agency on its achievements during 2021 also in the light of the constraints carried along by the COVID-19 outbreak.

The groups had a number of remarks on specific activities that are reported below.

The Workers welcomed the achievements and observed that the delays and few cancellations were all justified by the framework circumstances. They enquired on the reasons for the postponement of the State of OSH report publication and asked whether this is linked to development of an occupational diseases (ASHC plenary in 2018) indicator no 15.

The Agency explained that the draft of the report is very well advanced and the plans to have it published before the summer 2022 would be feasible. However, there were some opportunity considerations that led the Agency to postpone the publication to January 2023. Most importantly, the stocktaking summit on the EU OSH Strategic Framework is expected to take place in the first half of 2023 and this publication would be a major input to that exercise. But, furthermore, there is a good opportunity to set out EU-OSHA's approach to deal with the two global estimates on the burden of work-related injuries and diseases. A joint estimate, published last year by the WHO and ILO provides detailed data for 39 pairs of occupational risk factor and health outcome for all world regions. Another global estimate, developed by a Finnish grouping, responsible for previous ILO estimates and due to be published shortly, provides less detailed data, but seeks to cover all risk-outcome pairs and all world regions. EU-OSHA sees these two approaches as complementary and as equally relevant. The aim is to incorporate the data that will be published next month by the Finnish grouping and to which EU-OSHA is expected to be given early access.

The Employers remarked that Member States can provide assistance to the Agency in the framing and development of the OSH overview on digitalisation by providing good case study examples. The Governments echoed the remark and in addition, they suggested that the Agency look into the projects run under the "Horizon 2020" initiative where there are several actions addressing future and emerging technologies. The Employers encouraged the Agency to acknowledge the positive aspects of digitalisation besides stressing the risks.

The Agency welcomed the offer from the Management Board and would very much appreciate receiving suggestions and reviewing case examples submitted by the Management Board members. A further effort to stress the opportunities of digitalisation shall be addressed.

Regarding ESENER, the Employers recommended that the Agency could consider extending the reach of the activities with minimal additional resources by allowing OSH experts in Member States complement ESENER with data from national sources.

The Agency thanked the employers for the suggestion. Unfortunately, because of the pandemic, it was not possible to hold in-person events in the Member States, which usually have been a great occasion to reach out to the research communities at national level, however many were held online instead. The Agency is eager to explore any opportunity to consolidate its outreach.

With regard to the Workers' exposure survey, while acknowledging the relevance of this activity, the Employers remarked that in order to translate successfully this survey into the European context, data processing is very important and great care in the application of the methodology is important.

The Agency not only recognises the importance of making sure that the survey is adapted to the European context but also that the methodology is transparent and open to public scrutiny. For this

reason, the Agency is making significant efforts to ensure that the methodology is accessible in the public domain and examined by peers. The methodology was presented at several scientific conferences, including EPICOH² and the World Congress, where it was awarded the OSH World Congress President Award under the topic Innovations in Addressing Longstanding Health and Safety Challenges.

Regarding the adaptation of the survey, work is ongoing with relevant input from the WESAG and from the expert group, which includes worldwide recognised experts on the matter. With regard to the adaptation of the questionnaire to the national context of the Member states included in the sample, six groups of experts are going through the different modules, the questions, and the way the results are used to estimate exposure levels.

CONCLUSION	<u>The Management Board took note of the Executive Director's progress and the other updates.</u>
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3 FINDINGS AND RECOMMENDATIONS FROM EVALUATION, AUDITS ETC.

The Chairperson invited the interim Executive Director to introduce this item, where several issues are covered.

The interim Executive Director explained that the Agency would present the status on accepted evaluation and audit recommendations; the status on the follow-up to OLAF findings and recommendations; and finally, the status of the anti-fraud action plan.

Status on open and accepted evaluation recommendations

- Evaluations have been completed for the following activities: the three OSH overviews on work-related diseases, micro and small enterprises and costs and benefits, and the Healthy Workplaces Campaign for dangerous substances 2018-2019 and OiRA.
- The follow-up to the recommendations will be presented at the June meeting further to internal analysis and discussion. The Agency has undertaken a more in-depth assessment based on cross-cutting findings from several evaluations.
- With regard to the evaluation of the large-scale foresight, all recommendation were implemented.

Status on open recommendations from internal and external audit reports

- There was an open observation from the Court of Auditors report from 2018 and 2019 which was related to budget carry-overs. Further to discussions with the Court, EU-OSHA designed and implemented an action plan. As from the SPD 2021-2023, EU-OSHA includes in an annex information on planned commitments and planned payments related to its operational activities. The objective is to show that carry overs are planned and linked to the multi-annual nature of the Agency's activities. The Court will assess EU-OSHA's implementation of the action as part of their next audit.
- The Internal Audit Service carried out an audit in early 2019 on planning and budgeting which led to a positive report and a few recommendations (none critical, none 'very important') which have all been implemented and closed.

