



Republic of Trinidad & Tobago



ANNUAL REPORTS 2008 & 2009

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VISION & MISSION

VISION

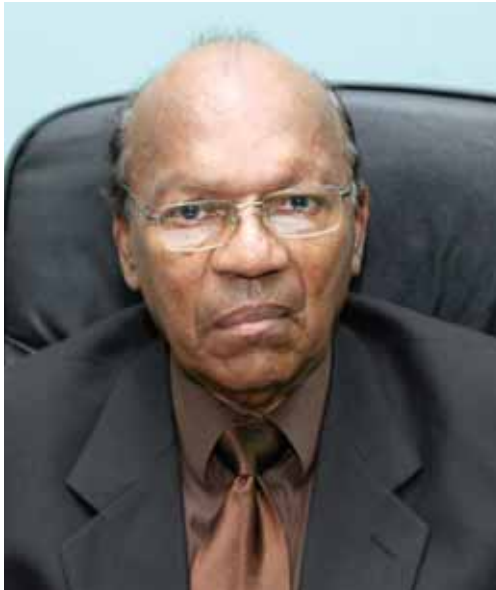
The Equal Opportunity Commission envisages an informed and empowered nation that is assured of fair and equitable treatment for all citizens, contributing to a common endeavour for the good of all.

MISSION STATEMENT

The Equal Opportunity Commission will be inspired and guided by the Equal Opportunity Act of 2000 which seeks to prevent and discourage acts of discrimination relating to race, gender, religion, disability, employment, education, accommodation, status, offensive behaviour, the provision of goods and services, geographical origin, ethnicity and marital status. It recognises the importance of the removal of all barriers to the free flow of resources of talent, opportunities and aspirations so that each individual can contribute to the national endeavour and expect a fair response in return. In the pursuit of these objectives, the Commission shall seek to educate, conciliate and adjudicate on the complaints that come before it and will invite the wider society to participate, as fully as possible, in this exercise.

PROFILE OF COMMISSIONERS

The Equal Opportunity Commission (EOC) comprises the following five commissioners:



Chairman – Professor John La Guerre

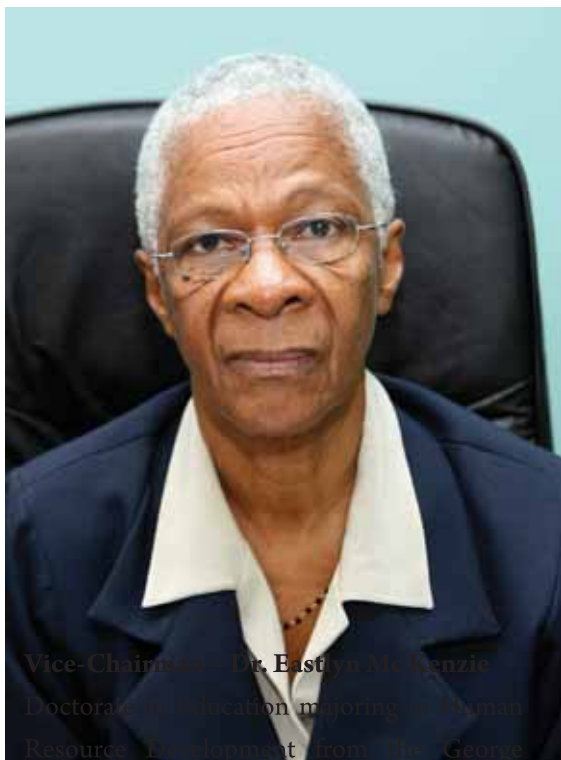
B. Sc. (Economics) (UWI), M. Sc. (Government) (UWI), Ph. D. (Manchester)

John Gaffar La Guerre – B.Sc (Econ) U.W.I, M.Sc (Govt) U.W.I, Ph.D (University of Manchester) is Emeritus Professor of Government at the St. Augustine Campus of the University of the West Indies. He was educated at Progressive Educational Institute and St. Andrews High School in Trinidad and at The University of the West Indies, Manchester and Paris.

