

OSH AUTHORITIES

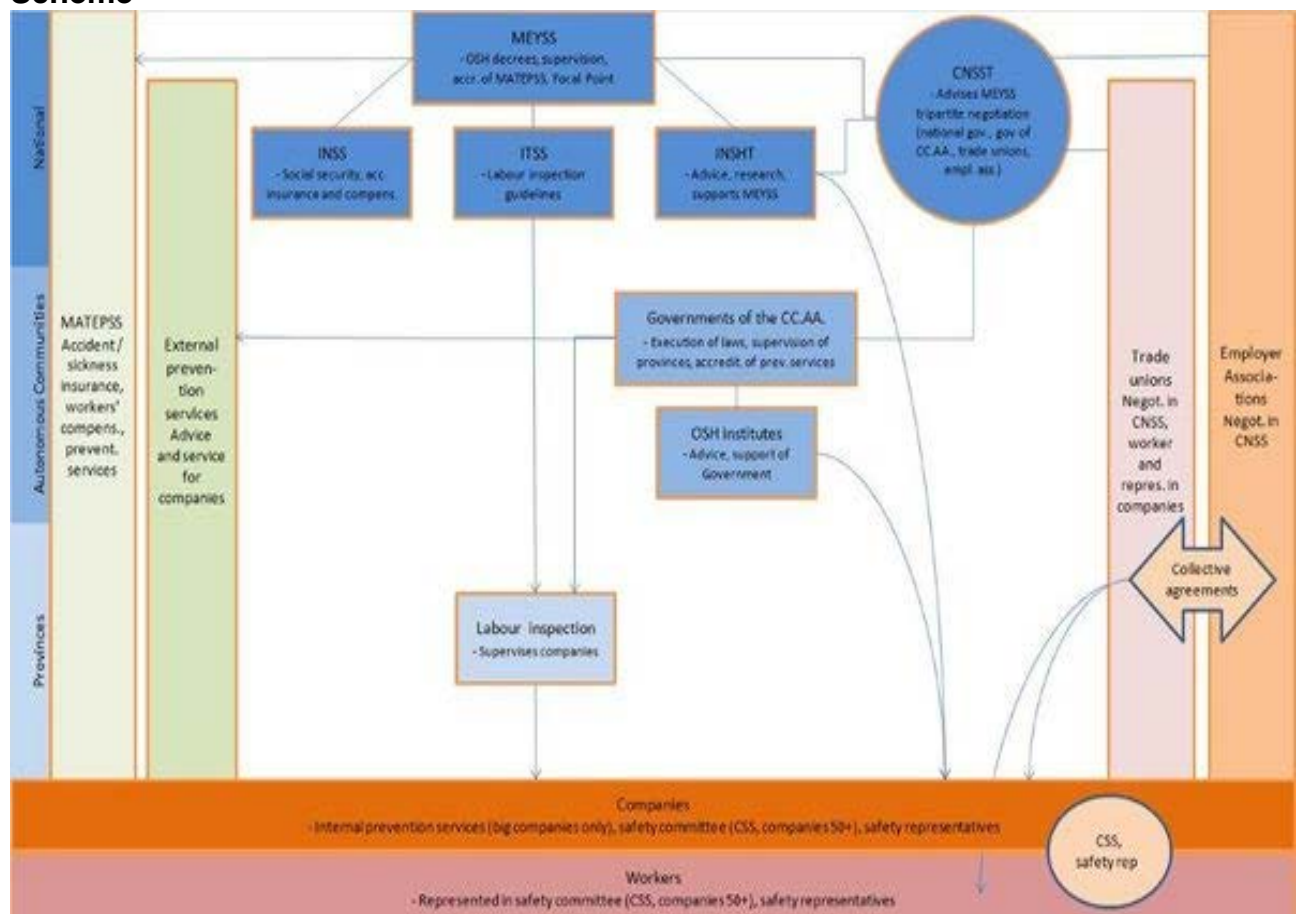
Description scheme for country overviews

SPAIN

Source: https://oshwiki.eu/wiki/OSH_system_at_national_level_-_Spain

OSH Infrastructure

Scheme



Explanatory text

The Spanish OSH system is characterised by a number of stakeholders at various levels. While the national Parliament has exclusive power to pass OSH legislation, the Autonomous Communities are responsible for executing these laws. This vertical division of powers influences the policy-making process, as well as the work of the labour inspectorate. At national level, the Ministry of Employment and Social Security (MEYSS) is generally responsible for health and safety at work. The governments of the Autonomous Communities, which have the executive power, have their own authorities.

