



BERMUDA

EMPLOYMENT AMENDMENT ACT 2025

2025 : 1

WHEREAS it is expedient to amend the Employment Act 2000;

Be it enacted by The King's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of Bermuda, and by the authority of the same, as follows:

Citation

1 This Act, which amends the Employment Act 2000 ("the principal Act"), may be cited as the Employment Amendment Act 2025.

Amends section 3

2 In section 3 of the principal Act—

(a) insert the following definition in its correct alphabetical position—

“other gratuities” has the meaning given in section 10C;”;

(b) delete the definition of “a week's wages” and substitute—

“a week's wages” in relation to an employee whose wages vary from week to week, shall be calculated by taking—

(a) the average wages not including any other gratuities earned by him over the previous twelve weeks; or

(b) in any case where he has worked for less than twelve weeks, the average wages not including any other gratuities earned by him over the time that he has worked;”.

EMPLOYMENT AMENDMENT ACT 2025

Retrospective application

3 (1) This Act shall be deemed to have come into operation on 1 March 2024.

(2) Any calculation made during the relevant period by an employer for the purposes of the principal Act in accordance with the definition of a “week’s wages”, as clarified by section 2 of this Act, shall be deemed to have been validly made.

(3) Any payment of other gratuities by an employer to an employee during the relevant period shall not constitute an overpayment of wages to which an employer is entitled to be reimbursed; and no employee to whom this subsection applies shall be required to return to his employer any other gratuities so received.

(4) In this section—

- (a) the “relevant period” means the period beginning on 1 March 2024 and ending immediately before this Act receives Assent;
- (b) “employer”, “employee”, “other gratuities” and “wages” have the meanings respectively given in the principal Act.

[Assent Date: 21 April 2025]

[Operative Date: 01 March 2024]