

## Here are some helpful tips that employers can do to help protect and promote the Rights of Persons with Disabilities.

- ✓ Become familiar with the Act and know what is expected of you and your company;
- ✓ Help educate your employees on your company's responsibilities to ensure the rights of persons with disabilities;
- ✓ Treat potential and current employees with disabilities with the same respect, courtesy and fairness as you would treat your other employees;
- ✓ Ensure that persons with disabilities can access your premises (including your restrooms), and easily use your services;
- ✓ Don't tolerate discrimination by your employees or customers! Call it out when you see it!

Let's go  together!

For more information on the Persons with Disabilities (Equal Opportunities) 2014, Act, how it affects you and your business, and how you can help, please view a copy of the Act online at [www.bahamas.gov.bs/socialservices](http://www.bahamas.gov.bs/socialservices) You may also contact the Secretariat of The National Commission for Persons with Disabilities; we will be happy to answer your questions, arrange an onsite meeting with you, or provide disabilities-related training/ orientation for your staff.



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**Protecting Rights**  
**Promoting Responsibility**  
**Ensuring Accessibility**  
**Advancing Equal Opportunities**

# EMPLOYERS

## How you can help protect and promote the Rights of Persons with Disabilities



## Equal Opportunities



The National Commission  
for Persons with Disabilities

## The Persons with Disabilities (Equal Opportunities) Act, 2014

The Bahamas' **Persons with Disabilities (Equal Opportunities) Act, 2014**, was enacted to end discrimination against persons with disabilities as well as protect their rights, promote responsibility, ensure accessibility and advance equal opportunities. One of the key provisions of the legislation is to cause persons with disabilities to be treated equally and fairly when applying for or engaging in any type of employment. All businesses and employers are important stakeholders in helping to provide an inclusive environment for persons with disabilities. In doing this, businesses and employers are helping to protect the rights of persons with disabilities to live their full potential, achieve greater independence and contribute to national and economic development.

### What The Persons with Disabilities Act says about Employment

Section 14 of the Act states that,

- (1) No person shall deny a person with a disability equal access to opportunities for suitable employment.
- (2) A qualified employee with a disability shall be subject to the same terms and conditions of employment and the same compensation, privileges, benefits, fringe benefits, incentives or allowances as qualified able-bodied employees.
- (3) Every employer having more than 100 employees shall employ not less than 1% of qualified persons with disabilities.

The law requires employers to provide reasonable accommodation for persons with disabilities. This means that such places must remove barriers— **structural, physical or administrative**— in existing facilities where such removal is readily achievable and does not create undue burden.

- (4) The Commission shall provide a list of employable persons with disabilities and where such persons are not available for employment the Commission may issue to the employer, a certificate of exemption from the requirement.

### Discrimination by employers prohibited.

The Act clearly states that no employer shall discriminate against person with disabilities in relation to—

- (a) the advertisement of employment;
- (b) the recruitment for employment;
- (c) the creation, classification or abolition of posts;
- (d) the determination or allocation of wages, salaries, pensions, accommodation, leave or other such benefits;
- (e) the choice of persons for posts,
- (f) the provisions of facilities related to or connected with employment; or
- (g) any other matter related to employment.

### Complaint of Discrimination

A person with a disability who feels discriminated against by an employer may complain to the Commission. The Commission will seek to have

the complaint resolved amicably, and only if necessary, will issue adjustment orders or request the Attorney-General to take appropriate legal action.

### Penalties for Discrimination

An Employer is guilty of an offence if he or she contravenes the laws which prohibit discrimination or fails to comply with an adjustment order served by the Commission.

A person who is convicted of the offence of employment discrimination or failure to comply with an adjustment order is liable to a fine not exceeding \$5,000.00 or to imprisonment for a term not exceeding three months, or both fine and imprisonment.

A person found guilty of an offence under the Act may, in addition to the penalty imposed by the Court, be ordered to pay to the person injured by the offence such sums of money in compensation as the Court may decide.