He is currently Chairman of the Equal Opportunity Commission. He was a tutor in Politics at the Universities of Manchester and the West Indies, lecturer and Professor of Government at the U.W.I St Augustine until 2001. He served as Vice-Dean and Dean of the Faculty of Social Sciences, Chairman of African and Asian Studies Unit at the U.W.I. He was also the Public Orator at the University and was for many years the Head of their Department of Government. He has written many books on the politics of the Caribbean and Africa and has contributed several articles to the professional journals.

He has contributed several papers to conferences in the Caribbean and elsewhere. He has done several reports for the Government including reports on Employment practices in the Public Sector as well as scholarship awards by the state. He was a member of the Hyatali Commission of 1987, was Co-Director of the Centre for Ethnic Studies, U.W.I, St. Augustine during the period 1992-1996, a member of a Task Force on Legal Education in Trinidad and Tobago in 1997 and is now a member of the Round Table on Constitution Reform.

PROFILE OF COMMISSIONERS



Vice-Chairman - Dr. Eastlyn Mc Kenzie
Doctorate in Education majoring in Human
Resource Development from the George
Washington University, USA

Dr. Eastlyn Mc Kenzie was born 5th October 1941 in the village of Bethany, Tobago.

Dr. Eastlyn Mc Kenzie attended St. Patrick Anglican Primary School; she went on to Bishop's High School. After graduating from Bishop's she joined the teaching profession in 1960. Four years later she went on to the Mausica's Teacher's Training College where she graduated in 1966 with a Teacher's Diploma, she was recorded as a student having the best record of all time, having won several prizes up for grabs.

After teaching for five (5) years at the Hope Anglican Primary School, Dr. Mc Kenzie

moved to the Community Development Division as a Community Development Officer and later moved to the position of Education Extension Officer in the Education Division. Further academic achievements include a Post Graduate Diploma in Community Development where she received the Burney Prize for the Best External Student Dissertation in 1977, followed by a Masters Degree in Education (M.ED.) in 1979 from the University of Manchester, England and a Doctorate in Education (Ed.D) majoring in Human Resource Development from the George Washington University in 1987.

Dr. Eastlyn Mc Kenzie was appointed an Independent Senator in 1995, a position she held until 2007. To date she is the only Tobagonian to lead in the Independent benches in the Senate, and has represented the Parliament of Trinidad and Tobago at conferences in the Turks and Caicos Islands, New Zealand, India and the Bahamas. Her obvious interest in the Education System afforded her the opportunity to serve on many education committees including Chairman of a Task Force on the reason for the poor performance of students in Tobago Roxborough Secondary School and to sit on a specially appointed Task Force on education in Trinidad and Tobago. She was in charge of YTEPP and initiated the School Leaving Examination classes in the Tobago prisons and is currently a member of the

PROFILE OF COMMISSIONERS

executive member of the Tobago Council of Handicapped Children Inc. since its formation in 1974, and is presently the chairman. She is a religious instructor at the Scarborough Secondary school since 1996, on behalf of the Methodist Church and a motivational speaker at school and Parents Teachers Associations and was a manager/tutor of the Homework Centre at St. Patrick's AC run by the Carnbee Mt. Pleasant Sports club at the Carnbee Mt. Pleasant Community Centre.

Dr. Eastlyn Mc Kenzie possesses a terrific sense of humor, and still finds time to engage in the performing arts. She has acted in several plays, both live and on screen and is versed in the island's oral traditions and speaks the Tobago dialect fluently and effectively. She has also written several folk monologues.



