


DAWLADDA DEEGAANKA SOOMAALIDA ITOOBIYA

DHOOL GAZETA

Somali Regional State of Ethiopia

የሶማሌ ክልላዊ መንግሥት

Qimaha ያንዱ ዋጋ Unit Price	Dhool Gazeta Waxaa soo Saara Golaha Xildhibaanada Dawladda Deegaanka soomaalida Itoobiya	 392
Bayaan Tirsi 131/2005 Bayaanka Dib U Asaasida Xafiiska Shaqaalaha Iyo Arrimaha Bulshada DDSI _____ - Bog 1	አዋጅ ቁጥር ፻፱፩/2ሺ5 የኢትዮጵያ ሰማሌ ክልላዊ መንግሥት የሠራተኛና ማህበራዊ ጉዳይ ቢሮ <input type="checkbox"/> ንደገና ለማቋቋም የወጣ አዋጅ 7ጽ 1	Proclamation No: - 131/2013 The reestablishment Proclamation Of Bureau Labor And Social Affairs Of Somali Regional State Of Ethiopia _____ Page 1

<p><u>BAYAAN TIRSI 131/2005</u> <u>BAYAANKA DIB U ASAASIDA</u> <u>XAFIISKA SHAQAALAHHA IYO</u> <u>ARRIMAHHA BULSHADA DDSI</u></p> <p>Maadaama oo lagama maarmaan tahay in dib loo aas-aaso Xafiiska Shaqaalaha iyo Arimaha Bulshada Ee Dawladda Deegaanka Soomaalida Itoobiya.</p> <p>Maadaama oo ay lagama maar-maan tahay in la helo xafiis gaar ah oo ka shaqeeyaa hirgalinta mabaadii'da horumaarinta bulsho iyo dhaqaale ee bulshada deegaanka.</p> <p>Maadaama ay lagama maar-maan tahay in dib loo qeexo awoodaha iyo wajibaadka xafiiska Shaqaalaha Arimaha Bulshada si loo abuuro qaab-dhismeed ku haboon go'aan ka gaadhista muraanada ka dhex abuurma shaqaalaha iyo loo shaqeeyaha.</p>	<p><u>አዋጅ ቁጥር ፻፱፩/2ሺ5</u> <u>የኢትዮጵያ ሰማሌ ክልላዊ መንግሥት የሠራተኛና ማህበራዊ ጉዳይ ቢሮ <input type="checkbox"/>ንደገና ለማቋቋም የወጣ አዋጅ</u></p> <p>የኢትዮጵያ ሰማሌ ክልላዊ መንግሥት የሠራተኛና ማህበራዊ ጉዳይ ቢሮ <input type="checkbox"/>ንደገና ለማቋቋም አስፈላጊ ሆኖ በመገኘቱ፤</p> <p>የክልሉ ህዝብ የማህበራዊና ኢኮኖሚያዊ ልማት መርሆችን የሚያስፈፅምና ተግባራዊ የሚያደርግ አካል ማፅኘቱ አስፈላጊ ሆኖ በመገኘቱ፤</p> <p>በአሠሪና ሠራተኞች መካከል የሚገኙ አለመግባባቶች የሚያኛና ውሳኔ መስጠት የሚያስችል አደረጃጀት ለመክፈት <input type="checkbox"/>ሠራተኛና ማህበራዊ ጉዳይ ቢሮ ለመደንገግ አስፈላጊ ሆኖ በመገኘቱ፤</p>	<p><u>PROCLAMATION No: - 131/2013</u> <u>AMENDED ESTABLISHMENT</u> <u>PROCLAMATION OF LABOR</u> <u>AND SOCIAL AFFAIRS BUREAU</u> <u>of SOMALI REGIONAL STATE OF</u> <u>ETHIOPIA</u></p> <p>Whereas it is found necessary to re-establish Bureau of Labor and Social Affairs Ethiopian Somali Regional State.</p> <p>Whereas it is, found necessary to found a Special body in charge of the execution of socio-economic development principles of the public in the Region.</p> <p>Whereas, it is found necessary to redefine the powers and duties of Labor and Social Affairs Bureau, so as to establish efficient labor dispute settlement mechanisms;</p>
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Sidaasi awgeed, iyadoo laga duulayo qodobka 49 (3,b) ee dasuurka dib loo habeeyay ee Dawladda Deegaanka Soomaalida Itoobiya waxaa la bayaamiyay sidan.

