The Gender Equality Law, 2011 prohibits discrimination against any person on the grounds of sex, marital status, pregnancy or any characteristic based on gender which applies or is attributed to a particular sex or marital status, that would have the effect of reducing or removing the equality of opportunity in employment. The Law also provides for equal pay for work of equal value, prohibits sexual harassment in the workplace, and provides for gender equality in other incidental and connected purposes.
Equal Pay
The law explicitly asserts that there should be equal pay for work of equal value.

In addition employers may not discriminate in:
• Advertisements, notices;
• Interviews;
• The selection process;
• The terms and conditions offered to employees;
• The creation, classification or abolition of jobs;
• Work conditions, occupational safety, and health measures;
• The provision of facilities related to the job;
• Denying or limiting access to opportunities for advancement, promotion, transfer or training, or any other benefits, facilities or services associated with employment;
• Retrenching or dismissing the employee;
• Subjecting the employee to any other disadvantage.

Some information prohibited
Persons may not request or require another person to provide information, either by completing a form or during an interview or otherwise, that would not normally be asked of a person of the opposite sex or of a different marital status or pregnant state.

Sexual Harassment
Any act of sexual harassment against a person by any other person constitutes discrimination based on sex and is illegal.

Offences Relating to Discrimination
It is an offence to bribe a person to discriminate against another person or threaten someone who proposes to make a complaint under this Law. A person who commits an offence is liable of fine of CI$5,000 if convicted.
Professional Partnerships
Partnerships may not take into account a person’s sex, gender, marital status and state of pregnancy when determining who should be offered a position as a partner; or the terms and access to benefits which they offer that person. Furthermore no one may be expelled from the firm or subjected to other detriment for such reasons.

Qualifying Bodies
Bodies that authorize and qualify professionals and tradespersons may not discriminate against anyone on the grounds of sex, gender, marital status or pregnancy by refusing or failing to confer, renew or extend the authorisation or qualification.

Employment Training
Trainers and training agencies may not refuse to train persons on grounds of sex, gender, marital status or pregnancy. Nor may training be terminated for these reasons or persons restricted in their ability to access training courses, other facilities or services, such as vocational counselling or guidance.

Employment Agencies
Employment agencies may not refuse to provide a person with services on the grounds of sex, gender, marital status or pregnancy; nor restrict the terms, manner or any means by which it facilitates the employment of such a person.

Provision of Goods, Services and Facilities
Persons who make available goods, services or facilities—whether for payment or not—may not refuse to provide these to other persons on the grounds of sex, gender, marital status or pregnancy. Nor may they discriminate with regards to the terms and conditions on which these are made available.

Gender Equality Tribunal
A Gender Equality Tribunal will be established for the purpose of hearing complaints under this Law.
Real world examples of discrimination

- Male and female employees holding the same position receive different pay, even when other factors such as experience, education level, etc. are similar.
- Asking married employees to leave their ring at home.
- Denying service or providing a different level of service when a male victim of domestic violence reports the crime to police.
- Asking any woman to resign on becoming pregnant or not hiring a woman because she is pregnant.
- Asking female applicants about future pregnancy possibilities during a job interview.
- Denying pregnant school girls access to an education that is equal to their peers.
- Asking gender stereotyped questions during an interview. Examples include: “Have you ever cried at work?” and, “Are you sure you can supervise men?”
- Inappropriate and unwanted conduct of a sexual nature in the workplace that has the effect of creating a hostile working environment, violating the dignity of the employee or intimidating, degrading, humiliating, or offending the employee.
- Making sexual comments or commenting on physical appearance as a part of the hiring process.
- Making unwanted sexual advances at any time during recruitment or employment.
- Passing up men or women for promotion because of their marital status.
- Restricting one sex access to certain work meetings that are held away from the office, e.g. the golf course or the rugby club.
- A professional partnership refuses or deliberately omits offering a position to a person based on the grounds of sex, pregnancy, marital status or gender characteristics.
- A vocational training body refuses to provide access to cosmetology training to a male.
- An employment agency refuses to place a qualified woman as an employee at a male dominated construction site, when a genuine occupational qualification for an exemption does not exist.
- A qualifying body, for example the electrical qualifying board, fails to confer qualifications upon a woman, simply on that basis.
- Charging women more than men or vice versa for the same services.
- A sporting facility doesn’t allow or gives different terms of use to female teams.

Creating an Equal Future for Our Sons and Daughters