² 28th International Symposium on Epidemiology in Occupational Health (EPICOH) - From the Workplace to the Population: Exposure and Prevention

Status on the follow-up to OLAF findings and recommendations

- There is no action pending implementation resulting from findings and recommendations of OLAF investigations in relation to EU-OSHA in 2021.

Update on implementation of anti-fraud strategy

- The Agency is expected to keep the Management Board informed on the implementation of the anti-fraud strategy, which is well on track. Under item 7, a new anti-fraud strategy for 2022-2026 is submitted for adoption.

Follow-up to the evaluation of the four agencies under the Employment and Social Affairs policy area

- EU-OSHA has implemented all the actions defined by the Management Board in response to the recommendations from the evaluation commissioned by DG EMPL of the four employment and social affairs agencies.

COMMENTS FROM THE MANAGEMENT BOARD AND CLARIFICATIONS:

The Management Board welcomed the good results by the Agency in terms of achieving its objectives and being fully in line with good administration standards.

CONCLUSION	<u>The Management Board took note of the follow-up to findings and recommendation from evaluations and audits.</u>
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4 DRAFT SINGLE PROGRAMMING DOCUMENT 2023-2025

The interim Executive Director explained that in accordance with the schedule agreed with the Board and further to the discussions at the Executive Board meeting, the Agency is now presenting a **complete draft of the Single Programming Document 2023-2025** for approval. No new activity is suggested for inclusion as from 2023 – and for this reason, there has been no discussion at the Executive Board meeting in November on the preliminary draft.

The draft version covers:

- the multi-annual part of the SPD;
- a detailed annual work programme for 2023, including outputs and performance indicators;
- all annexes on specific areas.

The consequences of the COVID-19 pandemic and the Commission's opinion on the 2022 work programme are reflected on the planned work for 2023 and beyond.

Upon approval of the Management Board and before 31 January, the Agency will send the draft programming document out for external consultation (to the Commission, EUROFOUND, EIGE and ECHA) and to initiate the budgetary procedure (to the Commission, Parliament and Council). The Commission is expected to issue their opinion by 1 July 2022.

The Management Board will be requested to adopt the final draft of the SPD by written procedure in November/December 2022.

An important framework condition is the new EU OSH Strategic Framework adopted in June 2021. EU-OSHA 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. The conclusion, discussed and endorsed with the Executive and Management Boards at the end of 2021, 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 on the draft SPD 2022-2024 confirmed this assessment.

As EU-OSHA is expected to play a key role in delivering the new strategic framework, in the context of the draft SPD 2023-2025, EU-OSHA ensured that any necessary adaptation could be taken to keep aligning with the OSH priorities as needs arise.

The interim Executive Director also explained that work on a major OSH Overview on digitalisation will continue and is expected to provide the knowledge base for the Healthy Workplaces Campaign on digitalisation that will begin in 2023.

The OSH Overview on psychosocial risks will also be implemented with scoping work that started in 2021 and which would continue in 2022. It will address current challenges relating to protection of mental health at work, expanding knowledge on the prevalence and effective prevention of mental health problems to inform current policy debate and workplace interventions. EU-OSHA will also focus on the health care sector in 2023, with scoping work starting in 2022. This sector has been essential during the pandemic.

EU-OSHA continues work on the Worker Exposure Survey on carcinogens which will provide data on the amount of workplace exposure to carcinogens in Europe. This will support the objective of reducing cancer as a cause of work-related deaths. Preliminary results are expected in early 2024.

Through the Online interactive Risk Assessment (OiRA) activity, EU-OSHA, together with its partners, provides a tool for employers to carry out a good quality risk assessment thereby facilitating compliance with the legal requirements without compromising the quality of the risk assessment, especially among SMEs. OiRA is explicitly mentioned in different policy documents and is an activity that will be continued throughout the programming period.

COMMENTS FROM THE MANAGEMENT BOARD AND CLARIFICATIONS:

The Management Board welcomed the draft SPD 2023-2025. The Commission also informed that it would provide the Commission's official opinion further to the inter-service consultation in mid-2022.

The Employers explained that the comments made under the Executive Director progress report addressing the OSH overview on digitalisation, the Workers' survey on exposure to cancer risks factors in the workplace and ESENER would also apply to the draft SPD 2023-2025 and other than those there were not any additional comments.