Qaybta koobaad
Guud ahaan

1:- **Ciwaan Gabaan**

Bayaankan waxaa loogu yeedhi karaa” **Bayaanka Dib U Asaasida Xafiiska Shaqaalaha Iyo Arrimaha Bulshada DDSI, Bayaan Tirsi 131/2005.**

2:- **Qeexid**

Hadaan haboonaanta ereygu macne kale siin bayaankan dhexdiisa;

1. **“Xafiis”** waxaa loola jeedaa xafiiska shaqada iyo arrimaha bulshada DDSI.
2. **“dastuur”** waxaa loola jeedaa dastuurka Dawladda Deegaanka Soomaalida Itoobiya.
3. **“Deegaan”** waxaa loola jeedaa Dawladda Deegaanka Soomaalida Itoobiya
4. **“shaqaale”** waxaa loola jeedaa shaqaalaha lagu maamulo bayaanka shaqaalaha Jamuuriyada Demoqraadiga Federaalka Itoobiya ee tirsigiisu yahay 377/2003.
5. **“Qof”** waxaa loola jeedaa qofka bini’aadaamka ah iyo waxkasta uu sharcigu u aqoonsaday qofnimo.

Qaybta labaad

3:- **Aasaasid**

1. Bayaankan waxaa dib loogu Aasaasay xafiiska shaqada iyo arrimaha bulshada Dawladda Deegaanka Soomaalida Itoobiya oo wixii hadda ka dambeeya loogu yeedhi doono **“xafiis”** oo ah hay’ad dawladdeed oo madax bannaan isla markaana leh jiritaan sharciyeed.
2. Xafiisku wuxuu hoostaga xafiiska madaxweynaha.

በኢትዮጵያ ስማሌ ክልላዊ መንግሥት ም/ቤት በተሻሻለው የክልሉ ህገ-መንግሥት አንቀጽ 49(3 ሀ) መሠረት የሚከተለው ፀድቋል፡፡

ክፍል አንድ

ፀቅላላ

1. **አዋጅ ርዕስ**

ይህ አዋጅ «የኢትዮጵያ ስማሌ ክልላዊ መንግሥት የሠራተኛና ማህበራዊ ተቋማት ቢሮ ስርዓት ለማቋቋም የወጣ አዋጅ ቁጥር ፩፻፴፩/2፲፮/፱፮ ተብሎ ሊጠቀስ ይችላል፡፡»

2. **ትርጓሜ**

የቃሉ አገባብ ሌላ ትርጉም የሚያሰጠው ካልሆነ በስተቀር በዚህ አዋጅ ውስጥ፡-

1. «**ቢሮ**» ማለት የኢትዮጵያ ስማሌ ክልላዊ መንግሥት የሠራተኛና ማህበራዊ ጉዳይ ቢሮ ነው፡፡
2. «**ህፅ-መንግሥት**» ማለት የኢትዮጵያ ስማሌ ክልላዊ መንግሥት ህፅ-መንግሥት ነው፡፡
3. «**ክልል**» ማለት የኢትዮጵያ ስማሌ ክልል ነው፡፡
4. «**ሠራተኛ**» ማለት በኢ.ፌ.ዴ.ሪ በአሠሪና ሠራተኛ አዋጅ ቁጥር ፫፻፸፯/2003 መሠረት ማህበራዊ ሠራተኞች ነው፡፡
5. «**ሰው**» ማለት የተፈጥሮ ሰው ወይም በህግ የሰውነት መብት የተሰጠው አካል ነው፡፡

