

MINUTES

Meeting:	MEETING OF THE BUREAU OF THE GOVERNING BOARD
Date:	Tuesday, 15 November 2016
Venue:	EU-OSHA – Santiago de Compostela 12 – 5th floor – Bilbao Meeting room: Julia

1. Draft Agenda

The Chair welcomed the attendees.

The Chair introduced the draft Agenda. The Chair asked all Bureau members 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 management of conflict of interest. No Bureau member declared any.

One of the government representatives requested whether it was possible to reschedule the dates for the next Board meeting in January 2017, because there was a seminar in Brussels organised by REACH "IUCLID for Biocides" on the same dates.

The Director of the Agency replied that this was an unfortunate coincidence, however, the dates for the Board meeting were agreed prior to the dates for the Seminar being set and reservations for the venues were already negotiated, therefore dates for the Board meeting could not be changed.

One of the government representatives proposed an item to be discussed "reimbursable expenses". The Chair suggested that this item could be dealt with under point 10 "Any Other Business (AOB)", which was agreed.

CONCLUSION: The draft agenda was adopted.

2. Draft minutes

The draft minutes were circulated together with the meeting documentation.

The Commission accepted the minutes with the exception of paragraph 3 on page 4 for which a new phrase would be proposed in written and sent by email to the Agency to amend the minutes.

CONCLUSIONS: On that basis the Bureau adopted the minutes.

3. Director's Progress Report

The Chair gave the floor to the Commission and they provided an update on the following issues:

- *Developments on the revision of the Agency's Founding Regulation.*

The Social Questions Working Party of the Council is discussing the Commission's proposal. Its next meeting will take place on 28 November..

At European Parliament rapporteurs are being appointed for each Agency. Mr - Czeslaw Hoc will be the rapporteur for the EU-OSHA founding regulation.

The Chair questioned the timing between the EC evaluation of the four agencies and the proposal for amending the founding regulation. It would seem logical to finalise the evaluation before launching the amendments to the founding regulations.

- Update on the progress made on amendments to the Carcinogens and Mutagens Directive.

The Commission informed that the proposal is being discussed by the co-legislators. The Council adopted a general approach in October and the European Parliament is preparing its report on the first reading..

The adoption of a new proposal for other substances (2nd wave) is expected by the end of December 2016.

In parallel the Commission is launching the internal works for a 3rd proposal on carcinogens and mutagens..

- Update on the progress on the Commission draft directive on a 4th list of Indicative Occupational Exposure Limit Values (IOELVs) in implementation of the Chemical Agents Directive (98/24/EC)

The Commission informed that the draft directive on a 4th list of IOELVs was transmitted to the Council and European Parliament for scrutiny on the 16th of September 2016. If both institutions do not oppose during the three months period (ending in December 2016) it could be adopted as a Commission directive early 2017.

The Director thanked the Commission for their updates and referred to the Director's Progress Report previously circulated to the Bureau Members.

Governments asked regarding the implementation of the 2016 budget whether the Agency expected to commit the funds before the end of the year.

The Director of the Agency replied that it is expected that at least 95 % of the budget would be committed.

In addition, she provided an update on the following issues:

Focal Point Visits

- 1st Visit (Slovakia), the Director met the OSH Network and the Secretary of State.
- 2nd Visit (Czech Republic).
- 3rd Visit (Sweden). The Swedish Government is fully committed to the development of OSH policies. Very significant additional public investment is being made in OSH, especially in the labour inspectorate.

The visits give a good impression of the different challenges and resources across Europe when it comes to OSH.

Internal issues at the Agency

The Director informed the Bureau members about the situation regarding the management of the Resource and Service Center. At the moment the Director is acting Head of Unit for RSC.

Recruitment situation at the Agency

To date, the following positions have been filled:

- HR Officer Monika Herczku in RSC (CA FGIII, long-term). She started at the Agency on the 3rd of October 2016.
- HR Manager (TA AD7, long-term), the selected candidate is expected to start by mid-January 2017.

Update on meeting the day before in the Steering Group of the Agency MSP Evaluation

The Director informed the Bureau about the kick-off meeting related to the evaluation of the Agency's Multi-Annual Strategic Programme.