Commissioner – Ms. Stephanie Daly
LL. B. (Hons), London University

Stephanie Daly is an attorney-at-law and a consultant with a civil law firm. She is also a member of the Public Service Appeal Board, the Statutory Authorities Appeal Board and Deputy Chairman of the Children's Authority of Trinidad and Tobago. She is certified as a civil mediator with a specialization in commercial matters, a family mediator and as a mediation trainer. Stephanie Daly has published a variety of legal topics including legal status, child and family law, and awards of damages for personal injuries. She was Chairman of the Committee which established the Family Court and continues to serve on the Court's Monitoring Committee. She is a former Chairman of WASA and President of the Law Association of Trinidad & Tobago and served on the Law Commission for some 20 years.

PROFILE OF COMMISSIONERS



Commissioner – Ms. Beverly Ann-Marie Beckles – B.Sc. (Business Management) from St. Francis Xavier University, Nova Scotia, Canada, Masters in Rehabilitation Administration from Mc Laren School of Business, University of San Francisco, USA

Beverly Ann Marie Beckles is the Chief Executive Officer of the National Centre for Persons with Disabilities (NCPD). She has twenty-seven years experience in the field of disability. As a defender of inclusion of persons with disabilities in all walks of life, her work has been key to the development of National Policy for Persons with Disabilities in seven Caribbean Countries. Her work involves close contact with governments, international agencies and civil societies in

the promotion of equal opportunity for persons with disabilities. Ms. Beckles is highly respected in her field as demonstrated by her involvement in a multiplicity of public and private scenarios. She is a past Director of the Global Applied Disability Research & Information Network on Employment and Training (GLADNET), an international organization based at Cornell University, USA, past chair and member of the National Coordinating Committee on Disability and currently one of the Commissioners of the Equal Opportunity Commission of T&T.

Ms. Beckles has received several acknowledgements for her work in the field of disability nationally, regionally and internationally. In 1993, she received a National Award in the recognition of community service for persons with disabilities and an international award from Goodwill Industries Inc. In recognition of the extensive contribution to persons with disabilities in the Caribbean. She has also received awards from other internationally recognized institutions and has the distinction of being the 1st recipient of the Inter American Development Bank's Award for Social Entrepreneurship (1999). She is the holder of a Masters in Rehabilitation Administration (MRA) from the University of San Francisco, USA and currently working on her dissertation towards a Doctor of Philosophy from Capella University, USA.

PROFILE OF COMMISSIONERS



Commissioner – Dr. Hamid Ghany

B. A. (UWI), M. A. (Fordham), Ph. D. from London School of Economics and Political Science.

Dr. Hamid Ghany is the Dean of the Faculty of Social Sciences at the University of the West Indies, St. Augustine Campus, Trinidad. He is also a Senior Lecturer in Government whose areas of teaching, research and publication lie in the fields of Parliamentary Studies and Constitutional Affairs. He is the Coordinator of the Constitutional Affairs and Parliamentary Studies Unit (CAPSU) at the University of the West Indies, St. Augustine Campus. Dr. Ghany is a well-known commentator and analyst of political and contemporary issues in Trinidad and Tobago and the Caribbean. He previously served as a

member of the Constitution Review Commission (1988-90) under the chairmanship of the late Sir Isaac Hyatali, T.C.; the Tobago House of Assembly Technical Team for discussions with the Central Government (1992 - 1995) under the chairmanship of Mr. Karl Hudson-Phillips, Q.C.; the Prime Minister's Roundtable on Constitution Reform (2008-10) under the chairmanship of former Prime Minister Mr. Patrick Manning, M.P. He is married to Marilyn (nee Mc Kinstry).

ACTIVITIES UNDERTAKEN BETWEEN 2008 & 2009

1.1 Review of the Equal Opportunity Act

A major task of the Commissioners during the period was a comprehensive review of the Equal Opportunity Act, 2000 (EO Act) in order to make recommendations on its workings and provisions. Various amendments were proposed. In keeping with its mandate, a committee was set up to review the EO Act and a report was submitted to the Commission. Following the deliberations of the Commission, a number of proposals for amendment were re-submitted.