ክፍል ሁለት

3. **ስለመቋቋም**

1. የኢትዮጵያ ስማሌ ክልላዊ መንግሥት የሠራተኛና ማህበራዊ ጉዳይ ቢሮ ከዚህ በፊት «**ቢሮ**» በተባለ ማህበራዊ የህግ ሰውነት ያለው ራሱን የቻለ የመንግሥት ተቋም ሆኖ በዚህ አዋጅ ስርዓት ተቋቋሟል፡፡
2. የቢሮው ተጠሪነት ለክልሉ ርዕስ መስተዳድር ጽ/ቤት ይሆናል፡፡

NOW, THEREFORE, in accordance with Article 49(3) (A) of the revised Constitution of the Ethiopian Somali regional state, it is hereby proclaimed as follows:

PART ONE
GENERAL

1:- **Short Title**

This proclamation may be cited as ‘The Amended Establishment Proclamation of Labor and Social Affairs Bureau of Ethiopian Somali Regional State’, Proclamation no:- 131/2013”

2:- **Definition**

Unless the context requires otherwise, in this Proclamation:

1. **“Bureau** ‘means Bureau of Labor and Social Affairs of Somali Regional State of Ethiopia.
2. **“Constitution”** means the constitution of Ethiopian Somali Regional State.
3. **“State”** means the State of Ethiopian Somali Region.
4. **“worker”** means workers who are governed in accordance with the labor Proclamation No 377/2003 of the Federal Democratic Republic of Ethiopia;
5. **“Person”** means any natural or juridical person.

Part Two

3:- **Establishment**

1. The Ethiopian Somali Regional State Bureau of Labor and Social Affairs (Hereinafter referred as the {**“Bureau”**}) is hereby reestablished as an autonomous public organ of the Regional Government having its own legal personality.
2. The Bureau shall be accountable to the office of the president.

4:- Ujeedooyinka xafiiska

Ujeedooyinka shaqo ee xafiisku waa inu u dhaqangaliyo islamarkaana fuliyo sharciyada, siyaasadaha iyo barnaamijyada la xidhiidha Shaqaalaha Iyo Arrimaha Bulshada Ee Deegaanka iyo kuwa Federaalkaba.

5:- Qaab-dhismeedka Xafiiska

Xafiisku wuxuu ka koobanyahay:

1. Madaxa Xafiiska iyo ku-xigeenka xafiiska oo u magacaabo Golaha hawl-fulintu kadib marka uu soo hordhigo madaxweynuhu.
2. Shaqaalaha kale, lagama maarmaan u ah xafiiska.
3. Xarunta xafiisku iyadoo ay jig-jiga tahay hadana wuxuu degmooyinka ku yeelan karaa xafiisyo baahida ku dhan.

Qaybta Saddexaad

6:-Awoodaha iyo wajibaadka Xafiiska

Xafiisku wuxuu yeelan Awoodaha iyo wajibaadka hoos ku cad;

1. Wuxuu diyaariyaa oo dhaqangeliyaa shuruucda iyo siyaasadaha deegaanka ee la xidhiidha shaqaalaha.
2. xafiisku isaga oo ka duulaya aragtida deganaanshaha shaqo wuxuu:
 - b. wuxuu ilaaliyaa xuquuqda shaqeeyaha, islamarkaana taageeri wada xaajoodka laba geesoodka ah ee dhexmara shaqeeyaha iyo loo shaqeeyaha.
 - t. wuxuu abuuraa hanaan dhaxalgal ah oo lagu xalinayo muranada soo kala dhex gala shaqeeyaha iyo loo shaqeeyaha.
3. Wuxuu soo saaraa awaamiir go'aaminaysa heerarka caafimaad ee lagu dhawrayo faydaqabka shaqaalaha. Waxaanu dabagalaa fulintooda.

