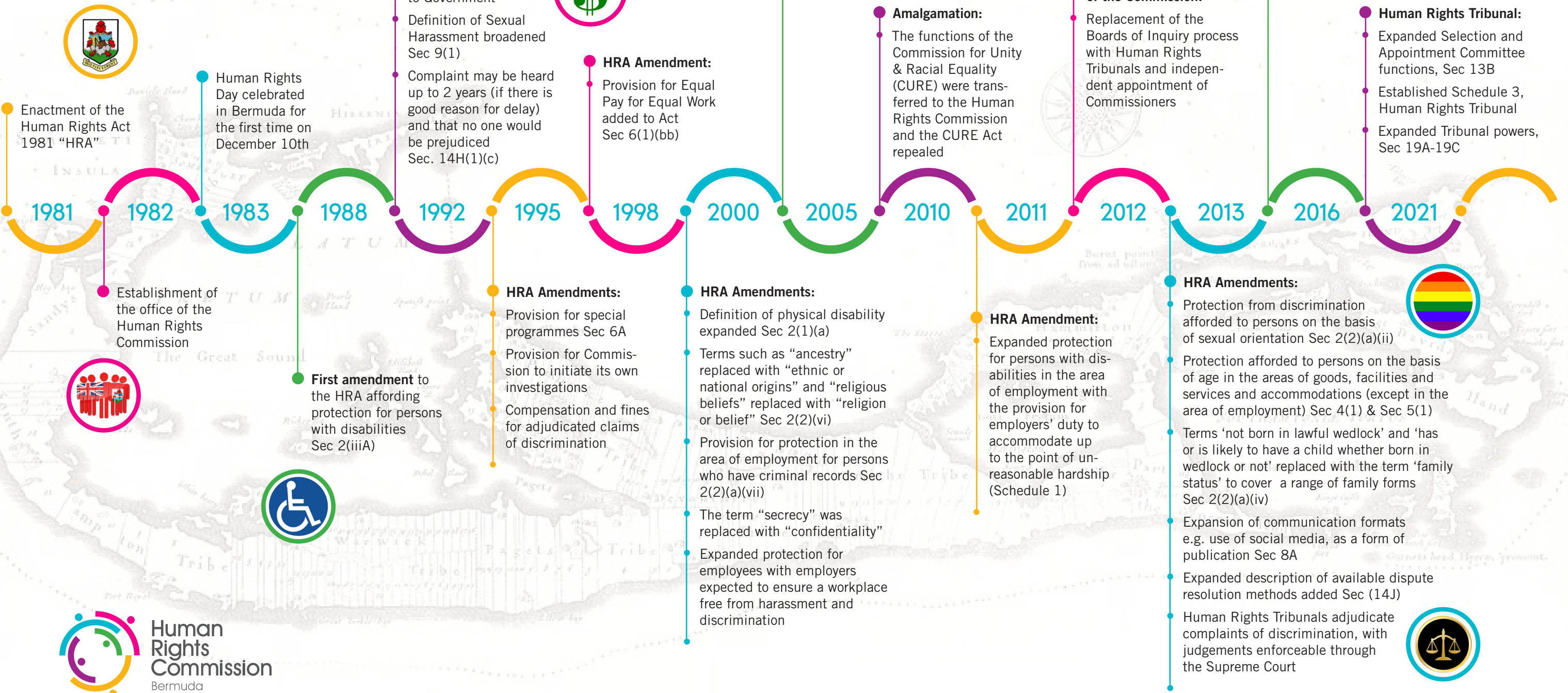


Timeline of the Human Rights Act

est. 1981



1981
Enactment of the Human Rights Act 1981 "HRA"

1982
Human Rights Day celebrated in Bermuda for the first time on December 10th

1983
Establishment of the office of the Human Rights Commission

1988
First amendment to the HRA affording protection for persons with disabilities Sec 2(iiiA)

HRA Amendments:
The Act also applies to Government
Definition of Sexual Harassment broadened Sec 9(1)
Complaint may be heard up to 2 years (if there is good reason for delay) and that no one would be prejudiced Sec. 14H(1)(c)

HRA Amendments:
Provision for special programmes Sec 6A
Provision for Commission to initiate its own investigations
Compensation and fines for adjudicated claims of discrimination

HRA Amendment:
Provision for Equal Pay for Equal Work added to Act Sec 6(1)(bb)

HRA Amendments:
Definition of physical disability expanded Sec 2(1)(a)
Terms such as "ancestry" replaced with "ethnic or national origins" and "religious beliefs" replaced with "religion or belief" Sec 2(2)(vi)
Provision for protection in the area of employment for persons who have criminal records Sec 2(2)(a)(vii)
The term "secrecy" was replaced with "confidentiality"
Expanded protection for employees with employers expected to ensure a workplace free from harassment and discrimination

2000
Voluntary mediation introduced as the primary means of settling complaints

Amalgamation:
The functions of the Commission for Unity & Racial Equality (CURE) were transferred to the Human Rights Commission and the CURE Act repealed

HRA Amendment:
Expanded protection for persons with disabilities in the area of employment with the provision for employers' duty to accommodate up to the point of unreasonable hardship (Schedule 1)

Amendment to the structure and function of the Commission:
Replacement of the Boards of Inquiry process with Human Rights Tribunals and independent appointment of Commissioners

HRA Amendments:
Protection from discrimination afforded to persons on the basis of sexual orientation Sec 2(2)(a)(ii)
Protection afforded to persons on the basis of age in the areas of goods, facilities and services and accommodations (except in the area of employment) Sec 4(1) & Sec 5(1)
Terms 'not born in lawful wedlock' and 'has or is likely to have a child whether born in wedlock or not' replaced with the term 'family status' to cover a range of family forms Sec 2(2)(a)(iv)
Expansion of communication formats e.g. use of social media, as a form of publication Sec 8A
Expanded description of available dispute resolution methods added Sec (14J)
Human Rights Tribunals adjudicate complaints of discrimination, with judgements enforceable through the Supreme Court

HRA Amendments:
Expanded protection for persons who have or have had a mental impairment Sec 2(1)(b)
Further protection to prohibit the publication of racist material and racial incitement to include all protected grounds of discrimination Sec 8A(1)(a)
Expansion of the definition of a public place to include any other premises or place to which the public has access, whether on payment or otherwise Sec 8A(3)(aa)

Human Rights Tribunal:
Expanded Selection and Appointment Committee functions, Sec 13B
Established Schedule 3, Human Rights Tribunal
Expanded Tribunal powers, Sec 19A-19C