

BAHAMAS

EMPLOYMENT ACT No. 27 of 2001

An Act to establish minimum standard hours of working and vacation with pay for employees; to provide for the grant of maternity and family leave; to provide for redundancy payment for employees; to make provisions relating to notices to terminate contracts of employment; to make provisions relating to summary dismissal and unfair dismissal; to make provisions in respect of the employment of children and young persons; to make provisions in respect of the wages of employees; to make provisions relating to fingerprinting and lie detector tests; and for connected purposes.

Article -6- Non discrimination and equal pay for equal work

No employer or person acting on behalf of an employer shall discriminate against an employee or applicant for employment on the basis of race, creed, sex, marital status, political opinion or HIV/AIDS by-

- (a) refusing to offer employment to an applicant for employment or not affording the employee access to opportunities for promotion, training or other benefits, or by dismissing or subjecting the employee to other detriment solely because of his or her race, creed, sex, marital status, political opinion, age or HIV/AIDS;
- (b) paying him at a rate of pay less than the rate of pay of another employee, for substantially the same kind of work or for work of equal value performed in the same establishment, the performance of which requires substantially the same skill, effort and responsibility and which is performed under similar working conditions except where such payment is made pursuant to seniority, merit, earnings, by quantity or quality of production or a differential based on any factor other than race, creed, sex, marital status, political opinion, age or HIV/AIDS;
- (c) pre-screening for HIV status: Provided that this section does not affect any other law or contract term which stipulates a retirement age.

See full text of the Employment Act in the Official Gazette, 2001-12-31, no. 27, pp.1-45.