The contractor expects to have an inception report by mid-December. Field work is expected to be carried out between February and March 2017 and the mid-term evaluation report will be delivered by mid-May 2017 so that it can be discussed in the Governing Board meeting in June 2017.

The workers representative mentioned that there was a concern about the limited number of interviewees and that there was a need to consider increasing the number.

The Commission commented that the Agency MSP Evaluation was being carried out at a most suitable time in order to feed into the 4-agencies evaluation.

Situation regarding implementation of 2016 management plan.

The total number of outputs exceeds 300 and about 40% of them are mentioned in the AMP 2016 too. In absolute figures 32 out of 71 outputs foreseen for 2016 were delivered by mid-October. By mid-October it was foreseen that 5 outputs would be delayed beyond 2016 and 8 outputs would be cancelled. These changes are all explained in the progress report.

Meeting with the General-Director of DG EMPL 16/11/2016

The Director informed the Bureau members that all four 'DG EMPL Agencies' (EU-OSHA, Eurofound, CEDEFOP and ETF) had been summoned to a meeting by the General-Director of DG EMPL. The main topics for discussion will be: Founding Regulation, evaluation of the four Agencies, synergies between Agencies and International activities.

CONCLUSIONS: This was an information item.

4. Update on Advisory Groups and Focal Points

The Director updated the bureau on the last FOP meeting held on the 3rd of November at the Agency in Bilbao.

- I. The FOPs were briefed on the current EU OSHA activities and the planned activities for 2017.
- II. The FOPs were joined by the EEN OSH ambassadors in the second half of the meeting to discuss:
 - II.1 the needs of MSEs and methods for better communication to this target group and
 - II.2 how the FOPs and the national OSH ambassadors in the EEN network can continue to build their collaboration.
- III. DG EMPL briefed the FOPs and EEN OSH ambassadors on the social pillar.

It was clear from the FOP meeting that some countries have got a very close collaboration with MSEs and others at a much lower scale, consequently there was a common agreement to assist the latter to reach a greater and closer collaboration with this type of enterprise.

Then the Agency proceeded to give an update on the Advisory Groups.

The Head of the Communication and Promotion Unit informed that the last Advisory Group meeting was held on the 21st and 22nd of June 2016 at the Agency in Bilbao.

A new government member from Luxembourg, John Schneider, was introduced to the Advisory Group.

The most relevant topics were:

- The role of the FOPs in communicating and campaigning with specific references to Awareness Raising and Promotion Package (ARPP) and European Campaign Assistance Package (ECAP)
- Multilingualism and how FoPs collaborate in language checks.
- OiRA: Tool Kits support and partners. The objective is to create an OiRA promotion toolkit and run a number of pilot projects in 2017. Each partner will present a national promotion strategy by the end of the year and the Agency toolkit will support them in the implementation of this strategy.

There were also two main discussions:

- HW Campaign 2018-2019 – Dangerous Substances- , the Agency presented the outline and the concept paper for the strategy.
- HW Campaign 2020-2021, an OSH Overview on MSDs was requested by the Governing Board and it has been consequently included in the Programming Document 2017-2019. The convenience of maximizing the benefits of the deployed resources was discussed when discussing the MSD theme as a possible theme as well as the relevance of the theme itself. The theme was received favorably by the members of the Advisory Group.

The Agency also informed the Bureau that the next AGCP would be held on the 21st of February 2017.

The Head of the Prevention and Research Unit informed that the last PRAG meeting was held on the 7th and 8th of November 2016 at the Agency in Bilbao.

The first day there was a mini workshop on foresight on new and emerging risks associated with ICT during which the Agency received very useful feedback on the project.

The main relevant items presented and discussed on the second day were:

- an in-depth update of the results of the European Parliament pilot project on health and safety of older workers and the Data Visualisation Tool (DVT). On the latter, usability test was done in the first half of October, DVT will be finalised during November and will be available online on the 15th of December 2016.
- the Agency provided an update on the progress and information products for the HWC Campaign 2018-2019 on dangerous substances; and update on the timeline and initial proposal for the OSH overview for MSDs, among others.
- A discussion on the proposal to dedicate the HWC Campaign 2020-2021 to the topic of MSD prevention.

