Basic information

2016/0256(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
European Foundation for the Improvement of Living and Working Conditions (Eurofound) **Subject** 4.10.12 Housing policy 4.15.04 Workforce, occupational mobility, job conversion, working conditions 8.40.08 Agencies and bodies of the EU	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
EMPL Employment and Social Affairs	CALVET CHAMBON Enrique (ALDE)	28/09/2016
	Shadow rapporteur ŠOJDROVÁ Michaela (PPE) LÓPEZ Javi (S&D) GERICKE Arne (ECR) BOYLAN Lynn (GUE/NGL) LAMBERT Jean (Verts/ALE) AGEA Laura (EFDD) MARTIN Dominique (ENF)	

Committee for opinion	Rapporteur for opinion	Appointed
BUDG Budgets	GEIER Jens (S&D)	15/09/2016

Council of the European Union

Council configuration	Meetings	Date
Employment, Social Policy, Health and Consumer Affairs	3507	2016-12-08
Environment	3666	2018-12-20

European Commission

Commission DG	Commissioner
Employment, Social Affairs and Inclusion	THYSSEN Marianne

European Economic and Social Committee	
European Committee of the Regions	

Key events

Date	Event	Reference	Summary
23/08/2016	Legislative proposal published	COM(2016)0531	Summary
12/09/2016	Committee referral announced in Parliament, 1st reading		
08/12/2016	Debate in Council		
12/07/2017	Vote in committee, 1st reading		
12/07/2017	Committee decision to open interinstitutional negotiations with report adopted in committee		
28/07/2017	Committee report tabled for plenary, 1st reading	A8-0275/2017	Summary
11/09/2017	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 72)		
13/09/2017	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 72)		
20/11/2018	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	PE630.591 GEDA/A/(2018)009095	
11/12/2018	Decision by Parliament, 1st reading	T8-0492/2018	Summary
11/12/2018	Results of vote in Parliament		
20/12/2018	Act adopted by Council after Parliament's 1st reading		
16/01/2019	Final act signed		
16/01/2019	End of procedure in Parliament		
31/01/2019	Final act published in Official Journal		

Technical information

Procedure reference	2016/0256(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	Treaty on the Functioning of the European Union TFEU 153-p2-a2
Other legal basis	Rules of Procedure EP 165
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Procedure completed
Committee dossier	EMPL/8/07604

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE601.030	07/03/2017	
Amendments tabled in committee		PE602.822	04/04/2017	
Committee opinion	BUDG	PE597.553	27/04/2017	
Committee report tabled for plenary, 1st reading/single reading		A8-0275/2017	28/07/2017	Summary
Text agreed during interinstitutional negotiations		PE630.591	09/11/2018	
Text adopted by Parliament, 1st reading/single reading		T8-0492/2018	11/12/2018	Summary

Council of the EU

Document type	Reference	Date	Summary
Coreper letter confirming interinstitutional agreement	GEDA/A/(2018)009095	19/11/2018	
Draft final act	00063/2018/LEX	16/01/2019	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2016)0531	23/08/2016	Summary
Commission response to text adopted in plenary	SP(2019)44	23/01/2019	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	IT_SENATE	COM(2016)0531	18/10/2016	
Contribution	PT_PARLIAMENT	COM(2016)0531	11/11/2016	
Contribution	RO_SENATE	COM(2016)0531	11/11/2016	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Regulation 2019/0127
OJ L 030 31.01.2019, p. 0074 Summary

European Foundation for the Improvement of Living and Working Conditions (Eurofound)

2016/0256(COD) - 11/12/2018 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 579 votes 65, with 19 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council establishing the European Foundation for the improvement of living and working conditions (Eurofound), and repealing Council Regulation (EEC) No 1365/75.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amended the Commission proposal as follows:

Objective and tasks of the Foundation: Eurofound's objective shall be to provide the Commission, other Union institutions, bodies and agencies, the Member States and the social partners with support for the purpose of shaping and implementing policies concerning the **improvement of living and working conditions, devising employment policies, and promoting the dialogue between management and labour**.

