

Spain

National definition of Occupational Diseases:

An occupational disease is defined as a disease caused by carrying out certain occupational activities. To be considered as such, it should appear on the national list of occupational disease (approved by the *Real Decreto 1299/2006*) and to meet the criteria existing in the list concerning exposure and task/activity.

Source: Article 157 of the Consolidated Text of the General Social Security Law

In Spain, the Social Security System provides coverage for occupational diseases and work-related accidents under a single scheme, known as the *"Régimen de Accidentes de Trabajo y Enfermedades Profesionales de la Seguridad Social"*.

In Spain, all employees are compulsorily covered against the risk of occupational diseases and work-related accidents. The insurance is funded by employer contributions. To protect their workers against occupational risks, employers can choose between direct affiliation with the [National Social Security Institute \(INSS\)](#) or affiliation with one of the "Mutuas Colaboradoras con la Seguridad Social", which are private, non-profit organisations that collaborate with the INSS and operate under the supervision of the Ministry of Inclusion, Social Security and Migration. These Mutuas are present throughout the country, and most companies are affiliated with one of them.

Prior to January 2019, self-employed individuals could voluntarily subscribe to insurance against occupational diseases and work-related accidents. In such cases, they were entitled to the same range of benefits as those covered by the compulsory insurance. However, since January 2019, coverage for accidents at work and occupational diseases has been mandatory for all self-employed workers. The current description of the Spanish system for reporting and recognising occupational diseases is based on the 2007 regulation, which reformed the area of occupational diseases by introducing a new list, electronic registration, and changes to the reporting stakeholders.

Reporting system

In Spain, the reporting procedure for occupational diseases is open to doctors from the occupational risk prevention department covering the company, state-employed doctors, and doctors working for Mutualidades (MUTUAS). Moreover, doctors from the National Health Service and risk prevention departments are obligated to report potential work-related diseases to the insurance organisation (Mutua or INSS). Failure to report an occupational disease can result in significant administrative penalties.

The Mutua investigates reported cases and must render a decision within five days. If in-depth investigations are required, the examination period can be extended to six months, with the possibility of a one-time renewal.

Recognition system

The Spanish recognition procedure is based on a list system, where an occupational disease can only be legally recognised if it is listed in the national list of occupational diseases. However, diseases that are not included in the official list but are nonetheless related to the victim's job activities can be recognised as a special category of work-related accident, specifically as "non-traumatic pathologies".

The official list of occupational diseases is set out in the [*Real Decreto 1299/2006*](#), of 10 November 2006. The Spanish list is organised according to causal agents, with each group detailing the relevant sector of activity and the professional tasks that may cause the occupational disease. The National Institute for Occupational Safety and Hygiene (INSHT) and the National Social Security Institute (INSS) provide guidelines that clarify the diagnostic requirements for diseases included on the national list.

The Spanish list of occupational diseases is associated with a legal presumption of occupational origin, meaning that recognition is automatic if all the criteria listed are met.

Compensation system

The Spanish compensation system categorises benefits into three main types: temporary incapacity benefit, permanent incapacity benefit, and benefit for non-invalidating permanent injuries.

Temporary incapacity benefit takes effect from the first day of absence from work and continues until the individual recovers or is recognised as permanently incapacitated. The benefit is payable for a maximum period of 18 months.

Temporary incapacity may be converted to permanent incapacity at the end of the 18-month period or sooner, when the Disability Assessment Team (Equipo de Valoración de Incapacidades, EVI) declares the claimant permanently incapable of working. To be eligible for permanent incapacity benefit, the victim must have a disability that reduces their capacity to work by at least 33%. The Disability Assessment Team assesses the degree of incapacity, which reflects the overall harm caused by the permanent incapacity.

In cases where a worker suffers injuries, mutilations, or deformities as a result of an occupational disease (or accident) that do not affect their ability to work, they are entitled to compensation for permanent non-invalidating injury, which is based on the extent of the damage suffered.

In the event of the victim's death, their family members are eligible for compensation (European Commission, 2024).

Statistical coverage

The Spanish Statistics on Occupational Diseases cover two categories:

- Cases of occupational diseases that are legally recognised, which are listed in the CEPROSS system established in 2007
- Cases of non-traumatic pathologies caused or exacerbated by work, which are collected through the PANOTRATSS system introduced in 2010

The occupational disease statistics comprise incident cases of recognised occupational diseases, covering both employees (who are compulsorily insured) and self-employed individuals (who have been compulsorily insured since 2019).

Factors influencing the level reporting

The recognition system is based on a legal presumption of occupational origin, which is linked to the national list of occupational diseases. This means that recognition is automatic whenever the disease is caused by the employee's exposure to factors associated with a listed disease.

References

1. European Commission (2024). Your social security rights in Spain. Directorate-General for Employment, Social Affairs and Inclusion.
2. European Commission (2013). Report on the current situation in relation to occupational diseases' systems in EU Member States and EFTA/EEA countries, in particular relative to Commission Recommendation 2003/670/EC concerning the European Schedule of Occupational Diseases and gathering of data on relevant related aspects. March 2013.
3. Mutual Information System on Social Protection (MISSOC). Comparative tables. Available at: [MISSOC - Mutual Information System on Social Protection](#) (last accessed September 2025).
4. Recognition Criteria template provided by Spain as part of the EODS data collection.