COMMENTS FROM THE BUREAU

Governments provided comments on two different issues. On one hand, they suggested that it might be beneficial to amend the format of the FOP meetings. What really adds value to the FOP meetings is the exchange of experiences and practices among FOPs. On the other hand, the governments considered that the stakeholder survey from 2016 should be one of the key data sources for the Agency evaluation.

Workers disagreed with the governments on the issue of the FOP meetings and considered that topics such as the presentation of the Social Pillar by DG EMPL during the last Focal Point meeting were very useful.

CONCLUSIONS: These items were for information.

5. OiRA Business Plan

During the 43rd meeting of the Governing Board, which took place in Bilbao on the 28th of January 2016, the Board adopted a mandate in which the Bureau was given the responsibility to approve/adopt the OiRA Business Plan, together with the need to oversee its implementation as well as ensure regular updates to the Board.

The OiRA business plan is now presented to the Bureau for adoption.

The Agency introduced the Business Plan and made a presentation of the new OiRA website, which is expected to be launched in January 2017 and the private zone later on. From the next year onwards the website will be the main channel / tool to communicate / gather information to / from the OiRA partners and OiRA community.

COMMENTS FROM THE BUREAU

Commission: The Commission requested a clarification on how and when the financing scheme was going to be reassessed.

Employers: The employers' representative asked whether it would be relevant to have separate targets for number of risk assessments via existing tools and new tools.

Regarding the web, they requested clarification about what the Agency counted as a visit to the web. They also remarked about the specific comment on involving more social dialogue, as the current formulation could imply that the Agency is mobilising everyone, they suggested it to be amended to reflect that only partners at EU level are involved.

The Agency clarified that in the business plan right now we have general targets. Over the years, these general targets should be based on and better reflect the targets set at national level (by tool and by country). A meeting at political level with Members States and OiRA partners is scheduled for next year. This meeting will assist in setting the targets ahead.

As per the financing scheme, there is the need to reassess the scheme next year. As part of this reassessment, it has been proposed that the OiRA tools will be developed at EU level and then National Partners will adapt them and translate them in their own countries.

As per the query on the website visits, the Agency explained that a visit is counted when somebody accesses pages on the website one or more times within a set period of time (usually 30 mins). The monitoring tool provides a wealth of additional information about e.g. from where they are connecting to the website, how many times a document has been downloaded, etc.

CONCLUSIONS: The OiRA Business Plan was adopted without further amendments.

6. Revised Draft Programming Document 2017-2019

The Director introduced the Revised Draft Programming Document 2017-2019.

According to the schedule agreed with the Board, the Agency presented a preliminary draft version of the PD 2017-2019 at the Board meeting in November 2015 for discussion on the multi-annual objectives and work programme. In January, the Board adopted a complete draft, which included the comments made by the Board on the multi-annual part, a detailed annual work programme for 2017, outputs and performance indicators as well as all the required annexes. The draft PD 2017-2019 was sent to the Parliament, the Council and the Commission.

The structure of activities was changed and incorporated in a revised draft PD 2017-2019 (version 2.0) which was adopted by the Board in June during the plenary session and it was consequently sent for consultation.

On the 29th of August 2016 the Agency received feedback from the Commission, which has been taken into account in the final draft and is provided to the Bureau for comments.

Changes to the version agreed in June by the Board are marked in tracked changes. One of the key changes is that one AST post is removed from 1 January 2017.

The Board is expected to adopt the final Programming Document in December 2016 by written procedure.

COMMENTS FROM THE BUREAU

Employers raised a specific remark on the written procedure. When sending the request for adoption of the Board should be highlighted that only minor changes were made, so that there is an unequivocal understanding that the content of the PD was already agreed by the Board.

The Commission expressed their satisfaction with the incorporated changes which duly took on board the comments from the Commission.

CONCLUSIONS: The Bureau is recommending the Board to adopt the revised draft Programming Document 2017-2019 by written procedure without further comments.