The Workers asked the Agency to further stimulate the uptake, development, sharing and use of OiRA tools by European and national sectoral social partners, Government ministries, labour inspectorates, OSH institutes and to promote national overall strategies and action plans to encourage companies to use such tools.

The Governments expressed a very positive evaluation of the draft SPD 2023-2025 and remarked that under the new EU OSH Strategic Framework the workload of the Agency seems to be expanding. This should also be managed from a resources viewpoint – if the role of EU-OSHA in delivering on the framework would entail new or growing tasks, the Commission should look into resourcing the Agency accordingly.

The Agency took note of the comments. Regarding OiRA, at the Management Board meeting in June, the Agency will give a more detailed account of the implementation of the action plan of the mid-term evaluation of the activity, including successful promotion initiatives.

CONCLUSION	<u>The Management Board approved the draft Programming Document 2023-2025.</u>
DECISION-MAKING PROCESS REQUIRED	Two-third majority; majority of Governments group
RECORD OF VOTES	N/A, decision taken by consensus. Commission abstained.

5 DRAFT BUDGET AND ESTABLISHMENT PLAN 2023

The Agency informed the Management Board that the **draft budget 2023** was prepared based on the general budgetary information available at the time of its finalisation.

EU-OSHA presented a break-down of planned revenues and expenditures as below.

Revenues

Total revenues are estimated at EUR 16,733,840 and consist of:

- Direct EU-subsidy: EUR 16,075,585 + EUR 154,655 re-use of the budget outturn 2021
- EEA-EFTA funds estimated at EUR 403,500 (2,51% of the direct EU subsidy) – to be confirmed during the year and to be included in the final budget for adoption at the end of 2022.
- Subsidies from national and local authorities (EUR 100,100)

Revenue for the special project IPA II 2016 and IPA II 2018 Programme are marked "p.m." in the budget as they might be (at this stage unknown) the result of the carry-over/carry-forward of the 2022 appropriations to 2023.

Compared to Budget 2022, there is an increase of 2% due to indexation in line with the Multi-Annual Financial Framework 2021-2027.

Expenditures

The total amount of estimated expenditures match with the revenues. Expenditures by title are as follow:

- Title 1 (staff expenditure): EUR 7,934,000
- Title 2 (building): EUR 1,600,500.
- Title 3 (operations): EUR 7,199,340

Draft establishment plan and estimate of the number of Contract Staff/Seconded National Expert

EU-OSHA expects its staff resource to remain stable over the period 2023-2025 with respect to the draft establishment plan, which foresees 40 temporary agent posts. Regarding the number of Contract Agents, EU-OSHA requests for 2023 one further Contract Agent (FGIV) in order to be ready to implement the forthcoming Cybersecurity regulation that implies an impelling need to strengthen the Agency's capacity in terms of cybersecurity.

The Agency will look into possibility to share this function with other Agencies – and discussions are underway with other Agencies. Whereas the agent will be placed at EU-OSHA, the cost will be shared with other Agencies – the logic is the same as the one EU-OSHA envisages for the accounting function, for which the position will be within ETF but the service shared with EU-OSHA through a Service Level Agreement between the two agencies.

The Executive Board at their last meeting in November was made aware of this need and supported the Agency's proposal to request this additional post in the budget.

As a result, in 2023 the Agency proposes to request 26 contract agent full-time equivalents, instead of 25.

Upon approval of the Management Board and before 31 January, the Agency will send the draft budget and establishment plan for 2023 to the Commission as an input to the preparation of the EU budget for 2023.

The Management Board will be requested to adopt the final budget and establishment plan for 2023 by written procedure in November/December 2022.

COMMENTS FROM THE MANAGEMENT BOARD AND CLARIFICATIONS:

The Workers observed that Compared to 2022, there has been an increase in the administrative expenditure (Title 1) to the detriment of the operations (Title 3).

The Agency explained that such increase in Title 1 (staff expenditure) has been due to different factors, including the request of a new Contract agent post, recruitment and training needs for staff, career progression of staff, salary indexation due to inflation etc.. However, it should be recalled that most of the Title 1 expenditure is spent on staff delivering operational work and an analysis of the evolution of the costs by type of activity shows that the Agency is progressing along the path agreed with the Management Board related to maintaining the proportion of 75% vs 25% between operational and administrative/corporate management activities. Staff is a key resource to deliver on operational activities.

CONCLUSION	<u>The Management Board approved the draft budget and establishment plan 2023.</u>
DECISION-MAKING PROCESS REQUIRED	Two-third majority; majority of Governments group
RECORD OF VOTES	N/A, taken by consensus. Commission abstained.

6 ESENER UPDATE

As a follow-up to the request from the Management Board to present regularly findings from its research work and with the intention to engage the Management Board more in the dissemination and take-up of the research work, the Agency presented the main results from recent work delivered under ESENER-3.