4. ስለቢሮው ሰላማ

ቢሮው ሰላማ ሰራተኛና ማህበራዊ ጉዳዮች የሚመለከቱ የክልልና የፌዴራል መንግሥት ህጎች፣ ፖሊሲዎችና ፕሮግራሞችን መተግበርና ማስፈጸም ነው።

5. ስለቢሮው አቋም

ቢሮው፡-

1. በፕሬዝዳንቱ አቅራቢነት በካብኔው የሚሾም ቢሮ ሰራተኛዎችን ማክተል ቢሮ ሰላኝ
2. ለሥራው አስፈላጊ የሆኑትን ሰራተኞች ይኖሩ።
3. የቢሮው ዋና መ/ቤት በጅጅጋ ከተማ ውስጥ ሆኖ በጎደክስ ፈላጊነቱ በወረዳዎች ቅርንጫፍ ሊያቋቁም ይችላል።

ክፍል ሦስት

6. የቢሮው ሥልጣንና ተግባራት

ቢሮው የሚከተሉት ሥልጣንና ተግባራት ይኖሩ።

1. ስለሰራተኛ የሚመለከቱ የክልል ፖሊሲና ህጎችን በማዘጋጀት ተግባራዊ ያደርጋል።
 2. በጎደክስ ሰላም የማረጋገጥ ራክጁ በጎደክስ
- ሀ. ሰራተኞችና አሰሪዎች በማህበር የመደራጀትና የህብረት ድርድር ማትረፊ መብቶቻቸውን በጎደክስ ሰላም ማረጋገጥ ስፊት ማግኘት።
- ለ. በአሰሪና ሰራተኛ መካከል የሚነሱ የሥራ ክርክሮች በተቀላቀሉ ለሰላም መንገድ መፍትሔ በጎደክስ ሰላም የሚያስችል አሰሪዎች ይዘረጋል።
3. የሙያ ጤንነትና ደህንነት አጠባበቅ ደረጃዎችን በመደንገግ መመሪያ ማውጣት። ሥራ ላይ መዋላቸውንም ይከተላል።

4:- Objectives of the Bureau

The objectives of the Bureau are to Implement and enforce the federal as well as regional laws policies and programs which relate to Labor and Social Affairs.

5:- Organization of the Bureau

The Bureau shall have:

1. Bureau head and Deputy Bureau head appointed by the Cabinet council upon the recommendation of the President.
2. Other necessary staff.
3. The Bureau shall have its head office in Jij-jiga and may have offices, in Woredas of the region as may be necessary.

Part Three

6:-Powers and duty of the Bureau

The Bureau of Labor and Social Affairs shall have the powers and duties to:

1. Devices and implement regional laws and policies related with labor relations.
2. The bureau with a view to ensuring the maintenance of industrial peace:
 - a) encourage and support workers and employers to exercise their rights to organize and collective bargaining;
 - b) Establish efficient labor dispute settlement mechanisms;
3. issue and follow up the implementation of occupational health and safety standards;