After the appointment of a Senior Legal Officer in November 2010, there were further proposals which were also considered by a committee comprising legal officers and a representative of the Commission. It is hoped that in 2010 a final document will be forwarded to the Ministry of the Attorney General.

1.2 Matters Arising

Commissioners meetings are held on a monthly basis. For the period January, 2009 to December 2009, a total of 10 meetings were held. The Commission was engaged in the following matters in 2009:

- Proposed amendments to the EO Act;
- Public Education Programmes;
- Preparation of guidelines for the conduct of staff;

- EOC presence in Tobago;
- Work flow processes for staff;
- Office accommodation;
- Protocols for the handling of complaints;
- EOC's work flow for processing complaints;
- EOC's Freedom of Information Statement;
- Interviews for the recruitment of staff.

Forms for internal use, as well as for use by members of the public, were prepared. It is also now possible for the public to access complaints forms on-line.

Guidelines were also developed and approved for staff, the Commission, as well as investigators/social workers and mediators.

During the period October to November, two Legal Officers were appointed to fill vacant positions in the Legal Department. The Legal Department subsequently worked on the following matters:

- Researched and proposed suggested amendments to the Equal Opportunity Act 2000;
- Commenced the process of categorising all complaints received;
- Commenced investigation of complaints;
- Proposed guidelines for investigators and mediators;
- Prepared information for the filing of the Equal Opportunity Commission's Freedom of Information publication;

ACTIVITIES UNDERTAKEN BETWEEN 2008 & 2009

- Created a procedure for the receipt and processing of complaints;
- Commenced education programmes on discrimination law for staff members;
- Prepared written opinions on various aspects of discrimination law in Trinidad and Tobago.

1.3 Courtesy Visits

The EOC Chairman visited the United States Equal Opportunity Commission in October of 2008 and March 2009 and held discussions with relevant officials on the various problems and situations encountered, as well as on some critical equal opportunity issues. These discussions were seen as crucial and highly relevant to current debates in Trinidad and Tobago. It was proposed that he visit Canada in 2009 for a similar exercise, in light of the highly immigrant nature of Canadian society.

The EOC Chairman paid courtesy visits to the former Prime Minister and former Leader of the Opposition of Trinidad and Tobago to apprise them of all developments related to the EOC. Discussions were held with the respective leaders and personnel from the Trinidad and Tobago Unified Teachers Association (TTUTA) and the Public Services Association (PSA) on various aspects of the EO Act and its implications for the society. Also discussed were filling the vacancy of Chairman of the Equal Opportunity Tribunal

(EOT), the invitation of foreign experts to advise on the Mediation programme by the EOC, and the content of the job specifications and job descriptions for legal officers and conciliators/mediators.

1.3.1 Visit by the President of the Republic of Trinidad and Tobago

On June 26, 2009 His Excellency Professor George Maxwell Richards, President of the Republic of Trinidad and Tobago, visited the offices of the EOC on the invitation of Professor John La Guerre, Chairman of the EOC. All Commissioners and staff of the EOC were present. Mr Rajmanlal Joseph, Chairman of the EOT, and his staff were also invited. A brief meeting was held with the President, the Commissioners and the Chairman of the EOT. His Excellency was given a tour of the building and its facilities.

1.3.2 Visit to Tobago

On September 16, 2009, a meeting was convened between the members of the EOC and the Chief Secretary of the Tobago House of Assembly (THA), at the Calder Hall Administrative Complex, Tobago. This meeting focused on strategies for sensitising the public in Tobago, appropriate office accommodation, public education, and a suitable location for the deposit of complaints by the public. The THA is committed, in principle to the provision of the appropriate accommodation and the facilities for the EOC in Tobago.

