



Republic of Trinidad and Tobago



Equal Opportunity Commission
Promoting Equality

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PRESS RELEASE

Wednesday October 29, 2014

Ruling on Interpretation Summons filed by Equal Opportunity Commission (EOC)

On October 16, 2014, the Honourable Mr. Justice Ronnie Boodoosingh handed down judgment on an Interpretation Summons filed by the Equal Opportunity Commission ('the Commission').

The Commission sought the guidance of the Court in relation to several aspects of the Equal Opportunity Act Chap. 22:03 ('the Act'), with the key question being "Whether the Service Commissions are 'employers' for the purposes of a complaint under the Act?" For some time the Service Commissions had taken the position that they were not "employers" of public officers.

The Honourable Judge held that for the purposes of the Act the relevant Service Commissions can be considered "employers". It was underscored that the State is the employer of public officers and that the definition of "State" under the Act includes numerous bodies such as the Service Commissions. At paragraph 40 the Honourable Judge noted that the State "...is not one readily identifiable entity." It was recognised that different entities are agents of the State for example the Chief Personnel Officer settles the terms and conditions of employment while the Service Commissions are responsible for recruitment, appointments, promotions, transfers and discipline.

The learned Judge at paragraph 50 reiterated that the purpose of the Act is to promote equal opportunity and that "artificial barriers should not be placed in the way of its functioning."

At paragraph 67 we were reminded that:

The Equal Opportunity Act was implemented for a purpose. It was to address the offensive practice of discrimination. Discrimination strikes at the heart of notions of equality, dignity and respect for all human beings. It impedes the development of a merit based society. It can lead to acute social tension and unrest. We all know of our painful history of different groups and individuals, at different times, being subject to discrimination. We have since come a long way, but there is still a good way to go. The Act affords us, as a country, the opportunity to chip away at some aspects of the discriminatory treatment of persons.

For a full reading of this judgment please visit our website at <http://www.equalopportunity.gov.tt/>

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About the EOC

The primary task of the Equal Opportunity Commission (EOC) is to oversee implementation of the Equal Opportunity Act No. 69 of 2000, which prohibits certain kinds of discrimination and seeks to promote equal opportunity among all citizens of Trinidad and Tobago.

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COMMISSIONERS: Mrs. Lynette Seebaran-Suite (Chairman)
Dr. Beverly Ann Marie Beckles (Vice Chairman) • Dr. Indira Rampersad
Mr. Eric Colin Cowie • Mr. James Chin Chuck

What are the functions of the Commission?

The key functions of the Commission are to receive, investigate and as far as possible conciliate allegations of:

- Discrimination on the grounds of status
- Discrimination by victimisation or
- Offensive behaviour lodged with it by members of the public; to work towards the elimination of discrimination; and promote equality of opportunity and good relations between persons of different status generally.
- Develop, conduct and foster research and education programmes and other programmes for the purpose of eliminating discrimination and promoting equality of opportunity and good relations between persons of different races, ethnicities, religions, geographical origins, marital status, gender or physical disabilities.
- Prepare and publish appropriate guidelines for the avoidance of discrimination.

For more information, please visit www.equalopportunity.gov.tt.

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