Eurofound shall enhance and disseminate knowledge, provide evidence and services for the purpose of policy making, including research-based conclusions, and shall facilitate knowledge sharing among and between Union and national actors.

The Foundation shall also be tasked to:

- disseminate that information to the Union institutions and bodies, the Member States, the social partners and other actors involved in the field of safety and health at work;
- provide forums for the exchange of experience and information between governments, social partners and other stakeholders at national level;
- contribute, in particular through evidence-based information and analyses, to the implementation of reforms and policies at national level;
- establish a strategy for relations with third countries and international organisations.

The Foundation may conclude **cooperation agreements** with other relevant EU agencies to facilitate and promote cooperation with them.

Management Board: this shall also provide for the participation of an **independent expert appointed by the European Parliament**.

Members of the Management Board and their alternates shall be designated and appointed on the basis of their knowledge in the field of safety and health at work, taking into account their relevant skills such as managerial, administrative and budgetary skills and expertise in the area of Eurofound's core tasks, in order to carry out an effective oversight role.

Each member and alternate shall sign a written statement at the time of taking office declaring that he or she is not in a situation of **conflict of interests**. Eurofound shall publish the statements and updates on its website.

The Management Board shall also provide the strategic orientations for Eurofound's activities and adopt each year, by a majority of two-thirds of members with the right to vote and Eurofound's programming document, containing its multiannual work programme and its annual work programme for the following year.

Programming: the Executive Director shall present to the Management Board a draft programming document containing an **annual and multiannual work programme**. Following approval by the Management Board, the draft programming document shall be submitted to the Commission, the European Parliament and the Council by 31 January each year at the latest. The Management Board shall adopt the programming document taking into account the Commission's opinion.

Executive Director: the Executive Director shall be responsible for the overall management of the Agency in accordance with the strategic direction set out by the Management Board. Once appointed, the Executive Director shall attend a hearing at the responsible committee of the European Parliament.

The Executive Director shall also be responsible for:

- preparing the Foundation's draft statement of estimates of revenue and expenditure and implementing its budget, as part of the Foundation's programming document;
- taking decisions with regard to the management of human resources;
- taking decisions with regard to the Foundation's internal structures and, where necessary, their amendment, taking into account needs relating to its activities and sound budgetary management;
- cooperating with other Union agencies, and concluding cooperation agreements with them;
- establishing an office in Brussels as a **liaison office** to further the Foundation's cooperation with the relevant Union institutions.

Budget: in order to ensure its full autonomy and independence and to enable it properly to carry out its objectives and tasks in accordance with this Regulation, Eurofound shall be granted an adequate and **autonomous budget** with revenue stemming mainly from a contribution from the general budget of the Union. The Union budgetary procedure shall be applicable to Eurofound as far as the Union contribution and any other subsidies chargeable to the general budget of the Union are concerned. Eurofound's accounts should be audited by the Court of Auditors.

European Foundation for the Improvement of Living and Working Conditions (Eurofound)

2016/0256(COD) - 23/08/2016 - Legislative proposal

PURPOSE: to replace and repeal the Regulation establishing the European Foundation for the improvement of living and working conditions (Eurofound), and to repeal Council Regulation (EEC) No 1365/75

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 Eurofound's Founding Regulation has been amended three times, in 1993, 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 therefore proposed to revise the original Regulation establishing this Agency. This revision will provide a clearer description of the role of Eurofound in supporting the Commission, other EU institutions and bodies, Member States and social partners in shaping policies on living and working conditions as well as in promoting social dialogue.

The revision also offers the opportunity to update the objectives and tasks of Eurofound in order to reflect the developments within the Agency and in the context in which it operated since the adoption of the Founding Regulation in 1975.

CONTENT: the proposed Regulation – based on Article 153 of the TFEU - aims to revise the founding regulation of the European Foundation for the Improvement of Living and Working Conditions (Eurofound) from 1975.

The reasons for the revision are twofold:

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

Eurofound's tasks: since its establishment in 1975, the Foundation has adapted its activities to the overall societal, institutional and economic developments and emerging trends in European policies in the field of living and working conditions.

