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## PRESS RELEASE FOR IMMEDIATE RELEASE

### Human Rights Tribunal Decisions Released

Hamilton, Bermuda – The Human Rights Commission is providing an update on recent rulings made by the Human Rights Tribunal in the following three cases:

#### **Pearman v. Commissioner of Corrections, Government of Bermuda**

The Human Rights Tribunal adjudicated the matter of Valachi Pearman v. Commissioner of Corrections, Government of Bermuda and provided their ruling on March 13, 2024. The decision was made by panel members, Jay Webster (Chairperson), Dawn Eversley and Elaine Butterfield.

This matter concerned alleged contraventions of section 6(1)(b) of the Human Rights Act, 1981, as read with section 2(2)(a)(iiiA) and/or section 2(2)(b) of the Human Rights Act, 1981.

The complainant alleged that the respondent refused to employ him because he has a disability. Further to this, the complainant asserted that the respondent failed in the duty owed to accommodate him. The respondent denied discriminating against the complainant.

The Tribunal found that the respondent unlawfully indirectly discriminated against the complainant on the grounds of disability; however, the Tribunal dismissed the complainant's claim for direct disability discrimination.

The Tribunal found that the respondent unlawfully indirectly discriminated against the complainant on the grounds of disability and the Tribunal awarded damages in the sum of \$47,400.00 for loss of wages and an award for injury to feelings in the amount of \$7,164.73.



### **Conyers v. Minister of Education, Government of Bermuda**

The Human Rights Tribunal adjudicated the matter of James Conyers v. Minister of Education, Government of Bermuda and provided their ruling on August 15, 2024. The decision was made by panel members, Jay Webster (Chairperson), Dawn Eversley and Casey Schuler.

This matter concerned alleged contraventions of section 6(1)(b) of the Human Rights Act, 1981 as read with section 2(2)(a)(i) and/or (ii.). This matter also concerned an alleged contravention of section 8(a) of the Human Rights Act, 1981.

The complainant asserted that the decision to not employ him in a full-time teaching role was because he is a Bermudian male and that the decision to not include them on the list of substitute teachers was in breach of the Act. The respondent denied these allegations.

The Tribunal found that the complainant was unable to show on the balance of probabilities that they were unsuccessful because of his sex and national origin, i.e., because he is a Bermudian male. The Tribunal found that the decision to not allow the complainant to work as a substitute teacher because of the ongoing investigation by the Human Rights Commission amounted to a retaliatory act in breach of section 8(a) of the Human Rights Act, 1981.

The Tribunal awarded damages in the sum of \$61,313.58 for loss of wages, and an award for injury to feelings in the amount of \$7,198.02.

### **Scott v. JetBlue Airways Corporation**

The Human Rights Tribunal adjudicated the matter of Lawrence Scott v. JetBlue Airways Corporation and provided their ruling on September 4, 2024. The decision was made by panel members, Christina Herrero (Chairperson), Dawn Eversley and Christopher Cunningham.

This matter concerned an alleged contravention of section 6(1)(b) of the Human Rights Act, 1981, as read with section 2(2)(a)(vi) of the Act. The complainant alleged that they were terminated because of their political opinions while the respondent denied this allegation.

The Panel found that the political opinion identified by the complainant was capable of protection as a protected characteristic under the Act; however, the Panel found that the decision to terminate the complainant's employment was not based on his holding a political opinion and was therefore not discriminatory.

The Panel found in favour of the respondent and dismissed this matter.



Case summaries can be found on the Human Rights Commission's website:  
[www.humanrights.bm](http://www.humanrights.bm)

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*The Human Rights Commission has a statutory remit to protect and promote human rights under the Human Rights Act, 1981. As the National Human Rights Institution for Bermuda, their mission is to protect and promote human rights through education, advocacy, collaboration and enforcement.*

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