ACTIVITIES UNDERTAKEN BETWEEN 2008 & 2009

1.4 Meetings with Stakeholders

The purpose of these meetings was to sensitise and make the various groups aware of the EOC, the EO Act and activities linked to the policies on which the EOC would like to embark. These included its basic functions, namely: conciliation, public education, complemented by a brochure on the EOC, and proposals for reform of the EO Act. A clause by clause analysis of the EO Act was also being undertaken as well as the construction of an EOC website.

During these meetings, the EOC explained to the relevant bodies and individuals some of the problems relating to their lack of staff and the actions being taken to recruit the relevant personnel so that the Commission could officially commence working on complaints received. It was also stated that the intention of the EOC was to relocate temporarily to a building on Wrightson Road, Port of Spain, which it hoped to be more permanently relocated to San Fernando or to another more appropriate location.

The mandate of the EOC to reduce, eliminate (where possible) and discourage discrimination was also stressed.

It was also pointed out that the major objective of the EOC was to ensure the free flow of resources into roles for which the

Commission was best fitted so that the society could achieve the fullest benefits. The following is a list of meetings, individuals and organisations with which discussions were held.

1. Thursday January 23, 2009 – Meeting with Professor John La Guerre, Chairman of EOC, and Mrs. Jennifer Baptiste-Primus, President of the Public Services Association (PSA).

2. Friday January 24, 2009 – Meeting with Professor John La Guerre, Chairman of EOC, and Ms. Natasha Mustapha, Chief Executive Officer of the Trinidad and Tobago Manufacturers' Association (TTMA).

3. Wednesday January 28, 2009 – Meeting with Professor John La Guerre, Chairman of EOC, and His Worship Dr. Surujrattan Rambachan, Mayor of the Chaguanas Borough Corporation.

4. Tuesday February 3, 2009 – Meeting with Professor John La Guerre, Chairman of EOC, and Alderman Mr. Victor Mitchell, Mayor of the Point Fortin Borough Corporation.

5. Wednesday February 4, 2009 – Meeting with Professor John La Guerre, Chairman of EOC, and Mr. Ian Collier, President of the Trinidad and Tobago Chamber of Commerce.

6. Tuesday February 10, 2009 – Meeting with Professor John La Guerre, Chairman of EOC, and His Worship Murchison Brown, Mayor of Port-of-Spain City Corporation.

ACTIVITIES UNDERTAKEN BETWEEN 2008 & 2009

7. **Friday February 13, 2009** – Meeting with Professor John La Guerre, Chairman of EOC, and His Worship Adrian Cabralis, Mayor of Arima Borough Corporation.

8. **Monday February 16, 2009** – Meeting with Professor John La Guerre, Chairman of EOC, and Mr. Satnarayan Maharaj, Secretary General of the Sanatan Dharma Maha Sabha (SDMS)

9. **Wednesday March 25, 2009** – Meeting with Professor John La Guerre, Chairman of EOC, and His Worship, Mr. Kenneth Ferguson, Mayor of the San Fernando City Corporation.

10. **September 30, 2009** – Meeting with Professor John La Guerre, Chairman of EOC, and the following members of GOPIO (Global Organisation of People of Indian Origin):

Mr. Deosaran Bisnath (President of GOPIO)

Mr. Robert Ramsamooj (Director of GOPIO)

Mr. Sat Sukdeo (Director of GOPIO)

Mr. Niranjan Bhaggan (Director of GOPIO)

11. **November 23, 2009** – Meeting with Professor John La Guerre (Chairman of EOC) and Mr. Aiyegoro Ome of the National Joint Action Committee (NJAC).

1.5 Public Education

A Communications Specialist was appointed in September 2009 and provided the EOC with a plan of action for outreach activities. Hereunder is a detailed breakdown of the activities of the Communications Unit:

1.5.1 Launch of the EOC Website

Development of the EOC's website included design, layout and content preparation so that material would be accessible to the public in a format that could be downloaded. Materials included the EO Act and Complaints Forms. The website also allows complaints to be submitted by email. Additionally, the site (www.equalopportunity.gov.tt) serves to post electronic publications and other activities/events of the EOC.

