



By-Laws of The National Research Centre for the Working Environment

Pursuant to section 3 of Act no. 326 of 5 May 2004 on Sector Research Institutions, the Minister of Employment establishes these By-Laws for the National Research Centre for the Working Environment.

Part I Name, Location and Ministry of Jurisdiction

Article 1

The name of the institution is "the National Research Centre for the Working Environment" (NRCWE).

NRCWE is located in Copenhagen.

NRCWE is an independent research centre under the Ministry of Employment and its principal tasks are working environment research and dissemination of working environment knowledge.

Part II Objective and Core Areas

Article 2

The objective of the NRCWE is to establish a research-based knowledge base in order to ensure healthy and stimulating working conditions in accordance with the development of society and the needs of enterprises and the working environment system.

The NRCWE does this by surveilling, elucidating and exploring working environment conditions of importance to safety and health, including development, wellbeing, workability and retention in the labour market as well as the effect of preventive and health-promoting measures. The activities of the NRCWE are organised interdisciplinarily and are based on the interaction between people, the working environment and developments in society.

The core scientific research areas of the NRCWE are working environment surveillance and epidemiology, accidents at work, workability related to musculoskeletal disorders, the physical and chemical working environment, the psychosocial working environment, management and organisation in a working environment perspective, and the interaction between the working environment and labour market conditions, including recruitment, working hours, retention, absenteeism, exclusion, workability and productivity.

The strategy specifies the current prioritisation of the core areas.

The NRCWE shall conduct its research independently of the Minister of Employment and safeguard scientific ethics.

Article 3

The NRCWE shall contribute to ensuring that the administrative and legislative work of the Ministry of Employment is based on the latest Danish and international knowledge and shall contribute to the foundation of political decision-making within the working environment area.

The NRCWE shall act as a gathering point and a knowledge centre for national scientific research within the working environment area by managing coordination of Danish working environment research and by communicating knowledge to the authorities, the social partners, enterprises and working environment advisers.

The NRCWE shall make strategic collaboration agreements with the Universities of Copenhagen and Aarhus and the Technical University of Denmark and other universities within areas that allow the parties to realise synergies within research, education, counselling of the Ministry of Employment, collaboration with the business sector and international impact.

The Act to Amend the Working Environment Act 2004 established a Working Environment Information Centre at the National Institute of Occupational Health (now the NRCWE). The objective of the Centre is to gather and communicate national and international working environment knowledge and to create one general gateway to all existing information and knowledge about the working environment with focus on users.

The NRCWE shall participate in international collaboration on working environment research and in the international competition for research funds.

The NRCWE shall collaborate with universities to ensure that research-based working environment knowledge is used for relevant Postdoc and Masters degree courses.

The NRCWE is eligible for subsidies from other ministries.

The NRCWE may accept grants and gifts from other sources than the appropriation acts.

The NRCWE may offer commercial services and run subsidy-funded activities.

The NRCWE may pay expenses in connection with transfer and protection of the right to inventions and receive payment in the form of shares in connection with commercial exploitation of inventions, pursuant to Act no. 347 of 2 June 1999 on Inventions at Public Research Institutions.

The NRCWE may establish and own one limited company and may be co-owner of one or several limited companies founded by other research institutions with the purpose of promoting the transfer of new knowledge and technology between public research institutions and the business sector, pursuant to Act no. 483 of 9 June 2004 on Technology Transfer etc.

The NRCWE shall regularly complete independent evaluations of the research, counselling of the Ministry of Employment, communication and education undertaken by the Centre.

The NRCWE shall publish its research results. This rule can, however, be deviated from if deemed necessary due to special circumstances, including public interest and data confidentiality in relation to information about individuals, enterprises etc..

The NRCWE shall report once a year to the Minister of Employment about the activities of the Centre.

Chapter III

Sources of Revenue

Article 4

The basic funding is allocated each year in the Finance Act.

The Centre may accept funds from research councils, foundations etc. and perform tasks in return for payment, cf. article 3.

Performance of tasks may not bring into question the independence of the Centre and they must be performed in accordance with public regulations in the area, including applicable provisions on competitive conditions in relation to private enterprises.

Chapter IV

The Board of Governors

Tasks of the Board of Governors

Article 5

The Board of Governors shall be responsible for the general management of the Centre. The board lays down the general guidelines for the medium-term and long-term activities and development of the NRCWE.

The Board of Governors shall approve the budget of the NRCWE, including allocating the total resources and stipulating principles for the use of these resources within the framework established by the Minister of Employment.

The Board of Governors shall ensure that the funds of the NRCWE are allocated in the way that best serves the objectives of the Centre.

The Board of Governors shall furthermore approve the annual report and annual accounts of the NRCWE.

The Board of Governors shall submit its recommendation to the Minister of Employment on the appointment and dismissal of the Director General.

The Board of Governors shall make decisions in specific cases of an exceptional nature or with far-reaching importance to the Centre.

The Board of Governors shall ensure the quality of the research performed by the Centre by, for example, making independent evaluations, cf. article 3. The Board of Governors shall determine

the time of the evaluations and whether the evaluations should also comprise other tasks than those mentioned in article 3. The board shall follow up the evaluations.

The Board of Governors shall conclude performance contracts with the Minister of Employment that determine the research, development, communication, consultancy, ministerial counselling, educational and operational tasks to be completed for a fixed number of years.

Members of the Board of Governors

Article 6

The Board of Governors consists of 13 members, including the chairman of the board.

The chairman and the members of the Board of Governors are appointed by the Minister of Employment. The chairman and the members of the Board of Governors are appointed in their personal capacity, they shall be external (except for employee representatives) and they shall be independent of the Minister.