The National Work Safety and Health Institute (INSHT), a specialised State Administrative technical scientific body, is responsible for analysing and studying the conditions of safety and health at work, and for promoting improvements. To this end, they co-operate with all the regional governments'

bodies with authority in the field. The Work and Social Security Inspectorate ensures compliance with the provisions on the prevention of workplace risks.

The National Work Safety and Health Commission (CNSST), which consists of representatives of the central and regional administrations and of employer organisations and trade unions, advises the public administrations on prevention policies, and is the channel for official involvement in OSH.

The work accident insurance is organised in a hybrid system of private non-profit insurance companies - Social Security Work Accident and Professional Sickness Provident Entities - ('MATEPSS') and a public body - Instituto Nacional de la Seguridad Social – INSS, and ISM – Instituto Social de la Marina, which guarantees workers' compensation in companies that are not members of a 'MATEPSS'.

■ OSH authorities and inspection services

Name of the Authority	Ministry for Employment and Social Security - Ministerio de Empleo y Seguridad Social, MEYSS
Link	http://www.meyss.es/
Short abstract	Ministry for Employment and Social Security (Ministerio de Empleo y Seguridad Social, MEYSS) is responsible for the national OSH policies, and supervision of social security and the MATEPPS. The National Commission for Safety and Health at Work (Comisión nacional de seguridad y salud en el trabajo, CNSST) advises the MEYSS, discusses new developments, and guides the implementation and evaluation of the OSH strategy. Four groups of stakeholders are represented in the Commission, representing national authorities, the Autonomous Communities, employers and trade unions. The Commission votes and adopts proposals by majority - the national and regional authorities execute one common vote, while employer representatives and trade unions have one vote each. In this way the Commission can be considered as a tripartite body [10].
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Name of the Authority	The National Labour Inspection Authority (Inspección de Trabajo y Seguridad Social, ITSS)
Link	http://www.meyss.es/itss/web/index.html
Short abstract	<p>The National Labour Inspection Authority (Inspección de Trabajo y Seguridad Social, ITSS) is under the authority of and funded by the MEYSS. The labour inspectorate of Cataluña is an exceptional case, which is independent in function and status to the regional authorities. As the name already indicates, ITSS does not only supervise safety and health in the companies, it is also responsible for general labour relations and compliance with social security regulations (including checking for illegal employment). The inspectorate has specialists for OSH, employment, and social security.</p> <p>Despite being a national authority, the labour inspectorate is organised in local branches: Each of the 50 provinces has teams of labour inspectors. They follow action plans that are set up by the governments of the Autonomous Communities.</p>

	These action plans define priorities as well as inspection goals. In this way, the labour inspectors are able to work with high-risk sectors and companies. Together, the regional plans make up the so-called national programme, which needs the approval of the Sectoral Conference (conferencia sectoral). The labour inspectors also respond to incidents (accidents and diseases) in the workplace and may impose sanctions in the case of any breach of law. Homogenous inspection standards can be set by the MEYSS.
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■ Compensation and Insurance bodies

