

REPUBLIC OF TRINIDAD AND TOBAGO

IN THE EQUAL OPPORTUNITY TRIBUNAL

(Referred pursuant to S. 39(2) of the Equal Opportunity Act 2000 as amended by Act No. 5 of 2001)

E.O.T. No. 0002 of 2012

BETWEEN

DEREK SALANDY

Complainant

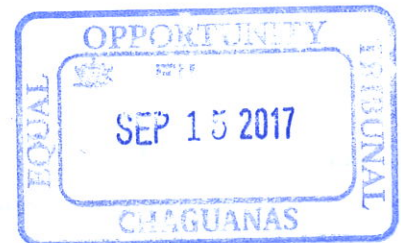
AND

**THE PETROLEUM COMPANY OF
TRINIDAD AND TOBAGO (Petrotrin)**

Respondent

CORAM:

His Honour Mr. Rajmanlal Joseph	- Judge/Chairman
Her Honour Ms. Leela Ramdeen	- Lay Assessor
His Honour Mr. Harridath Maharaj	- Lay Assessor



APPEARANCES:

Mr. Shankar Bidaissee appeared on behalf of the **Complainant**

Mr. Russell Martineau, S.C., appeared on behalf of the **Respondent**

Date of Delivery of Judgment: September 14, 2017

JUDGMENT

BACKGROUND:

1. This case concerns the allegation of the Complainant that he was continuously discriminated by and/or treated unequally by the Respondent in regard to his employment and more specifically his remuneration package contrary to Sections 8 and 9 of the Equal Opportunity Act, Chap. 22:03
2. Further, the Complainant seeks compensation for being treated less favourably than Mr. Brett. In addition to declarations that the Respondent contravened its own employment policy in the manner of hiring of Mr. Brett; and a further declaration that the Complainant was treated illegally and/or unfairly, and discriminated against by the Respondent on the basis of race and/or origin and/or ethnicity and/or nationality. As well as costs and interest.
3. The Respondent on the other hand, denied that it discriminated against the Complainant pursuant to Sections 8 or 9 of the Act. And that there was no discrimination against the Complainant in employment on the ground of status or victimisation under the Act. Moreover, it is the further contention of the Respondent that the Complainant is not entitled to any of the reliefs claimed in his Amended Complaint and Particulars.

THE EVIDENCE:

4. In support of their positions as outlined hereinabove, the parties submitted the following witness statements:
 - (a) Witness Statement of the Complainant dated and filed on October 2, 2012
 - (b) Witness Statement of Carrol Jarvis dated and filed on October 1, 2012; and Supplemental Witness Statement of Carrol Jarvis dated and filed on October 14, 2015.
5. Essentially, the evidence of the Complainant was that he is a citizen of Trinidad and Tobago, and is permanently employed with the Respondent as a Process Engineering Superintendent in the Refining and Marketing Division at Point-a-Pierre; and have been