1.5.2 EOC Logo & Tagline Competition

This competition also included design, layout, preparation of content, publication of press advertisements, identification of a sponsor, collection of entries and convening a panel for judging of the competition. The Trinidad and Tobago Unit Trust Corporation sponsored prizes for the two winners and advertisements appeared in the Trinidad Guardian Newspaper.

1.5.3 Information Material

The EOC produced a leaflet containing clear and simple guidelines for lodging complaints. The leaflet, along with Complaints Forms, was distributed to each Regional Corporation, the Tobago House of Assembly (THA) the Office of the Ombudsman and Wardens' Offices in various geographic locations, to be accessed by members of the general public.

ACTIVITIES UNDERTAKEN BETWEEN 2008 & 2009

1.5.4 Media

Interviews and publications of the EOC's core functions and mandate to the public appeared in the following: Trinidad Express, Trinidad Guardian, Newsday and The Student Press. The publication of positive press articles highlighting the EOC's functions and activities was secured by the Express Business Section, which features an article by an official from the EOC each month.

2.0 Challenges

At meetings of major stakeholders, some of the major concerns highlighted were related to the disability clauses, domestic services and family business in the EO Act where sections of the Act do not apply where there are no more than three persons employed in domestic or personal services or in relation to the home of the employer. A number of areas including HIV / AIDS in the work place, employees with disabilities, safety and security in the work place and the Occupational Safety and Health (OSH) Act, local labour laws, unfair treatment of employers before the Industrial Court, as well as gender inequality in the work environment were also raised.

Of significant concern was the accessibility of the EOC's office on Wrightson Road, Port-of-Spain, for citizens travelling from the

East-West Corridor and Central Trinidad. It was felt that the rural areas, when compared with urban areas, suffered greatly in the distribution and allocation of state services. Some concern was also expressed with regard to the issue of meritocracy, fairness, productivity, trust and loyalty in the work environment.

Another challenge was the need for equality and integration in Trinidad and Tobago's diverse society and the ongoing problems that needed to be corrected. There was some concern about what was perceived as the lack of legal enforcement, discipline, integration, integrity of the country and the improper management of resources of and by the State, as well as the question of a proper 'work ethic' in society. Some also raised the importance of anomalies in education for both men and women, the subordinate role of women in society and the issue of sexual orientation.

The discussions also revealed some preoccupation with the direction, duties and responsibilities of the EOC and EOT. The different forms of discrimination and urgent need for the EOC to commence work on the complaints that had already been received were discussed.

3.0 Accommodation

During the first six months of the year, the EOC was engaged in identifying suitable office accommodation. In June 2009, the

ACTIVITIES UNDERTAKEN BETWEEN 2008 & 2009

EOC offices moved from its temporary location at the Winsure Building into a new office space. The new office space is located at the 1st Floor, Ceramic (Trinidad) Ltd Building at 37 Wrightson Road, Port of Spain. Telephone numbers for the public are: (868) 625-5815; Fax: 623-4319. Since its appointment, the EOC, along with the Ministry of the Attorney General, has been actively seeking an alternative location to house the necessary staff. Several buildings located in Port of Spain and Chaguanas were viewed but, for various reasons, they did not conform to the standards set by the technical team to enable the EOC and the Equal Opportunity Tribunal (EOT) to achieve their objectives.

The EOC was, therefore, reluctant to ask for the full complement of staff since it could not provide the necessary accommodation. This factor, more than any other, has determined the performance of the EOC's functions and initiatives to date. More recently, however, the EOC was able to identify more adequate accommodation for an expanded staff. It would require some refurbishing and the EOC has begun to take the necessary steps to ensure that critical positions are being advertised and filled. As the EOC is about to move to its new location, it confidently expects that it would be able to address the backlog of complaints as well as any that might have been awaiting its attention.

