



Parlamentul României  
Senat

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Bucharest, the 24-th of October, 2016

*Courtesy translation*

**OPINION**

**of the ROMANIAN SENATE on the:**

- Proposal for a **REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** establishing the European Agency for Safety and Health at Work (EU-OSHA), and repealing Council Regulation (EC) 2062/94 – COM (2016) 528 final
- 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 COM (2016) 531 final
- Proposal for a **REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** establishing a European Centre for the Development of Vocational Training (Cedefop) and repealing Regulation (EEC) No 337/75 – COM (2016) 532 final

Taking into account the Report of our permanent Committee on European Affairs dated 21-st of October 2016, the Plenum of the Senate has decided as follows:

- I. The three proposals of regulations that are part of this package respects the principles of subsidiarity and proportionality.
- II. The Romanian Senate considers that:

**1. Regarding COM (2016) 528 final:**

The revision of rules of functioning of EU-OSHA (European Agency for Safety and Health at Work) envisages to align certain provisions of the existing Regulation with the common approach on decentralized agencies, providing an opportunity to update the objectives and tasks of EU-OSHA. Thus, new goals and tasks will be adjusted to better reflect the developments in this area, and the necessity for further changes.

The proposed changes will allow a better coordination between European and national levels, providing more clarity and correlation procedures for participation at European

consultations, strengthening the cooperation and involvement of Member States and social partners in the informing, collection and dissemination of data, as in monitoring of the policy measures.

## **2. Regarding COM (2016) 531 final:**

The proposal aims to revise the Regulation establishing a European Foundation for the Improvement of Living and Working Conditions (Eurofound) dating back to 1975. The grounds for review are double:

- The review of the Regulation establishing Eurofound will align certain provisions of the existing regulation governing Eurofound, in order to have a common approach on decentralized agencies.
- This review provides an opportunity to update the objectives and tasks of Eurofound.

The new objectives and tasks will be adjusted in order to reflect better the new developments and to support the current contribution of Eurofound in developing the labor and social policies by providing relevant results of the specific research for a high quality in employment relations and better conditions of work and life.

## **3. Regarding COM (2016) 532 final:**

- The review of the Regulation establishing the European Centre for the Development of Vocational Training (Cedefop) will align certain provisions of the existing Cedefop regulations, based on a common approach with other decentralized agencies.
- The review provides the opportunity to update the objectives and tasks of Cedefop. In order to respond to the evolving political changes, the current activities of Cedefop are going beyond education and training and include activities on qualifications, particularly the European Qualifications Framework, providing analysis and forecasts of skills and the validation of non-formal and informal education, which should all be recognized.

### **III.**

There are necessary some specific changes in the legislative package, namely:

1. The reconfirmation of CEDEFOP role in helping the Commission in developing and implementing policies for education and training, skills and qualifications;
2. Providing anti-fraud measures, supporting the specific policy on the conflicts of interest, specific provisions on evaluation and review, and to agree on the Agency's offices;
3. The harmonization of provisions on programming and reporting at the requirements established by the revised Financial Regulation;
4. The revision of the procedure of appointment of the Executive Director; the role of appointing authority shall have conferred to the Board of the Agency;
5. The Council should appoint the board members of the agency. These board members has to represent the governments of Member States, organizations of employers and workers in each Member State.

### **IV.**

We draw attention and recommend some specific amendments and supplements of several articles of the Proposal for a Regulation of the European Parliament and of the Council establishing a European Centre for the Development of Vocational Training (Cedefop) and repealing Regulation (EC) No. 337/75, COM (2016) 532 final, as follows:

- a. We propose to amend Chapter I, art. 1. par. (2) thereof,

The proposal for reformulation makes it clear that CEDEFOP structure tripartite governance (government, trade unions, employers) should assist the Commission and the national actors, especially governments and social partners. This is the view defended by the social partners. By deleting "the implementation of policy" will be avoided a possible misunderstanding, namely that implementing education and training policy at national level is the Commission's role.

- b. We recommend to amend Chapter I, art. 1, para. (2) as follows:

Original text:

Art.1

(2) *"The objective of the Agency shall be to assist the Commission in shaping and implementing vocational education and training and skills and qualifications policies. To this end the Agency shall provide evidence and services for policy making and knowledge sharing amongst and between Union and national actors, in particular governments and social partners".*

Suggested text:

Art.1

(2) *"The objective of the Agency shall be to assist the Commission and the national actors, particularly governments and social partners, in defining and promoting the education policy and training and skills and qualifications. to this end, the Agency provides evidenced and services for policy making and knowledge sharing amongst stakeholders at EU level and at national level".*

- c. We recommend to amend art.3-11 Title II:

Art.3-11 Title II of the draft Regulation should be reviewed in its entirety.

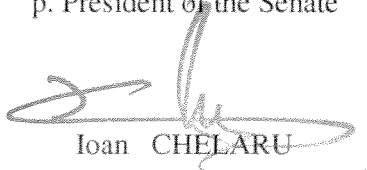
It should be made a separation between control / supervision and management of the Agency. We do believe that the role of the board has to be limited at the adoption of strategic planning / programming multi-annual budget and the appointment of managers, which are to be grouped in a Directorate. Therefore, the primary role of the Board is to monitor the managers, grouped in the Directorate. We suggest to regulate the co-determination model in the governance of the agency. In these conditions must be adjusted all items in the draft regulation which refer to the Management Board, Executive Committee and Executive Director, depending on how you propose functions of the Board, directorate and general manager,

In which consists Art. 2, we believe that it is necessary to complete the tasks of the Agency.

We believe that the agency should have a database of best practices regarding policies for education and professional training, including projects with European financing or other sources that contribute to adjustment policies on education or training.

Therefore, the Agency must be a *Clearing House Best Practices Database in professional training and education (+ Projects Policies)*

p. President of the Senate



Ioan CHELARU