4. Wuxuu ururiyaa, isugeeyaa una gudbiyaa hay'adaha ay khusayso xogaha la xidhiidha shaqadoonka iyo shaqooyinka banaan ee deegaanka.
5. Wuxuu cilmi baadhis ku sameeyaa dhibaatooyinka ay shaqaaluhu kala kulmaan shaqo raadinta iyo markay ku guda jiraan hawlaha shaqo ee deegaanka.
6. Wuxuu dabagal ku sameeyaa habka shaqaaleysiinta shirkadaha iyo ururada gaarka ah ee deegaanka.
7. Wuxuu diwaangeliyaa ururada shaqeeyaha iyo loo shaqeeyeyaasha ee ka jira deegaanka.
8. Wuxuu diwaangeliyaa ururada shaqeeyaha iyo heshhiyada wadajirka ah ee ay la galeen shirkadaha macaash raadin ee dawladda deegaanku leedahay. Waxaanu samayn hawlo baadhiseed oo shaqada la xidhiidha wuxuuna xalin muranada ka dhex bilaabma shaqeeyaha iyo shirkadahan.
9. Isaga oo la xidhiidhaya xafiisyada ay khusayso, wuxuu fuliyaa daraasadaha lagu horumarinayo fayoaqabka muwaadiniinta, gaar ahaan:
 - B. hircelinta barnaamijyada gargaarka la siinayo waayeelka iyo dadka laxaadka la' ee deegaanka si ay si siman wax ula qaybsadaan dadka kale.
 - t. suurogelinta iyo daryeelka lagama maarmaanka ah ay helaan dadka waayeelka ah, waxaanu dhiirigeliyaa inay ka qaybqaatan horumarka.
 - j. ka hortagga dhibaatooyinka bulsho, waxaanu adeegyo dhaqancelin siiyaa dadka ay haystaan dhibaatooyinka bulshadu.
10. Wuxuu daraasad ku sameeyaa qaabka lagu dhawrayo lagagana hortagayo burburka unuga qoyska, waxaanu soo jeedin talooyinka ku haboon.

4. **በገለጹ ውስጥ በሥራ አጥነት ስለሚቸኘው ገደብ፣ በይዘት የሥራ መደቦች ያጠናል፣ የሥራ ገበያ መረጃዎችን ይሰበስባል ለሚመለከተው አካላትም ጠቅላይ ል።**
5. **በገለጹ ውስጥ ስለሠራተኞች የሥራ ሥምራትና በሥራ ፈላጊ ጊዜ የሚያጋጥማቸው ችግሮች ዙሪያ ጥናት ያደርጋል።**
6. **በክልሉ ውስጥ ስለግል ድርጅቶችና ማህበራት የሥራ አመዳደብና አሠራር ይቆጣጠራል።**
7. **በክልሉ ውስጥ የሚደራጁትን ግራተኞችና የአሠሪ ማህበራት ጁመጠን ያሰባል።**
8. **በገለጹ ውስጥ በሚቸኙ ግለሰብ መንግሥት የልማት ድርጅቶችን የሚመለከተው የሠራተኛ ማህበራትና የህብረት ስምምነቶችን ይመዘግባል በነዚህ ድርጅቶች ውስጥ የሥራ ሁኔታ ጥናት አገልግሎት ተግባራት ያከናውናል። በአሠራር ሁኔታ ስለሚቸኙ የሚገኙ የሥራ ክርክሮችን በስምምነት ጥያቄ ጥያቄ አገልግሎት ይሰጣል።**
9. **የዜጎችን ማህበራዊ ደህንነት የሚጠበቅበትና የሚሻሻሉባቸው ዘዴዎች በተለጁም፡-**
 - ሀ/ የክልሉ የአካል ጉዳተኞችና አረጋዊያን ግንኙነት ስለሚያገኙትና ጥሩ ሰነድ ተጠቃሚና ሙሉ ተሳታፊ ሊሆኑ ስለሚችሉ ለብት፣
 - ለ/ ለአረጋዊያን ስለሚሰጥበት ግንኙነትና የልማት ተሳትፎአቸው ሊገለጹ ስለሚችሉበት ሁኔታ ያመቻቻል፣
 - ሐ/ የማህበራዊ ችግሮችን ስለመከላከልና በችግሩ ውስጥ ጥያቄ ውን የህብረተሰብ ክፍሎች የተሀደሶ አገልግሎት ስለሚያገኙ ለብት፣
10. **የህብረተሰብ መፍረስ መንስኤዎች ላይ ጥናት ያደርጋል ጥናታዊ ጥናት የሚደረግለት ሁኔታ ጥናት ያደርጋል። ጥናታዊ ይህንን አስመልክቶ አስፈላጊው ምክር ቤቅርባል።**