More specifically, EU-OSHA presented the secondary analysis carried out with availed data from the 2014 and 2019 ESENER waves in relation to psychosocial risk management in MSEs and on human health and social work, to be published imminently. For further details, cf [presentation](#).

The Agency also informed that this activity would soon undergo an ex-post evaluation whose results are expected to support the preparation of the next wave of the survey planned for 2023 and 2024.

COMMENTS FROM THE MANAGEMENT BOARD AND CLARIFICATION:

The Management Board had a very positive appraisal of this activity.

The Commission pointed to the interesting findings of the survey and in particular those in relation to the increased awareness of psychosocial risks at work, particularly relevant in the current context.

The Workers welcomed the comparison across the two set of data 2014 and 2019 as they stressed that this shall provide a good benchmark for comparison against future data with the view of determining the prevalence of psychosocial risks before and after the pandemic. One of the conclusions of the report presented at the meeting is the key role played by legislation in preventing psychosocial risks, which shows the importance of legislation. The results from the survey with regard to social and health workers and the negative effects of teleworking are a source of concern for the group, also in the light of the feedback from the Member States.

Finally yet importantly, the Workers, echoed by the Governments, invited the Agency to maintain the an OSH approach to the matter rather than a public health one, and to refer to psychosocial risks rather than mental health in general where appropriate.

The denomination of the survey – in particular, the reference to “new and emerging” risks - was also an issue of debate across the groups. The Employers in particular advised against doing away with the keywords “new” and “emerging” from ESENER’s name – these two aspects have been essential to

communicate the essence of ESENER. *The Agency appreciated the positive feedback on this activity. Follow-up studies are planned on the education and transport sectors. The Agency will be carrying out an ex-post evaluation for ESENER-3 with the involvement of the Management Board and the issue of the name of the survey will also be addressed.*

CONCLUSION	<u>This item was for information.</u>
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7 ANTI-FRAUD STRATEGY

EU-OSHA's Anti-Fraud Strategy covering the period 2019-2021 came to an end last year. Therefore, the Agency prepared and a new Strategy for the period 2022-2026.

The proposed Strategy builds on the results achieved under the previous 2019-2021 Anti-Fraud Strategy and aims at consolidating and further developing the objectives set out by the previous strategy. As the previous strategy, the new strategy sets out the Agency's commitment to achieve the overall objective to protect the financial interests of the European Union and its reputation.

This strategy intends to provide a framework for addressing the issue of fraud at the Agency for the next five years. This shall be done in a way which is proportionate to the fraud risks, having due regard to the costs and benefits of the measures to be implemented.

Upon adoption by the Management Board, EU-OSHA will develop an Action Plan that shall be regularly monitored by the Executive Director, whereas the Management Board would get an account of the implementation of the action plan once a year.

COMMENTS FROM THE MANAGEMENT BOARD AND CLARIFICATIONS:

The Management Board welcomed the new strategy. The Commission, while acknowledging the quality and array of measures included in the strategy, had a few remarks and in particular observed that no action plan was submitted together with the strategy. In addition, in terms of the frequency of reviewing the implementation of the strategy, the Commission suggested that such review should be done on a yearly rather than a quarterly basis as proposed in the document.

The Agency explained that the Founding Regulation gives the Management Board a clear role in adopting the strategy, which sets out the overarching direction and goals. EU-OSHA would certainly work on a detailed action plan following the adoption of the strategy and would share this with the Commission. Regarding the regular monitoring of the implementation, that is expected to happen indeed once a year with the Management Board, whereas internally that would take place more regularly.

Whereas the Workers welcomed the Anti-Fraud Strategy, they wanted to make sure that expressing disagreement with certain decisions would not be considered fraud in the context of conflicting interest.

The Agency confirmed that expressing legitimate disagreement with certain decisions is not an act regulated by the Anti-Fraud Strategy.

CONCLUSION	<u>The Management Board adopted the Anti-fraud Strategy 2022-2026.</u>
DECISION-MAKING PROCESS REQUIRED	Absolute majority
RECORD OF VOTES	N/A, decision taken by consensus

8 UPDATE ON ACCOUNTING FUNCTION TO BE SHARED WITH ETF

The Agency provided an update on the proposal to share the function of Accounting Officer with the European Training Foundation (ETF).

The proposal had already been presented to the Management Board at their meeting in June 2021 and was overall welcomed.

On 1 September 2021, ETF and EU-OSHA signed a joint Declaration of Intent where both agencies expressed their intention to rely upon one Accountant delivering services to both Agencies in the spirit of strengthening cooperation, including a more effective and efficient use of human resources.