7. Healthy Workplaces Campaign Strategy 2018-2019

The Agency's 2016 management plan foresees the initiation of preparations for the Healthy Workplaces Campaign 2018-19

In March 2015 the Governing Board agreed that the campaign theme for the Healthy Workplaces Campaign 2018-19 will be 'establishing a prevention culture on dangerous substances while targeting specific groups of workers'. It requested the agency to prepare a concept paper that was adopted by the Governing Board by written procedure in August 2016. Based on this concept paper the agency has now prepared the HWC 2018-19 campaign strategy.

The campaign strategy has been developed based on the four priority themes identified in the campaign concept paper adopted by the Governing Board earlier this year. It defines the campaign's strategic objectives, target groups, main messages and planned products and activities.

The Agency introduced the Healthy Workplaces Campaign Strategy 2018-2019 with the support of a power point presentation. The final name of the Campaign stills needs to be decided and the Agency proposed five different names to the Bureau for consideration.

COMMENTS FROM THE BUREAU

Chair: Raised a remark on the unsuitability of the timing for submissions for the Good Practice Awards. EU-OSHA should allow a longer period and not so close to Summer time. April to October might be preferable in order to get more participants on board.

Employers: Considered that some elements of the concept paper do not come through strongly enough in the proposed campaign strategy. The latter is presented in a more negative way than the concept paper. It might go too far in some places: e.g. the stated low level of public awareness in general and regarding process-generated substances in particular. The point should be how they are managed more than stopping using them or substituting them.

Regarding substitution, they would like to see it as part of the hierarchy of prevention and not as a separate section. Substitution is not always possible.

They also believed that there are quite a lot non-OSH issues comprised in the strategy.

Finally the reference to the general public or lay people would take this campaign beyond the scope of agency campaigns. The campaign should be targeting intermediaries, employers, workers and their representatives.

They requested the message to be more positive and the preferred title for the Campaign would be "Healthy workplaces manage dangerous substances". Further input will be provided as tracked changes in a written document.

Workers: In general they consider the proposed strategy document suitable. Regarding the outlined messages, the most important message would be number 1 concerning raising awareness. They also consider that message 3 is important, however, it might need to be reformulated to make it better understood. A message following the lines of "working together in workplaces" is missing from the Strategy and it could be added as message number 9. With regards to message number 7, they would like some additional details about the action plan for specific groups of workers: How should we decide on the groups? Should it be decided by the Bureau or should each interest group decide on their specific priorities?

Workers representatives also questioned how much the focus of the strategy was on employees. There are approximately 300,000 workers in MSEs, how can they be reached? How can we be successful? There might be consequently a need for a strategy for each intermediary.

Their title of preference for the Campaign would be "Dangerous substances – Act Now"

Governments: They suggested to launch the Good Practice Award competition at the same time as the campaign and try to avoid the summer time period during which prospective participants might be unresponsive.

With regards to the employers' remarks about "raising awareness", they did not believe that the message was actually too strong and was, if anything, too weak. They referred to a recent SLIC campaign which found that 30-40% of employers said that they had no problem with dangerous substances which clearly suggests that there is an issue with lack of awareness.

The Government representatives also commented that there might be too many messages in the Campaign strategy and that it might be preferable to prioritise on e.g. carcinogens and not to include biological agents which could warrant a special campaign on its own.

They also consider that the strategy might have moved too far from the original Board decision as there was no specific reference to developing a prevention culture.

Some members of the Governments Group had reservations about the priority group approach.

With regards to prioritisation, they considered, nonetheless, that it is important that the campaign remains flexible giving the Member States enough room to choose their own focus.

Regarding the adoption of the strategy, they would like the Governing Board to feel ownership of its contents and to be involved in the process because of the relevance of the scope of the paper.

Commission: The Commission representatives welcomed the preliminary campaign strategy which clearly underlines that raising awareness is essential.

A very important message is to respect the hierarchy of prevention and encourage the substitution of dangerous substances.

They also considered the focus on carcinogens a priority and logical to support legislative action in this field.

Regarding vulnerable workers, they recalled that the Bureau specifically decided on this focus and then the message could be that all workers must be protected but particular attention needs to be paid to some groups.

CONCLUSIONS:

The employer's representatives will send written comments of the employers group by next week. The Agency will rework the strategy paper in tracked changes taking these and other comments of the Bureau into account.

The revised strategy will be sent to the Bureau for a quick feedback so that a clean and amended version of the strategy can be included in the Governing Board documents for the January 2017 meeting.