Name of the Body	Mutuas de Accidentes de Trabajo y Enfermedades Profesionales de la Seguridad Social
Link	http://www.amat.es/
Short abstract	<p>The Spanish worker compensation system can be characterised as a hybrid private and public system. Occupational accident insurance and compensation and rehabilitation of occupational diseases is usually organised by Social Security Work Accident and Professional Sickness Provident Entities, the 'MATEPSS' (Mutuas de Accidentes de Trabajo y Enfermedades Profesionales de la Seguridad Social). The legal basis is the Royal decree 1/1994 on the General Law on Social Security (see: section VI, Art. 67 ff. [28])</p> <p>'MATEPSS' are established as private associations of companies and need formal approval from the Ministry of Employment and Social Security (MEYSS) which is the supervision authority. The MATEPPS are obliged to cooperate with the authorities of the public social security system. Members of the associations are companies who can join voluntarily - otherwise workers' compensation is guaranteed by the public insurance institute INSS (Instituto Nacional de Seguridad Social) . Some sectors are excluded from the general regime, like mining, fisheries and agriculture . In those cases the public system again guarantees the worker compensation. As of December 2011, some 1.52 million companies were members of a Mutua, representing nearly 13.86 million workers [30]. Employers must bear all costs of the legal requirements for the protection of employees. The insurance system is financed by employer contributions, and can vary between 0.81% and 16.2% of the payroll, depending on the risk class of the company (average contribution is roughly 2% of the payroll).</p> <p>At the moment there are 20 MATEPSS. They are members of the Association of Work Accident Insurance Companies (Asociación de Mutuas de Accidentes de Trabajo, AMAT), which is a non-profit organisation, established in 1986. AMAT is the interest group for the insurance bodies. It represents common positions of the Mutuas and their member companies in negotiations within the social security system</p>
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▪ **Research institutes**

Name of the institute	The National Institute for Safety and Hygiene at Work (Instituto nacional de seguridad e higiene en el trabajo, INSHT)
Link	http://www.insht.es/
Short abstract	<p>The National Institute for Safety and Hygiene at Work (Instituto nacional de seguridad e higiene en el trabajo, INSHT) is the specialized scientific/technical body of the Spanish Government Administration for OSH matters. It was created in 1978 as an autonomous body of the Ministry of Employment and Social Security. It focuses on analysing, promoting, supporting and improving OSH issues. Its main tasks are:</p> <ul style="list-style-type: none"> ▪ Technical assistance: providing specialized technical assistance to departments within the Administration, to stakeholders, and to OSH experts from public institutions or private companies. This activity represents approximately 30% of its global resources. ▪ OSH research: Social research (i.e. working conditions surveys); epidemiological studies based on working accidents; field and laboratory research on chemicals, biological, physical agents and ergonomics. It also promotes and funds research through grants. ▪ Training: An annual programme of activities. ▪ Dissemination of information: several specialised publications are issued, e.g. on methods for measuring chemicals, or collections of preventive technical notes, OSH posters, leaflets, etc. ▪ Guidelines and standardisation: Technical assistance in developing new OSH-related legislation, regulations and guidelines. Standardisation process: INSHT collaborates on technical committees for the formulation of UNE, EN and ISO standards. ▪ Testing and certification of protective equipment and machinery. ▪ Secretariat of the National Commission for Safety and Health at Work: INSHT give technical support and general assistance to the National Commission for Safety and Health at Work. ▪ National Reference Center for EU-OSHA and EU Institutions, ensuring the coordination and transmission of information on OSH, a national level.
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Name of the institute	The Centre for Research in Occupational Health (Centro de Investigación en Salud Laboral, CISAL)
Link	http://www.upf.edu/cisal/cisal/presentacion.html
Short abstract	<p>The Centre for Research in Occupational Health (Centro de Investigación en Salud Laboral, CISAL) at the University Pompeu Fabra in Barcelona was set up as Observatory for Occupational Health (Observatorio de Salud Laboral, OSL). It is a joint initiative by the university, the accident insurance association Unión de Mutuas, and ISTAS. It conducts research into health risks, vulnerable groups of workers, and OSH policies</p>
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Name of the institute	The Biomechanics Institute of Valencia (Instituto de Biomecánica de Valencia, IBV)
Link	http://ibv.org/en/what-is-the-ibv
Short abstract	Founded in 1976, The Biomechanics Institute of Valencia (Instituto de Biomecánica de Valencia, IBV), is jointly run by the Polytechnic University of Valencia and the Valencian Institute for Small and Medium Industry (IMPIVA). It is a research facility that focuses on interfaces, studying the interaction between the human body and products, environments and services
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■ Prevention Institutes

