



# European Construction Sector Observatory

Policy fact sheet

Spain

Bonus Campaign

Thematic objective 2

September 2020



## In a nutshell

Implementing body	Directorate General for Social Security Planning (DGOSS)
Key features & objectives	An incentive system that reduces a company's social security contributions for professional contingencies if they can demonstrate a significant reduction in their accident rate.
Implementation date	2010 – 2019
Targeted beneficiaries	Employers and employees in all sectors
Targeted sub-sectors	All sub-sectors
Budget (EUR)	3% of the annual Social Security Fund for Professional Contingencies
Good practice	★ ★ ★ ☆ ☆
Transferability	★ ★ ★ ☆ ☆

Since 2013, the Spanish construction sector has been experiencing a period of recovery, following the impact of the economic crisis in 2008. However, with that recovery, the number of occupational accidents has also grown. Between 2012 and 2018, for example, the accident rate in the construction sector grew by 22.9%, faster than all other sectors in Spain<sup>1</sup>.

To address the occupational safety and health (OSH) challenge, the Ministry of Labour and Immigration launched the Bonus Campaign in 2010, as part of Spain's 2007-2012 Workplace Health and Safety Strategy. The Bonus Campaign is a financial incentive scheme that enables companies to reduce their social security contributions for professional contingencies if they can demonstrate a significant and verifiable reduction in their accident rate<sup>2</sup>. As part of the Spanish Social Security System, employers and sole traders operating in sectors with a high risk of work-related accidents contribute

towards the professional contingencies compensation scheme. The aim of the incentive scheme therefore is to encourage employers to invest in OSH improvements and reduce their accident rate.

Relatively few applications were submitted to the scheme in its first five years of operation, ranging from 6,658 in 2011 to 13,990 in 2016. Issues related to the application procedure (e.g.: a burdensome administrative process and legal uncertainties which led to unjustified denials) were cited as limitations that affected the uptake of the scheme. To solve these issues, the scheme was renewed and relaunched in 2017. Open to companies of all sizes and activity types and featuring a simpler application procedure, the new scheme attracted a 920% increase in applications between 2016 and 2017.

By 2019, the Bonus Campaign had processed over 250,000 applications, requesting over EUR 650 million in reduced contributions for professional contingencies. In spite of the promising increase, overall participation remained relatively low, when compared to the total number of active companies in Spain. To give an example, in 2018, 100,000 companies applied to the Bonus Campaign –which is just 3% of all active companies in Spain in the same year.

In 2019, the Bonus Campaign was suspended by Royal Decree 231/2017<sup>3</sup>, with the aim of improving and relaunching it, although no date for release is yet confirmed. Looking forward, a full assessment of the previous schemes is needed to understand why they did not work and to make a new scheme more effective. The use of a Bonus-Malus system should also be considered to reward companies with lower accident rates and penalise those with higher accident rates, providing an added incentive for investment in OSH improvements. Consideration should also be given to increasing incentives for companies in more hazardous sectors such as construction, in which accident rates are higher and OSH solutions are more costly.

## 1.

## General description

The Bonus Campaign was launched by the Spanish Government in 2010 as a financial incentive scheme, aiming to encourage companies to reduce their occupational accident rate. To do so, it rewards those companies able to demonstrate a significant accident rate reduction with lower social security contributions for professional contingencies.

The regulatory framework for the Bonus Campaign includes:

- The Codified Text of the General Law on Social Security, approved by the Royal Legislative Decree 8/2015<sup>4</sup>;
- Royal Decree 231/2017 of 10 March (the main regulation governing the scheme)<sup>5</sup>;
- The ESS Order 256/2018 of 12 March, as a further development of the LD 231/2017, which fixes the administrative criteria for some of the requirements, simplifies the procedure and introduces an electronic appeals procedure<sup>6</sup>;
- Social Security Contribution Order of the corresponding year (for instance, for the 2019 Campaign, the Order TMS/83/2019 is applied)<sup>7</sup>.

Initially regulated by the Royal Decree (RD) 404/2010, the Bonus Campaign was subsequently updated in 2017 by RD 231/2017. The purpose of the update was to simplify and improve the scheme's procedures and open it up to all companies, irrespective of their size, economic activity or financial capacity.