This approach is also in line with the EU strategic goals on sharing services and resources among Agencies and has already proved to be working well in other Agencies.

Following the publication by ETF of a vacancy notice for this new post, the ETF concluded in late 2021 the recruitment of its new Accountant with a plan to take up duties in ETF in March 2022.

Both agencies are currently discussing and formalising a Service Level Agreement (SLA) for the above mentioned shared accountancy services to be signed in the first half of 2022, ahead of the provision of accountancy services to EU-OSHA which would start as from 1 July 2022.

At the next meeting in June meeting, the Management Board will be invited to formally appoint the new accountant and will be provided with a copy of the finalised SLA.

COMMENTS FROM THE MANAGEMENT BOARD:

The Management Board welcomed the update with no further comment.

CONCLUSION	<u>This item was for information.</u>
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9 CHAIRS, DEPUTY CHAIRS, INTEREST GROUPS COORDINATORS AND ADDITIONAL APPOINTMENTS TO THE EXECUTIVE BOARD AND THE ADVISORY GROUPS

As every year at the first meeting of the year, the Management Board had to elect a new Chairperson and the Deputy Chairpersons. Furthermore, the interest groups had to appoint coordinators and Executive Board observers and alternates.

According to the rotation system, the Chairperson for the next term would come from the Employers' group. The group designated Michael GILLEN for the role. The vice-Chairs will be Renārs LŪSIS (Governments' group), Julia NEDJELIK-LISCHKA (Workers) and Francisco Jesús ALVAREZ HIDALGO (Commission).

The interest groups appointed the following coordinators:

- Workers group: Ignacio Doreste
- Governments group: Marie Dalton
- Employers' group: Anna Kwiatkiewicz-Mory

The Interest Groups appointed the following observers to the Executive Board:

- Workers group: Károly György
- Governments group: Yogindra Samant
- Employers' group: Kris de Meester

The groups confirmed their alternates to the Executive Board and the Commission informed that Charlotte GREVFORS ERNOULT and Maria Teresa MOITINHO DE ALMEIDA will be the Commission's alternates to the Executive Board.

The full list of appointments to the Executive Board (including alternates) and the Advisory Groups can be found in annex II.

Finally, the Workers' group appointed Károly György as new reporting officer for the appraisal of the Executive Director.

CONCLUSION	<u>The Management Board elected a new Chair – Michael GILLEN (Employers) and vice-Chairs. The composition of the Executive Board was also agreed.</u>
DECISION-MAKING PROCESS REQUIRED	Two-third majority
RECORD OF VOTES	N/A, decision taken by consensus

10 EU-OSHA'S EXECUTIVE DIRECTOR RECRUITMENT³

The minutes related to this specific item were approved by written procedure amongst the Management Board members eligible to vote on this matter.

Before starting working through this item, the Chairperson asked the Management Board members who had not signed the declaration of confidentiality and absence of conflict of interests in relation to the recruitment of the Executive Director to leave the meeting. The Chairperson also reminded that if any Management Board member who should find himself or herself in a possible situation of conflict of interests at any point during the meeting, they should leave the meeting immediately. Finally, he asked the Agency's staff other than the staff members directly involved in the recruitment procedure, to leave the meeting too.

Having allowed for a short break and having received clearance by the Agency, the Chairperson resumed the meeting, he recalled that under this item, the Management Board was required to take a decision on the next steps related to the Executive Director's recruitment procedure after the Management Board decision on 16 September not to appoint the candidate selected on 10 May.

The Chairperson outlined the two available options that the Management Board was going to be called to decide upon. The Commission had duly ascertained the legal soundness of these two options.

On the one hand, the Management Board could decide to go back to the selection stage of the appointment procedure with the remaining candidates included in the shortlist adopted by the Commission on 17 March 2021 and whom the Management Board had interviewed on 10 May before the selection.

³ To minimise disruptions to meeting participants, due to the restrictions in the participation regarding the item on "EU-OSHA's Executive Director recruitment" (item 10), in the context of the second plenary on 21 January the Management Board worked through this item as first item. For the sake of consistency, the order of the minutes follows the order of the agenda.

The voting rules for selecting a candidate would be the same as on 10 May 2021 – i.e. to be selected, a candidate would need at least two-thirds of the votes (56 votes in favour). The selected candidate would be invited to make a statement before the European Parliament and to answer questions from Members of Parliament, before the Management Board would take its final decision on appointment.

On the other hand, the Management Board could decide to close the appointment procedure as a result of not appointing any of the shortlisted candidates.

The Chairperson would then communicate to the European Commission the Management Board's decision to consider the appointment procedure finalised and not appoint any of the candidates shortlisted by the Commission and as a consequence would invite the Commission to launch a new procedure.