The new objectives and tasks will be adjusted to better reflect these developments and Eurofound's current contribution to the development of social and work-related policies, by providing relevant and high quality research output in the field of employment, industrial relations, working and living conditions.

The revision aims in particular:

- to provide a clearer description of the role of Eurofound in supporting the Commission, other EU institutions and bodies, Member States and social partners in shaping policies on living and working conditions;
- to promote social dialogue. It will update the mandate of Eurofound as a centre for analysis, research and policy monitoring in these policy areas;
- to update the mandate of Eurofound as a centre for analysis, research and policy monitoring in these policy areas.

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.

Organisational aspects: the revision will also harmonise the provisions on programming and reporting with the requirements set by the revised Framework Financial Regulation. It will lead to modifying and aligning the appointment procedure of the Director (Executive Director) with the procedure provided for in the Common Approach and it will **suppress the current position of Deputy Director**. The role of appointing authority will be conferred to the Management Board of the Agency.

Regarding the appointment by the Council of the Management Board members representing the employers' and employees' organisations from each Member State, it is proposed that this is done on the basis of a list submitted by the EU social partners' organisations Business Europe and ETUC.

European Foundation for the Improvement of Living and Working Conditions (Eurofound)

2016/0256(COD) - 16/01/2019 - Final act

PURPOSE: to improve the effectiveness of Eurojust by establishing a European Union Agency for Judicial Cooperation in Criminal Matters (Eurojust).

LEGISLATIVE ACT: Regulation (EU) 2018/1727 of the European Parliament and of the Council on the European Union Agency for Criminal Justice Cooperation (Eurojust), and replacing and repealing Council Decision 2002/187/JHA.

CONTENT: Eurojust was established by Council Decision 2002/187 / JHA to strengthen the fight against serious organised crime in the European Union This Regulation sets up a new governance model to improve the operational efficiency of the Agency.

Tasks

On the basis of operations conducted and information supplied by the Member States' authorities, by Europol, by the European Public Prosecutor's Office (EPPO) and by the European Anti-Fraud Office (OLAF), Eurojust shall support and strengthen coordination and cooperation between national investigating and prosecuting authorities in relation to serious crime which Eurojust is competent to deal with, where that crime affects two or more Member States, or requires prosecution on common bases. Eurojust will facilitate the execution of requests for, and decisions on, judicial cooperation, including requests and decisions based on instruments that give effect to the principle of mutual recognition. Eurojust shall carry out its tasks at the request of the competent authorities of the Member States, on its own initiative or at the request of the EPPO within the limits of the EPPO's competence.

Competence

Eurojust shall be competent with respect to the forms of serious crime listed in Annex I of the Regulation (egg terrorism, organized crime, drug trafficking, money laundering, nuclear-related crime, immigration, trafficking in human beings, racism and xenophobia, offenses affecting the financial interests of the Union, counterfeiting and piracy of products, counterfeiting and falsification of means of payment, computer crime, corruption, trafficking in arms, ammunition and explosives, environmental crime, war crimes, sexual abuse and sexual exploitation, including child pornography and solicitation of children for sexual purposes).

Eurojust:

- shall not exercise its competence with regard to crimes for which the EPPO exercises its competence, except in those cases where Member States which do not participate in enhanced cooperation on the establishment of the EPPO are also involved and at the request of those Member States or at the request of the EPPO;

- shall exercise its competence for crimes affecting the financial interests of the Union in cases involving Member States which participate in enhanced cooperation on the establishment of the EPPO but in respect of which the EPPO does not have competence or decides not to exercise its competence.

Structure

Eurojust comprises:

- the national members;

- the College, consisting of composed of all the national members and a representative of the Commission when the college exercises its management functions;

- the Executive Board, which assists the College in its management functions, in order to allow the establishment of a simplified decision-making process on non-operational and strategic issues;

- the Administrative Director, appointed for four years by the College on the basis of a list of candidates proposed by the Executive Board, following an open and transparent selection procedure, in accordance with the rules of procedure of Eurojust.