The Bonus Campaign incentive scheme is financed through the Social Security Fund for Professional Contingencies. Employers can apply to the scheme for a reduction of up to 5% of their annual social security contributions for professional contingencies. To be awarded the discount, applicants must demonstrate that they have made considerable progress in reducing the number of

work-related accidents within their business. An additional 5% reduction in contributions for professional contingencies is also available to those companies that can demonstrate investments in additional risk prevention measures. However, the additional 5% reduction in contributions is linked to a company's investment of its own resources. An application for the extra 5% implies a work inspection to assure that the complementary action has been carried out. Two cases are envisaged for this additional 5%<sup>8</sup>:

- Additional risk prevention activities for SMEs:
  - Management commitment and appropriate resource allocation to ensure risk prevention;
  - Investment in work equipment or personal protective equipment to improve health and safety;
  - Demonstrable and efficient training on risk prevention;
- Other companies:
  - Company invests its own resources to establish an in-house risk prevention monitoring function with the appropriate capacity and resources (including trained personnel) to monitor compliance;
  - External auditing of company risk prevention systems;
  - Existence of a company Road Safety and Mobility Plan providing measures to ensure that worker mobility is safer and more sustainable;
  - Investment in work equipment or personal protective equipment to improve health and safety.

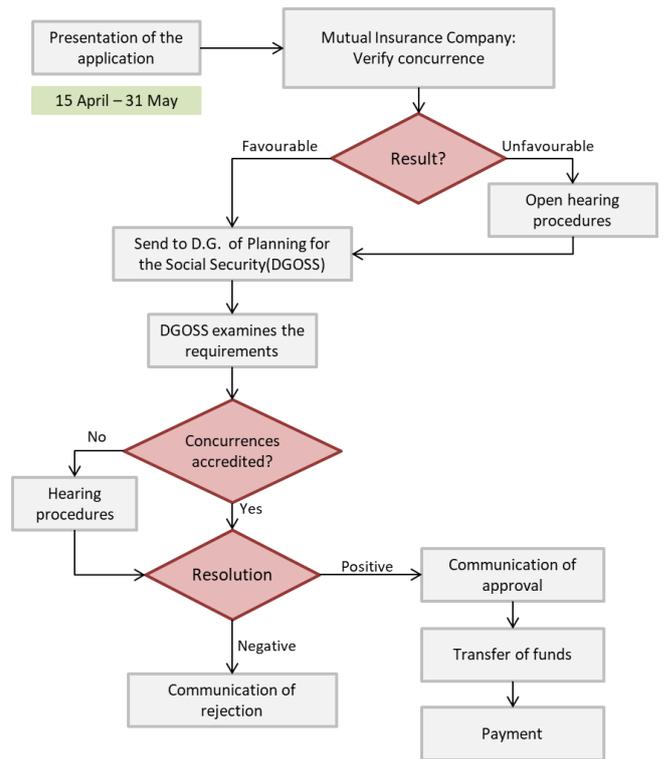
The incentive scheme is open to all companies, providing that they<sup>9</sup>:

- Have contributed at least EUR 5,000 to the social security system during the observation period (within the last 4 years);

- Are within the limits of the general and extreme accident rates during the whole observation period. These rates are established in the Ministerial Order of the corresponding year (TMS Order);
- Have fulfilled all social security obligations;
- Have not been subject to any severe administrative penalty in relation to risk prevention or social security in the last 4 years;
- Have fulfilled its occupational risk obligations;
- Have informed the risk prevention delegates about the application for the incentive.

The Bonus Campaign application procedure is presented in Figure 1. It is open to applications from 15 April to 31 May each year. Companies are required to present their application to their nearest Mutual Insurance Company. Providing that an application meets the requirements listed above, it is then sent to the Department of Social Security Planning (DGOSS) for review and approval. If an application is approved by DGOSS, the relevant Mutual Insurance Company Entity is responsible for communicating the approval to the company, after which funds are transferred and payment is made<sup>10</sup>.

Figure 1: Bonus Campaign application procedure



Source: FREMAP<sup>11</sup>

## 2.

# Achieved or expected results

Since its launch in 2010, the Bonus Campaign has received and processed over 250,000 applications, requesting a total of over EUR 650 million in reduced social security contributions for professional contingencies throughout the whole campaign.

As shown in Figure 2, there was steady growth in the number of applications received between 2011 and 2015. Following a slight decline in 2016, there was a sharp increase in the number of applications received in 2017. This coincides with the update of the campaign in 2017, regulated by RD 231/2017. There is therefore a clear link between the improvements made to simplify the scheme's procedures and open it up to all companies. As a result, the application rate increased by more than 920% between 2016 and 2017<sup>12</sup>.

Figure 2: Number of Bonus Campaign applications received, 2011-2018



Source: AMAT (Asociación de Mutuas de Accidentes de Trabajo)<sup>13</sup>

Although the Bonus Campaign has managed to increase the number of applications submitted to the scheme, particularly between 2016 and 2017, the numbers achieved are relatively limited compared to the number of active companies in Spain.