Following a request, the Commission confirmed the legality of the two options presented to the Management Board.

After discussions within the groups and across the groups and the Commission at the Executive Board, the Management Board decided not to appoint any of the remaining candidates included in the shortlist adopted by the Commission on 17 March 2021 and to close the current procedure. They also asked the Commission to launch a new procedure.

The Chairperson of the Committee for requests and complaints provided an update on the Committee's work.

CONCLUSION	<u>The Management Board decided not to appoint any of the candidates included in the shortlist adopted by the Commission on 17 March 2021 and to close the current recruitment procedure. They also asked the Commission to launch a new procedure.</u>
DECISION-MAKING PROCESS REQUIRED	Absolute majority.
RECORD OF VOTES	N/A, decision taken by consensus

11 ANY OTHER BUSINESS

Under "Any other business", the Workers stressed that ensuring that EU-OSHA work is available in the national languages is key to get the OSH message across in Member States and to reach in particular end users. As a result, they encouraged the Agency to put an extra effort into allocating resources to translation, and by way of examples, they mentioned the newsletter; infographics; HWC and OiRA products. The Agency could consider reallocating unused funds assigned for travel, organisation and accommodation for events that did not take place because of the pandemic for this purpose. Furthermore, different focal points from countries using the same language could work together to save funds for translation costs. However, the Workers also called for a long-term solution to address this issue, considering that physical events may resume soon and the relevant funds would be reallocated back to their original purpose.

The Agency took note of the remark and acknowledged the importance of making the information available in the national languages. With the portfolio approach, the Agency is able to deliver translated work according to the priorities identified in the Member States. The budget allocated to multilingualism is traditionally substantial and in the context of the pandemic (approximately 1 MIL EUR), when planned missions and meetings had to be cancelled, a great share of the funds originally allocated to these

activities were indeed allocated to translation.

The Workers observed that the administrative procedure linked to the implementation of the FAST scheme is at times burdensome to Focal Points as this requires defining specific contracts every year and some simplification would be welcomed – as well a certain degree of flexibility in the implementation of the work.

A final point raised by the Workers was related to resuming physical meeting as soon as possible, possibly already as from the next meeting in June.

The Agency acknowledged the importance of physical meetings for a networking, tripartite organisation such as EU-OSHA. The Agency has already started considering on a case-by-case basis the possibility to hold physical meetings based on a risk assessment. The next Management Board meeting on 9 and 10 June is indeed planned to be a hybrid meeting. Furthermore, the Agency's premises are being organised to move to hybrid solutions.

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Finally, The Chairperson thanked the Agency's interim Executive Director and the staff, the interpreters and closed the meeting.

ANNEX I – LIST OF PARTICIPANTS

	Name	Category	Role	Representing
1	ROSENMAYR Clemens	Employers	Member	AUSTRIA
2	BREINDL Gertrud	Governments	Member	AUSTRIA
3	NEDJELIK-LISCHKA Julia	Workers	Member	AUSTRIA
4	DE MEESTER Kris	Employers	Member	BELGIUM
5	CRUTZEN Véronique	Governments	Member	BELGIUM
6	VERDOOT Caroline	Workers	Alternate	BELGIUM
7	STOEV Georgi	Employers	Member	BULGARIA
8	KONOVA Darina	Governments	Member	BULGARIA
9	KWIATKIEWICZ-MORY Anna	Employers	Observer	BUSINESSEUROPE
10	OSSIEUR Isaline	Employers	Observer	BUSINESSEUROPE
11	ALVAREZ HIDALGO F. Jesús	European Commission	Member	COMMISSION
12	MATTINÓ Giacomo	European Commission	Member	COMMISSION
13	GREVFORS ERNOULT Charlotte	European Commission	Alternate	COMMISSION
14	ŠTEFOK Snježana	Governments	Alternate	CROATIA
15	PALAJSA Gordana	Workers	Member	CROATIA
16	ECONOMIDES Aristodemos	Governments	Alternate	CYPRUS
17	EVANGELOU Evangelos	Workers	Member	CYPRUS