Composition of the Board of Governors:

- one chairman
- six members with knowledge of the working environment area recommended by the Working Environment Council.
- four members with relevant research competencies: one member from each of the Universities of Copenhagen and Aarhus and the Technical University of Denmark and one member from a foreign research institution appointed at the recommendation of the Danish Council for Strategic Research.
- two members appointed by and from among the centre staff by direct ballot so that the candidates who receive the most votes are elected to the Board of Governors. The detailed rules for this shall be laid down by the Centre Works Council.

The Department of the Ministry of Employment and the Working Environment Authority shall be represented at the board meetings as observers without voting rights.

The Board of Governors shall appoint a vice-chairman from among its members. The vice-chairmanship is occupied for periods of two years in rotation from among the members recommended by the Working Environment Council and members recommended by the Danish Council for Strategic Research.

The board members are appointed for a period of four years at a time. Board members may be reappointed. If a member resigns from the board during a period of tenure, a new member shall be appointed as soon as possible for the rest of the period of tenure in accordance with the guidelines stipulated in this article.

Equal distribution of men and women among members shall be promoted.

Article 7

If agreement cannot be reached, the Board of Governors shall make decisions on the basis of a simple majority of votes. In the event of a tie, the chairman's vote – or in his/her absence the vice-chairman's vote – shall be decisive.

The Board of Governors forms a quorum when the majority of its members are present.

The Board of Governors meets as often as the chairman deems necessary or when at least one-third of the members so request. However, the board shall meet at least once a quarter.

Minutes shall be taken of the decisions of the board. The minutes shall be signed by the chairman of the board. The secretariat function shall be managed by the Centre.

The board determines its own rules of procedure.

The chairman's remuneration and reimbursement of travel expenses etc. for board members are fixed according to the relevant general rules of the State.

Chapter V Director General

Article 8

The Minister of Employment appoints and dismisses the Director General at the recommendation of the Board of Governors.

The Board of Governors appoints and dismisses the rest of the management board at the recommendation of the Director General.

The Director General is responsible for the day-to-day management of the Centre, including personnel management and research management, and he/she represents the Centre externally. Performance of the day-to-day management shall be under the auspices of the Board of Governors.

The Director General shall regularly inform the Board of Governors about the activities of the Centre, including fulfilment of the performance contract and financial targets.

The Director General shall submit his/her recommendation to the Board of Governors in the cases that are presented to the board.

The Director General shall be accountable to the Board of Governors for ensuring that the Centre is managed in accordance with current legislation, the administrative provisions and rulings applicable to the Centre, including government personnel management rules and collective agreements and other agreements.

The Director General shall participate in the meetings of the Board of Governors, and the rest of the management board and committee members, cf. article 9, may participate in these meetings.

Part VI Committees

Article 9

The Board of Governors may set up permanent committees and ad hoc committees. The Board of Governors shall decide the composition and the authorities of these committees.

In this connection, the Board of Governors may establish committees for research or communication or other advisory committees with members outside the Board of Governors. The objective of such committees is to support and develop the expertise and business activities of the NRCWE in specific areas.

The Director General may set up permanent committees and ad hoc committees and make decisions about their size, field of work and composition.

Part VII Working Environment Information Centre

Article 10

The objective of the Working Environment Information Centre is to gather and communicate national and international working environment knowledge and to create one general gateway to all existing information and knowledge about the working environment with focus on the users.

The Working Environment Information Centre is managed by a director of communications reporting to the Director General of the NRCWE.

In collaboration with the Centre Committee, cf. article 11, the Working Environment Information Centre shall prepare four-year strategies which are renewed every second year. The strategies shall be approved by the Board of Governors at the recommendation of the Director General.

In collaboration with the Centre Committee, the Working Environment Information Centre shall prepare draft annual activity plans and draft annual reports about the past year's activities which are to be approved by the Board of Governors at the recommendation of the Director General.

Article 11

A Centre Committee is set up to advise the Board of Governors of the NRCWE.

The Committee shall ensure professional operation and communication management of the Working Environment Information Centre.

The Centre Committee has six members.

The members of the Centre Committee are appointed by the Board of Governors of the NRCWE. The members are appointed in their personal capacity, they shall be external and they shall be independent of the Minister. Four members shall be recommended by the Working Environment Council and the other members shall be recommended by the Director General.

Composition of the Centre Committee:

- one member with special expertise in communication and collection of research results,
- one member with specialist expertise within the working environment, and
- four members at the recommendation of the Working Environment Council

The Centre Committee constitutes itself.

The Centre Committee members are appointed for a period of four years at a time. The members may be reappointed. If a member resigns from the Committee during a period of tenure, a new member must be appointed as soon as possible for the rest of the period of tenure in accordance with the guidelines stipulated in this article.

The Director General and the director of communications of the Centre shall participate in the meetings of the Centre Committee.

The secretariat function shall be managed by the Centre.

Part VII Amendment of the By-Laws

Article 12

Amendments to the By-Laws shall be prepared by the Board of Governors and approved by the Minister of Employment.

Fundamental changes to the objectives of the NRCWE shall be implemented by amendments to the By-Laws after general hearing of all the interested parties.

Part IX Accounting and Auditing

Article 13

The accounts of the NRCWE shall be presented in accordance with the Act on State Accounting etc. and shall be audited in accordance with the Act on Auditing of Public Accounts etc.

Part X Entry into Force

Article 14

These By-Laws shall become effective on 1 January 2007.

Date:

Date:

Minister of Employment

Chairman of the Board of Governors