In 2018, for example, 100,000 companies applied for the Bonus Campaign incentive. That is the equivalent of just 3% of all active companies in Spain in that year (3,337,646)<sup>14</sup>. In addition, only 29,592 companies (out of 100,000) applied for the additional 5% in 2018<sup>15</sup>. That is less than one third, and is 22.3% down on the previous year (2017).

Figure 3 shows the maximum funding available to the Bonus Campaign compared to the percentage requested by applications. The maximum funding amounts to 3% of the Social Security Fund for Professional Contingencies. Funding has grown each year, peaking at EUR 289.5 million in 2018. However, the percentage of funding requested by company applications has never reached the maximum available. The closest approximation between the available funds and the requested amount was in 2017. With a total fund of EUR 276 million available that year, EUR 173 million (62.5%) was requested by Spanish companies<sup>16</sup>.

Figure 3: Bonus Campaign funding and the % requested by applications, 2011-2018



Source: AMAT<sup>17</sup>

Each approved application receives 5% of the quantity of the professional contingencies quote, with the possibility of an extra 5% for investment in concrete risk prevention activities. Figure 4 shows the average quantity that each company received per year. The quantity fell sharply in 2017, in line with the update of the measure and the sharp

increase in the number of applications received. The average quantity of the incentive fell by 75.78%, from EUR 5,539.7 to EUR 1,341.75.

Figure 4: Average Bonus Campaign incentive per application, 2011-2018



Source: AMAT<sup>18</sup>

Table 1 shows the percentage share of applications received by sector between 2009 and 2012. The construction sector accounted for the highest volume of applications in the first three years of the Bonus Campaign. This is probably a reflection of the fact that the sector had one of the highest occupational accident rates of all sectors in Spain. Over that four-year period, the share of construction sector applications declined year on year, falling by one third between 2009 and 2012. Although the construction sector’s share of applications to the Bonus Campaign continued to be higher than other sectors, the decline in construction sector applications suggests a lower level of achievement in accident rate reduction<sup>19</sup>.

Table 1: Percentage of applications by economic activity (financial years, 2009<sup>20</sup>-2012)

Sector	2009	2010	2011	2012
Manufacturing	22.79%	22.09%	22.86%	23.73%
<b>Construction</b>	<b>35.14%</b>	<b>33.83%</b>	<b>31.24%</b>	<b>23.43%</b>
Commerce and repair of motor vehicles and motorcycles	11.95%	12.76%	13.40%	15.68%
Transport and storage	5.61%	6.08%	6.59%	6.80%
Professional, scientific and technical activities	5.20%	5.24%	5.74%	7.33%
Administrative activities and auxiliary services	4.40%	4.19%	4.40%	5.41%
Public administration and defence; social security	2.27%	1.81%	2.25%	2.39%
Information and communication	2.17%	1.97%	2.27%	2.04%
Other sectors	10.47%	12.03%	11.25%	13.19%
Total	100%	100%	100%	100%

Source: AMAT<sup>21</sup>

Table 2 presents the limits of general and extreme accident rates by economic activity. The accident rates are established yearly and are published in a TMS order. The rates for 2019 (Order TMS/83/2019) are presented as an example<sup>22</sup>. The rates outlined for the construction sector are considerably higher than for other activities.

Although the construction sector accounts for the highest share of applications to the Bonus Campaign, Table 2 indicates that accident rates in the sector remain high. These figures suggest that the Bonus Campaign has not managed to achieve its desired impact in the sector – to significantly lower the construction sector accident rate.

Table 2: Limits of general and extreme accident rates for some economic activities in 2019

Economic Activity	2019		
	General Accident Rates	Extreme Accident Rate	
Textile industry	5,98	0,54	0,33
Glass manufacturing	7,91	0,72	0,45
Manufacturing of vehicles of motor, trailers and semitrailers	7,91	0,72	0,45
<b>Building construction</b>	<b>17,53</b>	<b>1,58</b>	<b>0,99</b>
<b>Civil engineering</b>	<b>17,53</b>	<b>1,58</b>	<b>0,99</b>
<b>Specialised construction activities</b>	<b>17,53</b>	<b>1,58</b>	<b>0,99</b>
Accommodation services	3,98	0,36	0,22
Education	3,98	0,36	0,22

Source: Order TMS/83/2019<sup>23</sup>

Although reports published by AMAT in 2012<sup>24</sup> and 2018<sup>25</sup> show the level of participation by companies in the Bonus Campaign, a formal impact assessment of the scheme has not yet been conducted. This type of assessment is needed to understand if and to what extent the scheme has helped to increase investment in Occupational Risk Prevention and to reduce the number of accidents by sector. It should also identify what worked and what did not, to inform and improve future activities.