Programming and democratic oversight

Each year, the College shall adopt a programming document containing annual and multi-annual programming, based on a draft prepared by the Administrative Director, taking into account the opinion of the Commission. The College shall forward the programming document to the European Parliament, the Council, the Commission and the EPPO. The programming document shall become definitive after final adoption of the general budget of the Union.

The regulation also enhances transparency and democratic scrutiny through a mechanism for joint assessment of Eurojust's activities by the European Parliament and national parliaments.

Lastly, it introduces a new data protection regime adapted to the new legal framework for the EU institutions.

ENTRY INTO FORCE: 11.12.2018.

APPLICATION: from 12.12.2019.

European Foundation for the Improvement of Living and Working Conditions (Eurofound)

2016/0256(COD) - 28/07/2017 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Employment and Social Affairs adopted the report by Enrique CALVET CHAMBON (ALDE, ES) on the proposal for a regulation of the European Parliament and of the Council establishing the European Foundation for the improvement of living and working conditions (Eurofound), and repealing Council Regulation (EEC) No 1365/75.

The committee recommended that the European Parliament's position adopted at first reading in accordance with the ordinary legislative procedure should amend the Commission proposal as follows.

Objective and tasks of the Agency: Members believe that Eurofound tasks should go beyond analysis and research to provide policy-makers, including social partners, with research-based policy proposals in the area of health and safety of workers. It should also carry out studies and, in the areas of the Agency's expertise, carry out pilot projects and preparatory actions on the basis of indirect management.

The Tripartite Agency should also:

- **continue producing surveys** in order to ensure the continuity of comparative analyses and trends in living and working conditions and labour market developments in the Union;
- **collaborate**, in particular with the European Agency for Safety and Health at Work (**EU-OSHA**), the European Centre for the Development of Vocational Training (**Cedefop**) and, where appropriate, other Union agencies.

Management Board: this shall include the participation of **three independent experts appointed by the European Parliament** after verifying that the appointments raise no conflicts of interest.

When appointing their respective representatives and alternates to the Management Board, the European Parliament, the Commission, the Member States and the social partners shall ensure a balanced representation of men and women. In additions, each member and alternate member shall **sign a written declaration of interests** when taking office. The declarations of interest shall be published on the Agency's website.

A representative of EU-OSHA, a representative of Cedefop and a representative of the European Training Foundation should have **observer status** at meetings of the Management Board in order to enhance the efficiency of the agencies and the synergies between them.

The Management Board shall, *inter alia*:

- give the **strategic orientations** for the Agency's activities, coherent with the needs of its main stakeholders;
- adopt rules, including measures for **detecting potential risks at an early stage**, for the **prevention and management of conflicts of interest** in respect of its members and independent experts, as well as for seconded national experts.

Members proposed deleting the provision authorising the Management Board to take all decisions concerning the Agency's internal structures and their modification.

Annual and multi-annual programming: the annual work programme shall comprise **detailed objectives and expected results**, including performance indicators, as well as activities and programmes that are to be subject to ex-ante or ex-post evaluations.

Where new tasks are conferred upon the Agency by the Union institutions or by Union legal acts, this shall be taken into account in its resource and financial programming.

Executive Director: the Executive Director shall be responsible for the **overall management** of the Agency in accordance with the strategic direction set out by the Management Board. Once appointed, the Executive Director shall attend a hearing at the responsible committee of the European Parliament.

The Executive Director shall also be responsible for:

- preparing the Agency's draft statement of estimates of revenue and expenditure and implementing its budget, as part of the Agency's **programming document**;
- taking decisions with regard to the management of **human resources**;
- taking decisions with regard to the Agency's internal structures and, where necessary, their amendment, taking into account needs relating to the Agency's activities and sound budgetary management;
- cooperating with other Union agencies, and concluding cooperation agreements with them;
- establishing an **office in Brussels as a liaison office** to further the Agency's cooperation with the relevant Union institutions.

The **Deputy Director** shall support the Executive Director in carrying out the Agency's functions and activities.

Eurofound budget: this should be prepared in accordance with the principle of performance-based budgeting taking into account its objectives and expected results. The Eurofound accounts should be audited by the European Court of Auditors.