

### CHAPTER 11

### THE EQUAL PAY ACT

(Assented to March 25th, 1959)

IT ENACTED by the Lieutenant-Governor and Legislative Assembly of the Province of Prince Edward Island as follows

1. In this Act,

Interpretation

(a) "Board" means the Labour Relations Board (Prince Edward Island) established under the Trade Union Act;

"Board"

(b) "establishment" means a place of business or the place where an undertaking or a part thereof is carried on;

"establishment"

(c) "Minister" means the Minister of Labour;

"Minister"

(d) "pay" means remuneration in any form.

"pay"

(1) No employer and no person acting on his behalf shall pay a female employee at a rate of pay less than the rate of pay paid to a male employee employed by him for the same work done in the same establishment.

Equal pay for equal work

(2) A difference in the rate of pay between a female and a male employee based on any factor other than sex shall not constitute a failure to comply with this section.

Exception

B. Any person claiming to be aggrieved because of an alleged violation of this Act may make a complaint in writing to the Board on a form prescribed by the Board, whereupon the Board may enquire into the complaint and endeavor to effect a settlement of the matters complained of.

Complaints to Board

4. Nothing in section 3 restricts the right of any aggrieved person to initiate proceedings before a court, judge or magistrate against any person for an alleged contravention of this Act.

Personal right to initiate legal action

Discharge and  
discrimination  
prohibited

5. No employer shall discharge or otherwise discriminate against any person because he has made a complaint or given evidence or assisted in any way in the initiation or prosecution of a complaint or other proceeding under this Act.

Penalty

6. Every person who violates this Act or any of the Provisions thereof is liable on summary conviction to a penalty of not more than one hundred dollars.

Consent of  
Minister  
required for  
prosecution

I. No prosecution for an offence under this Act shall be instituted without the prior consent in writing of the Minister.