The Bonus Campaign was suspended in 2019, which is an indication that it was not working as expected. According to RD 28/2018, the suspension aims to contribute to the sustainability of the Spanish Social Security system as an urgent and extraordinary measure<sup>26</sup>. To date, it remains suspended, pending improvements and a relaunch.

## 3.

## Perspectives and lessons learned

**The high share of construction sector applications to the Bonus Campaign indicates that construction companies are interested in reducing accident rates, not least because of the high rate of accidents in the sector. Incentive schemes such as the Bonus Campaign are therefore a potentially useful tool to support OSH improvements in the sector.**

The Bonus Campaign received over 250,000 applications up to 2019, the highest share of which were submitted by construction sector companies (30%). According to the Director of the Umivale mutual insurance company in Paterna, schemes such as the Bonus Campaign are needed to incentivise companies to invest in and sustain safer and healthier practices at work<sup>27</sup>. This type of scheme enables companies to invest in occupational risk prevention, for example by renewing their safety procedures. Another advantage of this type of scheme, according to the CEO of ECOSA, a Spanish construction company, is that it demonstrates to government the importance of OSH issues to the private sector and their clients<sup>28</sup>.

**In spite of attracting a number of applications, particularly from construction companies, the Bonus Campaign only succeeded in reaching a very small percentage of Spanish companies.**

Only 0.68% of the total number of companies in Spain applied for the incentive in the first year. By 2018, the number of applicants had risen to 3% of all active companies in Spain that year. To achieve nationwide impact however, this type of scheme would need to attract a much larger participation rate.

The fact that participation in the scheme was voluntary may partly explain the relatively low application rate, especially since the maximum funding that was available each year was never reached. Thus, this type of scheme is unlikely to

drive the necessary change in mindset to ensure the establishment of an OSH culture in the construction sector. Incentive schemes are certainly useful, but should form part of a broader package of measures<sup>29</sup>. In fact, a compulsory scheme may prove to be more relevant and successful in increasing participation.

**The Bonus Campaign would be more effective as a Bonus-Malus incentive scheme.**

According to the Director of the Prevention Services Division at MC Mutual, the use of a Bonus-Malus system would help improve the success and impact of a scheme such as the Bonus Campaign. Such a system would require those companies with a higher accident rate to contribute more to the social security system than those with a lower accident rate, because they account for a greater cost burden on the system. The use of a scheme that provides both an incentive and a deterrent is considered by some experts to be more suitable and beneficial for the Social Security System. As well as rewarding companies with good or significantly improving OSH practices, it would also penalise poor performers<sup>30</sup>.

**The financial incentives offered by the Bonus Campaign scheme, and the application conditions imposed, were more attractive to larger companies than smaller companies<sup>31</sup>.**

The financial incentives provided by the scheme were limited to a maximum of 5-10% of an employer's total annual social security contributions, and were directly related to the size of a company and its capacities. As a result, the larger the company, the more it stood to gain from the scheme, which meant that larger companies had a greater incentive to apply than smaller companies. In addition, larger employers were also better equipped to handle the administrative burden of the application process<sup>32</sup>.

Limited finances, coupled with the administrative effort required by the application process, may have contributed to making the scheme less appealing to smaller companies. Given that smaller companies make up the vast majority of the construction sector, one can argue that a 'one size fits all' scheme may not be the most appropriate way to encourage smaller companies to implement OSH practices.

In addition, according to a Risk Prevention Technician and the Head of the Preventive Management Department at Egarsat, a Spanish Mutual Insurance Company, the requirement to host a work/labour inspection may help explain the decline in applications for the extra 5% relief. The companies' concern regarding the inspection requirement may indicate that they were not fully committed to implementing OSH measures<sup>33</sup>.

**The Bonus Campaign incentive scheme does not reflect sectoral differences, in terms of OSH challenges, requirements and associated costs.**

OSH requirements and their associated costs vary considerably from one industry to another. For example, the more hazardous the industry, the more likely it is that an employer will have to invest more heavily in risk prevention systems and equipment. The average reduction of EUR 1,721.92 in social security contributions for professional contingencies per application in 2018, as an example, may not necessarily match the needs of the employer, depending on their industry and working environment.