4. Undertake studies on, unemployed manpower and occupational classifications in the Region; collect, compile and disseminate information on labor market;
5. Shall study on the challenges of employment in the job seeking process and in work environment of the Region.
6. Shall follow up the employment procedures of enterprises and organizations in the Region;
7. Register workers' and employers' unions established at national level;
8. register workers' unions and collective agreements relating to federal public enterprises situated in cities accountable to the federal government, and carry out labor inspection services in such enterprises; provide conciliation services to amicably settle labor disputes arising between employers and employees;
9. In cooperation with the concerned stakeholders, undertake the implementation of studies on improving the social well-being of citizens, in particular, on:
 - a) The creation of enabling conditions for persons with disabilities to benefit from equal opportunities and full participation;
 - b) The provision of care to the elderly and the encouragement of their participation;
 - c) The prevention of social problems and provision of rehabilitation services to the affected members of the society.
10. Shall undertake studies on ways of protection and mechanism on prevention of causes of dissolution of the unit of family, and shall recommend the appropriate advices.

11. Awooda Soo Saarista

X/nidaameed iyo awaamiir

1. Golaha hawl fulinta ee deegaanku wuxuu soo saari karaa xeer-nidaameedyada lagama maarmaanka hirgalinta bayaankan.
2. Xafiisku wuxuu soo saari karaa awaamiir lagu dhaqan galinayo qodobada bayaankan.

12. Shuruucda aan dhaqan galka lahayn

1. Waxaa Hab waafaqsan Bayaankan la Nasakhay Bayaanka Aasaasida Xafiiska shaqaalaha iyo Arrimaha bulshada Dawladda Deegaanka Soomaalida, Bayaan tirsi: 33/1994.
2. Sharci, xeer ama awaamiir kasta oo ka soo horjeeda arrimaha lagu xusay bayaankan wax fulitaan sharci ah kuma yeelanayaan.

13. Mudada dhaqangalka Bayaanka

Bayaankani wuxuu dhaqan galayaa laga bilaabo maalinta u Golaha Deegaanku ansixiyo.

Jig-jiga 21kii bisha Hamle/2005
MUDANE CABDI MAXAMUUD CUMAR
MADAXWAYNAHA DDSI

01. Xeer iyo qeeximo

1. Fihdaa hawl fulinta ee deegaanku wuxuu soo saari karaa xeer-nidaameedyada lagama maarmaanka hirgalinta bayaankan.
2. Xafiisku wuxuu soo saari karaa awaamiir lagu dhaqan galinayo qodobada bayaankan.

02. Xeer iyo qeeximo

1. Fihdaa hawl fulinta ee deegaanku wuxuu soo saari karaa xeer-nidaameedyada lagama maarmaanka hirgalinta bayaankan.
2. Xafiisku wuxuu soo saari karaa awaamiir lagu dhaqan galinayo qodobada bayaankan.

03. Xeer iyo qeeximo

Deegaankani wuxuu dhaqan galayaa laga bilaabo maalinta u Golaha Deegaanku ansixiyo.

Jig-jiga 21kii bisha Hamle/2005

CABDI MAXAMUUD CUMAR
MADAXWAYNAHA DDSI

11. Power to Issue Regulation and Directive

1. The Council of Regional Cabinet may issue regulations necessary for the implementation of this Proclamation.
2. The Bureau may issue directives necessary for the implementation of this Proclamation and the regulations issued pursuant to this Proclamation.

12. Repealed and Inapplicable Laws

1. The Somali Regional State, Labor and Social Affairs Bureau Establishment Proclamation No. 33/1994 is hereby repealed.
2. No law, regulation or directive shall, in so far as it is inconsistent with this Proclamation, be applicable with respect to matters provided for by this Proclamation.

13. Effective Date

This Proclamation shall enter into force up on the date approved by the council.

Done at Jig-jiga, this 21st day of Hamle, 2013

ABDI MOHAMUD UMER

PRESIDENT, SOMALI REGIONAL STATE OF ETHIOPIA