	Name	Category	Role	Representing
18	RÖHRICH Martin	Employers	Alternate	CZECH REPUBLIC
19	HLAVÍN Jaroslav	Governments	Member	CZECH REPUBLIC
20	PROCHÁZKA Václav	Workers	Member	CZECH REPUBLIC
21	KNUDSEN Annemarie	Governments	Member	DENMARK
22	NIELSEN Nina Hedegaard	Workers	Member	DENMARK
23	BOIANGIU Cosmin	ELA	Observer	ELA
24	KSINAN Jozef	ELA	Observer	ELA
25	PEÄRNBERG Marju	Employers	Member	ESTONIA
26	MARIPUU Maret	Governments	Member	ESTONIA
27	DORESTE Ignacio	Workers	Observer	ETUC
28	KEMPA Viktor	ETUI	Observer	ETUI
29	PARENT-THIRION Agnès	EUROFOUND	Observer	EUROFOUND
30	HAKALA Liisa	Governments	Alternate	FINLAND
31	AUVINEN Erkki	Workers	Member	FINLAND
32	LÉVY Patrick	Employers	Member	FRANCE
33	MEDIAVILLA Lucie	Governments	Member	FRANCE
34	ZAIGOUCHE Abderrafik	Workers	Member	FRANCE
35	METZE Eckhard	Employers	Member	GERMANY
36	SCHÄFER Kai	Governments	Member	GERMANY
37	HAUS-RYBICKI Sebastian	Governments	Alternate	GERMANY
38	SCHNEIDER Sebastian	Workers	Member	GERMANY
39	KAVALOPOULOS Christos	Employers	Member	GREECE
40	KONSTANTAKOPOULOS Ioannis	Governments	Member	GREECE
41	STOIMENIDIS Andreas	Workers	Member	GREECE
42	NAGY Judit H.	Employers	Member	HUNGARY
43	BALOGH Katalin	Governments	Member	HUNGARY
44	GYÖRGY Károly	Workers	Member	HUNGARY
45	RÖGNVALDSSON Björn Þ.	Governments	Observer	ICELAND
46	SIGURJÓNSSON Björn Ágúst	Workers	Observer	ICELAND
47	GILLEN Michael	Employers	Member	IRELAND

	Name	Category	Role	Representing
48	DALTON Marie	Governments	Alternate	IRELAND
49	ROBINSON Dessie	Workers	Member	IRELAND
50	LEUZZI Fabiola	Employers	Member	ITALY
51	DE CAMILLIS Romolo	Governments	Member	ITALY
52	CAPPUCCIO Silvana	Workers	Member	ITALY
53	LŪSIS Renārs	Governments	Member	LATVIA
54	ANTAPSONS Ziedonis	Workers	Member	LATVIA
55	JASIENĖ Rūta	Employers	Alternate	LITHUANIA
56	SABAITIENĖ Aldona	Governments	Member	LITHUANIA
57	FURLANI Patrice	Governments	Alternate	LUXEMBOURG
58	DELIA Joseph	Employers	Alternate	MALTA
59	MERCIECA Melhino	Governments	Member	MALTA
60	CASARU Anthony	Workers	Member	MALTA
61	VAN MIERLO Mario	Employers	Member	NETHERLANDS
62	WESSELIUS Tanja	Governments	Member	NETHERLANDS
63	BJØRSHOL Arnfinn	Employers	Observer	NORWAY
64	BENONISEN Ann Toril	Employers	Observer Alternate	NORWAY
65	SAMANT Yogindra	Governments	Observer	NORWAY
66	LUNDE Bergljot Fuhr	Workers	Observer	NORWAY
67	HRYNYK Rafal	Employers	Member	POLAND
68	GŁUSZKIEWICZ Dariusz	Governments	Member	POLAND
69	ŁUBNIEWSKI Stefan	Workers	Member	POLAND
70	PENA COSTA Marcelino	Employers	Member	PORTUGAL
71	TELO Emília	Governments	Alternate	PORTUGAL
72	CRUZ Vanda	Workers	Member	PORTUGAL
73	TĂNASE Marian	Governments	Alternate	ROMANIA
74	CONSTANTINOAIA Corneliu	Workers	Member	ROMANIA
75	SUROVÁ Silvia	Employers	Member	SLOVAKIA
76	KEREKEŠ Ladislav	Governments	Member	SLOVAKIA
77	RAMPAŠEK Peter	Workers	Member	SLOVAKIA

	Name	Category	Role	Representing
78	ANTAUER Igor	Employers	Member	SLOVENIA
79	PETRIŠIČ Nikolaj	Governments	Member	SLOVENIA
80	KOMEL Vladka	Governments	Alternate	SLOVENIA
81	BÖHM Lučka	Workers	Member	SLOVENIA
82	PINTO LOMEÑA Miriam	Employers	Member	SPAIN
83	TEJEDOR AIBAR Mercedes	Governments	Alternate	SPAIN
84	LINARES Pedro J.	Workers	Member	SPAIN
85	ANDERSSON Cecilia	Employers	Member	SWEDEN
86	BERGSTRÖM Viktoria	Governments	Alternate	SWEDEN
87	FRISTEDT Karin	Workers	Member	SWEDEN
88	COCKBURN William			EU-OSHA
89	BALDAN Andrea			EU-OSHA
90	BEJER Jesper			EU-OSHA
91	IRASTORZA Xabier			EU-OSHA
92	MILCZAREK Malgorzata			EU-OSHA
93	PICCIOLI Ilaria			EU-OSHA
94	SMITH Andrew			EU-OSHA
95	DINELLI Michele	Other	Observer	EU-OSHA
96	URTASUN Azucena	Other	Observer	EU-OSHA