The Dutch government will be requested to provide an update on the roadmap to carcinogens at the Board meeting.

8. Preliminary Draft Programming Document 2018-2020

The Director introduced the Preliminary Draft Programming Document 2018-2020

Under this item the following issues were to be discussed:

- 1) Preliminary draft of PD 2018-20
- 2) Ex-ante evaluation on Foresight
- 3) Short-list of campaign topics for 2020-2021

In accordance with the schedule agreed with the Board, the Agency is presenting a preliminary draft version of the Programming Document (PD) 2018-2020.

The sections provided here are based on the Multi-annual Strategic Programme adopted by the Board end 2013. In particular, the preliminary draft describes the general context in which the Agency is expected to operate during the timeframe concerned, the multi-annual objectives – together with the indicators and the relevant targets to measure achievements, and the multi-annual programming for the activities. As a rolling programme, the proposal is an extension of the 2017-2019 Programming Document. Following the external evaluation of the Agency there may be a need to review the document again.

In January 2017 a complete document will be presented. This will include the preliminary draft provided now in addition to the annual work programme for 2018 and annexes on more specific areas. In January 2017 the Board will also be invited to decide on which new activities to initiate during the programming period.

Furthermore, the Bureau was also invited to discuss and offer comments on the **Ex-ante Evaluation on Foresight** before it is provided to the Board. The Agency explained to the Bureau that despite being a long-term activity, each foresight is considered a separate project and that is why the ex-ante evaluation is requested each time a new foresight is launched.

Finally, the Bureau was requested to discuss and provide input regarding the **campaign themes 2020/2021** before the Board is invited to decide on a theme in January 2017. Having received a positive response from the two Advisory Groups, the Agency proposed the Bureau to consider the "Prevention of work-related musculoskeletal disorders (MSDs)" as a prospective campaign theme

for 2020-2021. The last campaign on this specific topic was carried out in 2007 and, as described in the proposal, work-related MSDs remain an issue that affects all work sectors and jobs carried out by both men and women. Furthermore, the campaign would be able to draw on extensive content material produced by the major OSH Overview on the same topic and would increase the impact achieved by this important project.

COMMENTS FROM THE BUREAU

The Bureau did not make any specific comments neither on the preliminary draft of the Programming Document for 2018-2020 nor on the ex-ante evaluation on Foresight.

Commission: The Commission representatives mentioned that the proposed theme of MSDs is a good topic that can certainly be supported by the Commission. They considered it a very suitable theme, well aligned with the strategic framework 2014-2020. They also stressed the convenience of addressing this topic after so many years since the last campaign in 2007. The ongoing overview of the topic planned for 2017 would also assist in the development of the campaign. Although in previous occasions more than one topic was proposed to the Bureau, the Commission understands the justification of EU-OSHA and considers that a discussion on its relevance in the Bureau is appropriate. The Commission is anyway open to consider other possible themes for the Campaign.

Governments: The governments' representatives also agreed on the relevance of the proposed theme and its suitability for the HWC 2020-2021, however, they still requested more options for campaign themes to allow the Board to select among them.

Employers: The employers' representatives appreciated the importance of the proposed theme but they still saw the need of having a shortlist of topics to be discussed.

Workers: The workers' representatives commented that they supported the theme of MSDs but requested that the proposal be better justified in the documents to the board along the lines of the explanation that had been given at the meeting.

Agency Clarifications:

The Agency explained that the overview activity on MSDs is planned for 2017 and this will extensively prepare the ground for a prospective campaign on this topic. It would be a way to optimize the large investment and resources deployed and the Advisory Groups already agreed that the logic was sound. Furthermore, by 2020 it will have been 13 years ever since the last campaign on this topic took place.

The Director agreed that further topics would be proposed for decision by the Board, taking account of the direction previously given to the Agency that themes should not be on specific sectors or groups, but rather be relevant to the majority of workplaces.

CONCLUSIONS:

The Preliminary Draft Programming Document 2018-2020 was introduced and discussed so was the ex-ante evaluation.

The Agency will consider the Bureau proposals for the 2020-2021 campaign and will also discuss internally which other themes could be proposed to the Bureau for discussion.