Name of the institute	The National Institute for Safety and Hygiene at Work (Instituto nacional de seguridad e higiene en el trabajo, INSHT)
Link	http://www.insht.es/
Short abstract	<p>The National Institute for Safety and Hygiene at Work (Instituto nacional de seguridad e higiene en el trabajo, INSHT) is the specialized scientific/technical body of the Spanish Government Administration for OSH matters. It was created in 1978 as an autonomous body of the Ministry of Employment and Social Security. It focuses on analysing, promoting, supporting and improving OSH issues. Its main tasks are:</p> <ul style="list-style-type: none"> ▪ Technical assistance: providing specialized technical assistance to departments within the Administration, to stakeholders, and to OSH experts from public institutions or private companies. This activity represents approximately 30% of its global resources. ▪ OSH research: Social research (i.e. working conditions surveys); epidemiological studies based on working accidents; field and laboratory research on chemicals, biological, physical agents and ergonomics. It also promotes and funds research through grants. ▪ Training: An annual programme of activities. ▪ Dissemination of information: several specialised publications are issued, e.g. on methods for measuring chemicals, or collections of preventive technical notes, OSH posters, leaflets, etc. ▪ Guidelines and standardisation: Technical assistance in developing new OSH-related legislation, regulations and guidelines. Standardisation process: INSHT collaborates on technical committees for the formulation of UNE, EN and ISO standards. ▪ Testing and certification of protective equipment and machinery. ▪ Secretariat of the National Commission for Safety and Health at Work: INSHT give technical support and general assistance to the National Commission for Safety and Health at Work. ▪ National Reference Center for EU-OSHA and EU Institutions, ensuring the coordination and transmission of information on OSH, a national level.

Name of the institute	Trade Union Institute for Work, Environment and Health (Instituto Sindical de Trabajo, Ambiente y Salud, ISTAS)
Link	http://www.istas.net/
Short abstract	The Trade Union Institute for Work, Environment and Health (Instituto Sindical de Trabajo, Ambiente y Salud, ISTAS) was founded in 1996 by the Spanish trade union Comisiones Obreras (CC.OO), which still supports its work. This non-profit, independent research and education institute was set up as a foundation. The work is supervised by the Board of Directors, which is responsible for strategic and financial planning. The majority of the members are nominated by the CC.OO trade union
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Name of the institute	The Foundation for the Prevention of Occupational Risks (Fundación para la Prevención de Riesgos Laborales, FUNPRL)
Link	http://www.funprl.es/
Short abstract	The Foundation for the Prevention of Occupational Risks (Fundación para la Prevención de Riesgos Laborales, FUNPRL) is a national body under tripartite governance that grants funding for prevention activities. Representatives from the national government, from the Autonomous Communities, from trade unions and employer associations take decisions in the board (patronato) and the bureau (comisión delegada). The Foundation is funded in part by the Prevention and Rehabilitation Fund, drawn on management surpluses of the Social Security Work Accident and Professional Sickness Provident Entities (the 'MATEPSS'). Applications for funding can be presented from national, regional, or sectoral stakeholders, as well as from the authorities or social partners. In 2009 the foundation granted 26.5 million euros for 230 different projects, and the calculated budget for 2010 was 25.6 million euros.
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■ Standardization Bodies

Name of the Body	The Spanish Association Standardisation and Certification (Asociación Española de Normalización y Certificación, AENOR)
Link	http://www.aenor.es/aenor/inicio/home/home.asp
Short abstract	<p>The Spanish Association Standardisation and Certification (Asociación Española de Normalización y Certificación, AENOR) was founded in 1986 as a private non-profit organisation. AENOR is a member organisation in the International Standardisation Organisation (ISO) and the European Committee for Standardization (CEN).</p> <p>AENOR offers certification for safety and health management systems in accordance with OHSAS 18001 standard. They also check legal compliance in companies (e.g. carrying out risk assessment, documentation etc</p>