According to the Head of the Preventive Management Department at Egarsat, construction

companies need to create a prevention culture that goes beyond compliance with the law. Given the large number of different stakeholders, (promoters, contractors, subcontractors, freelancers, etc) that are typically involved in a construction project, the OSH challenge in construction is more complex and more demanding than in many other sectors and may therefore require greater investment<sup>34</sup>.

However, the Bonus Campaign does not differentiate between the needs of sectors with higher accident rates or specific working conditions. As a result, the scheme has not achieved the desired impact in the construction sector, largely because the financial investment required to implement OSH measures is higher than the available resources or the potential relief in social security contributions.

**The lack of an evaluation framework, or a commissioned assessment, makes it difficult to assess the results and impact of the scheme. This insight is essential to learn from the implementation experience and to make this and other schemes more effective<sup>35</sup>.**

Reporting on the results of the Bonus Campaign is limited to reports published by AMAT in 2012 and 2018, which provide information on the number of applications received by the scheme. However, an assessment of the scheme's impact on, for example, the number of occupational accidents and levels of investment in risk prevention improvements, is missing.

## 4.

## Conclusion and recommendations

Since 2010, the Bonus Campaign has processed over 250,000 applications from Spanish companies requesting a total of over EUR 650 million in reduced social security contributions for professional contingencies. In spite of this achievement, the number of applicants account for a small fraction of the total number of active companies in Spain. Given that the scheme rewards companies for significantly reducing their accident rate, the results achieved suggest that the scheme's impact on accident rates has been quite limited.

The Bonus Campaign has however made a positive contribution to occupational risk prevention in Spain by providing companies with a financial incentive to adopt OSH measures. Compared with other sectors, the construction sector accounted for the highest share (30%) of the total number of applications submitted. That indicates the hazardous nature of construction sites and the interest of construction companies to create a safer working environment.

The Bonus Campaign scheme was relaunched in 2017 with a simplified application procedure. That year, there was a sharp increase in the number of applications submitted. However, the scheme was suspended in 2019, which suggests that it was not achieving its intended impact. Currently, the scheme remains suspended, pending a relaunch at an unspecified date.

Feedback from stakeholders point to possible reasons for the suspension of the Bonus Campaign. For instance, some consider the financial incentive available through the scheme to be insufficient to incentivise them to apply. In sectors such as construction, higher levels of investment in occupational risk prevention are required to reduce accident rates.

Looking forward, three recommendations are suggested to help to further improve the Bonus Campaign, in the event that it is relaunched:

- An assessment should be conducted to evaluate the results and impact of the scheme at company and sectoral level. This would provide valuable insight into a range of performance indicators, such as how effective the scheme was, what worked and what did not work, the levels of investment in OSH measures, and the impact on accident rates. An assessment would then inform improvements to this scheme (if relaunched) or other OSH measures to make them more effective;
- Consider using a Bonus-Malus system, which would require companies with higher accident rates to contribute more to the social security system than those with lower accident rates. This would provide companies with an added incentive to implement OSH improvements and reduce their accident rates. It would also be more beneficial to the social security system and may help to sustain the measure over time;
- Consider tailoring the scheme to meet the specific needs of sectors. More hazardous sectors, such as construction, are challenged by higher accident rates and associated costs. Greater incentives may help to convince companies in these types of sectors to apply in greater numbers and effect the OSH changes needed to reduce the number of accidents.

**Overall, the Bonus Campaign is rated as a '3-star good practice measure' on a scale of 1 (low) to 5 (high).**

The scheme's concept has the potential to stimulate improvements in occupational risk prevention in Spain. However, its success to date has been relatively limited, when compared to the total number of active companies in Spain. Amendments made in 2017 did increase participation, although the overall participation rate remained relatively

low. A detailed assessment of the previous versions of the scheme is needed to make any potential update more effective. If improvements such as those suggested above are implemented, the scheme has the potential to achieve a higher good practice score.

**The Bonus Campaign is rated as a '3-star transferable measure' on a scale of 1 (low) to 5 (high).**

The basic concept of the Bonus Campaign has the potential to be implemented in any country that operates a professional contingency compensation scheme, as part of their social security system. Similar schemes are, for example, in place in countries such as France and Germany<sup>36</sup>.

However, the Bonus Campaign has not yet demonstrated sufficient success to warrant a higher score for transferability. Issues that impede a higher score include:

- The lack of an evaluation framework and impact assessment to provide insight on performance and drive improvements and greater effectiveness;
- The use of a 'one size fits all' approach, which does not account for the greater needs of more hazardous sectors, and has tended to incentivise applications from larger companies more than smaller companies, because the larger the company, the more it stands to gain financially.

# Endnotes

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