ANNEX II: MEMBERS AND ALTERNATES OF THE EXECUTIVE BOARD AND ADVISORY GROUPS

Executive Board:

Michael	GILLEN	Employers	Chairperson
Kris	DE MEESTER	Employers	Observer
Anna	KWIATKIEWICZ-MORY	Employers	Coordinator
Eckhard	METZE	Employers	Alternate
Georgi	STOEV	Employers	Alternate
Mario	VAN MIERLO	Employers	Alternate
Julia	NEDJELIK-LISCHKA	Workers	Vice-Chairperson
Károly	GYÖRGY	Workers	Observer
Ignacio	DORESTE	Workers	Coordinator
Silvana	CAPPUCCIO	Workers	Alternate
Anthony	CASARU	Workers	Alternate
Andreas	STOIMENIDIS	Workers	Alternate
Renārs	LŪSIS	Governments	Vice-Chairperson
Marie	DALTON	Governments	Coordinator
Yogindra	SAMANT	Governments	Observer
		Governments	Alternate
Patrice	FURLANI	Governments	Alternate
Mercedes	TEJEDOR AIBAR	Governments	Alternate
Jesús	ALVAREZ HIDALGO	Commission	Vice-Chairperson
Stefan	OLSSON	Commission	Member
Charlotte	GREVFORS ERNOULT	Commission	Alternate
Maria Teresa	MOITINHO DE ALMEIDA	Commission	Alternate

WESAG

Zinta	PODNIECE	Commission	Member
Matthias	FRITZ	Commission	Alternate
Patrick	LÉVY	Employers	Member
Isabel	MAYA RUBIO	Employers	Member
Cecilia	ANDERSSON	Employers	Alternate
Kris	DE MEESTER	Employers	Alternate
Armin	KOEGEL	Governments	Member
Urs	Schlüter	Governments	Member
Ruth	JIMENEZ	Governments	Alternate
Linda	WOUTERS	Governments	Alternate
Ulrik	SPANNOW	Workers	Member
Kris	VAN EYCK	Workers	Member
Tony	MUSU	Workers	Alternate

OKAG

Jesús	ALVAREZ HIDALGO	Commission	Member
Maria Teresa	MOITINHO DE ALMEIDA	Commission	Member
Silvia Daniela	CRINTEA ROTARU	Commission	Observer
Patrick	LÉVY	Employers	Member
Eckhard	METZE	Employers	Member
Martin	RÖHRICH	Employers	Member
Igor	ANTAUER	Employers	Alternate
Rūta	JASIENĒ	Employers	Alternate
Miriam	PINTO LOMEÑA	Employers	Alternate
Agnès	PARENT-THIRION	EUROFOUND	Observer
Gertrud	BREINDL	Governments	Member
Martin	DEN HELD	Governments	Member
Jolanta	GEDUŠA	Governments	Member
Yogindra	SAMANT	Governments	Alternate
Vanda	CRUZ	Workers	Member
Viktor	KEMPA	Workers	Member
Marko	PALADA	Workers	Member
Silvana	CAPPUCCIO	Workers	Alternate
Wim	VAN VEELLEN	Workers	Alternate
Abderrafik	ZAIGOUCHE	Workers	Alternate

TARAG

Jesús	ALVAREZ HIDALGO	Commission	Member
Maria Teresa	MOITINHO DE ALMEIDA	Commission	Alternate
Fabiola	LEUZZI	Employers	Member
Marcelino	PENA COSTA	Employers	Member
Rafal	HRYNYK	Employers	Member
Igor	ANTAUER	Employers	Alternate
Eckhard	METZE	Employers	Alternate
Kare	SORENSEN	Employers	Alternate
Véronique	CRUTZEN	Governments	Member
Maret	MARIPUU	Governments	Member
John	SCHNEIDER	Governments	Member
Martin	DEN HELD	Governments	Alternate
		Governments	Alternate
Pierre	BÉRASTÉGUI	Workers	Member
Károly	GYÖRGY	Workers	Member
Inga	RUGINIENE	Workers	Member
Silvana	CAPPUCCIO	Workers	Alternate
Pedro J.	LINARES	Workers	Alternate
Dessie	ROBINSON	Workers	Alternate