European Agency for Safety and Health at Work (EU-OSHA)

2016/0254(COD) - 23/08/2016 - Legislative proposal

PURPOSE: to replace and repeal the European Agency for Safety and Health at Work (EU-OSHA's) Founding Regulation and to repeal Council Regulation (EC) 2062/94.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: the EU-OSHA's Founding Regulation has been amended three times, in 1995, 2003, and 2005, mainly to take account of EU enlargement or Treaty changes. However, such amendments have not significantly altered the fundamentals of the Agency.

It is proposed to revise the founding regulation of this Agency. This revision will allow to define more precisely the role of EU-OSHA in supporting the Commission and other EU institutions and bodies, the Member States, the social partners and those involved in the field in shaping and implementing policies on health and safety at work at both national and European levels.

CONTENT: the proposed Regulation – based on Article 153 of the TFEU – seeks to revise the founding regulation of the European Agency for Safety and Health at Work (EU-OSHA) from 1994.

The reasons for the revision are twofold:

- update the objectives and tasks of EU-OSHA;
- align certain provisions of the existing Regulation governing EU-OSHA with the Common Approach on Decentralised Agencies.

EU-OSHA tasks: since its establishment in 1994 EU-OSHA has played an important role in supporting the improvement of health and safety at work throughout the European Union. At the same time there have been developments in the area of occupational safety and health (OSH). In this light some adjustments are required in describing the objectives and tasks of EU-OSHA as compared to the provisions in Council Regulation (EC) No. 2062/94.

The revision of the EU-OSHA's Founding Regulation will align certain provisions of the existing Regulation governing EU-OSHA with the Common Approach on Decentralised Agencies. Secondly, the revision offers the opportunity to update the objectives and tasks of EU-OSHA. The new objectives and tasks will be adjusted to better reflect the developments in this area as well as new needs.

This revision will provide a clearer description of the role of EU-OSHA in supporting the Commission in shaping policies on health and safety at work. It will update the mandate of EU-OSHA as a centre for the technical, scientific, legal and economic information and qualified expertise of use in the field of safety and health at work.

Other measures related to the decentralised agencies: the revision also creates the opportunity to provide for:

- anti-fraud measures,
- conflict of interest policy,
- evaluation and review measures,
- the establishment of a headquarters agreement,
- the provisions on programming and reporting with the requirements set by the revised Framework Financial Regulation.