9. Working Arrangements Between DG EMPL and EU-OSHA with regards to International Relations

The Director referred Bureau members to the letter from the Commission (B/16/07a) circulated before the meeting.

In 2014, the Bureau of EU OSHA agreed the EU OSHA strategy on its interaction with non-member states and international organisations. The legal basis for engagement with non-EU bodies is contained in the founding regulation (art. 3)

In April 2016, the Director General of DG EMPL, wrote to EU OSHA outlining principles and good practices to be respected when handling international relations within EU OSHA. In June 2016, the Director replied to the Director-General of DG EMPL, thanking him for his initiative and agreeing to the principles and practices outlined, with this exchange of letters as the means of confirmation.

The key principles outlined were:

- EU OSHA international activities have to be in line with EU international policy, demonstrate added value and to be evaluated.
- International activities are identified in the programming document.
- No written arrangements will be made by EU OSHA with a third party without consultation with DG EMPL, and it is not anticipated that such arrangements will be needed.
- EU OSHA will liaise with DG EMPL B3 Unit in its international activities on an ongoing basis.

COMMENTS FROM THE BUREAU:

Commission: It was iterated that the letter from the Director-General of DG EMPL aimed to clearly reflect the key principles to be respected in such a complex matter as international relations, ensure that the EU-OSHA international activities are aligned with the EU international policy and do not create confusion with the role of the EU Institutions in this field, highlighting the importance of coordination.

CONCLUSIONS: This item was for information.

10. Any Other Business

1. Dates for Board/Bureau meetings in 2017:

The Director referred to the dates of Board/Bureau meetings in 2017 - The following dates had been chosen and agreed on the previous Governing Board meeting in June 2016:

- | | |
|---|-------------------------|
| - 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 |

The Agency proposed the 22nd of November 2017 in the afternoon for the 3rd Bureau meeting after the summit of the HWC. The Bureau agreed on the proposed date.

The Bureau members discussed the convenience of reducing the schedule for the next Bureau/Board meeting in January 2017 to two days instead of three. Different options were discussed and finally the following schedule was agreed:

25 January: Interest Group meetings – groups to inform the Agency about their needs; in the evening a Bureau meeting

26 January: Plenary in the morning and seminar in the afternoon

2. Reimbursable Expenses:

One of the Government representatives requested clarification about one of the questions comprised in the reimbursement form, quote: "Are you reimbursed by your employer?"

The Agency clarified that such questionnaire aims to avoid double reimbursement. Nonetheless, the Agency would review the form to ensure it serves its purpose.

3. Open Call for Seconded National Experts (SNEs)

The Agency informed the Bureau Members about its intention to launch an open call for expression of interest for Seconded National Experts. A printed version was handed out to the Bureau and the Agency asked the Bureau members to provide guidance for additional dissemination channels in order to give the open call as much publicity as possible.

COMMENTS FROM THE BUREAU:

Workers: One of the workers representatives queried about the reason why the eligibility criteria was so restricted that social partners were not eligible.

Agency Clarification. The restricted eligibility criteria is in line with the implementing rule (Decision No.RSC (11)06). Social partners would be eligible as long as there is an agreement with their correspondent Government.

Commission: The Commission pointed out that the Establishment Plan 2017 does not foresee any SNE post and therefore considers that there is a need to contact DG HR in this regard and inform the Agency accordingly.

--O--

As there was not any additional issue to discuss, the Chair thanked the participants and closed the meeting.

List of participants

<i>Name</i>	<i>Representing</i>
Jesús ALVAREZ	European Commission
Gertrud BREINDL	Government
Károly GYÖRGY	Workers
Kris DE MEESTER	Employers
Viktor KEMPA	Workers
Renārs LŪSIS	Government
Teresa MOITINHO	European Commission
Christa SCHWENG	Employers
Charlotte SKJOLDAGER	Government
Rebekah SMITH	Employers
Christa SEDLATSCHEK	EU-OSHA
Jesper Bejer	EU-OSHA
William COCKBURN	EU-OSHA
Andrew SMITH	EU-OSHA
Brenda O'BRIEN	EU-OSHA
Lorenzo Munar	EU-OSHA