4.0 Staffing

Following the appointment of a new Attorney General, there was a dramatic increase in staff. Consequently, the EOC was able to expand both its outreach and in-house activities. The Human Resource Unit of the Ministry of the Attorney General plays an important role in the processing and recruitment of staff for the Commission. In order to expedite the recruitment process, Commissioners with the relevant skill sets were appointed to sit on interview panels along with other panellists, including a representative from the Ministry of the Attorney General. The panels are chaired by the Chairman of the EOC. The present staff structure is attached at Appendix I.

5.0 Financial Expenditure

The 2009/2010 estimates allocated for the EOC and the EOT totalled \$7,854,000.00. Total expenditure of the EOC for the period June, 2009 to December, 2010 was \$1,449,162.00 under Sub-Heading 02 – Goods and Services. Estimates of expenditure for personal emoluments for the EOC and the EOT amounted to \$5,266,200.00. The processing of personal emoluments falls under the purview of the Accounts Department of the Ministry of the Attorney General. Commissioners received stipend arrears after one year in office.

ACTIVITIES UNDERTAKEN BETWEEN 2008 & 2009

6.0 Complaints

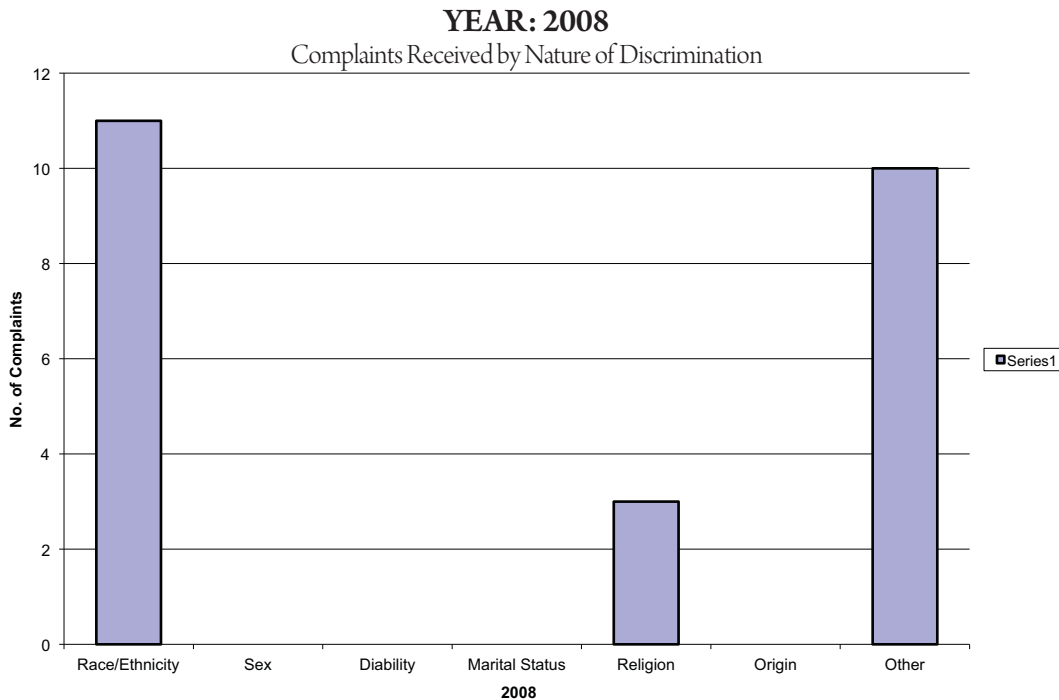
As at December 2008, the EOC received 24 complaints, a breakdown of which is as follows:

- Racial Discrimination – 11
- Gender Discrimination – 0
- Religious Discrimination – 2
- Employment Discrimination – 11
- State Services Discrimination – 18
- Education Discrimination – 2
- Other Fields of Discrimination – 9
- Complaints against the EOC – 1

COMPLAINTS RECEIVED BETWEEN MAY 2008 AND DEC 2009

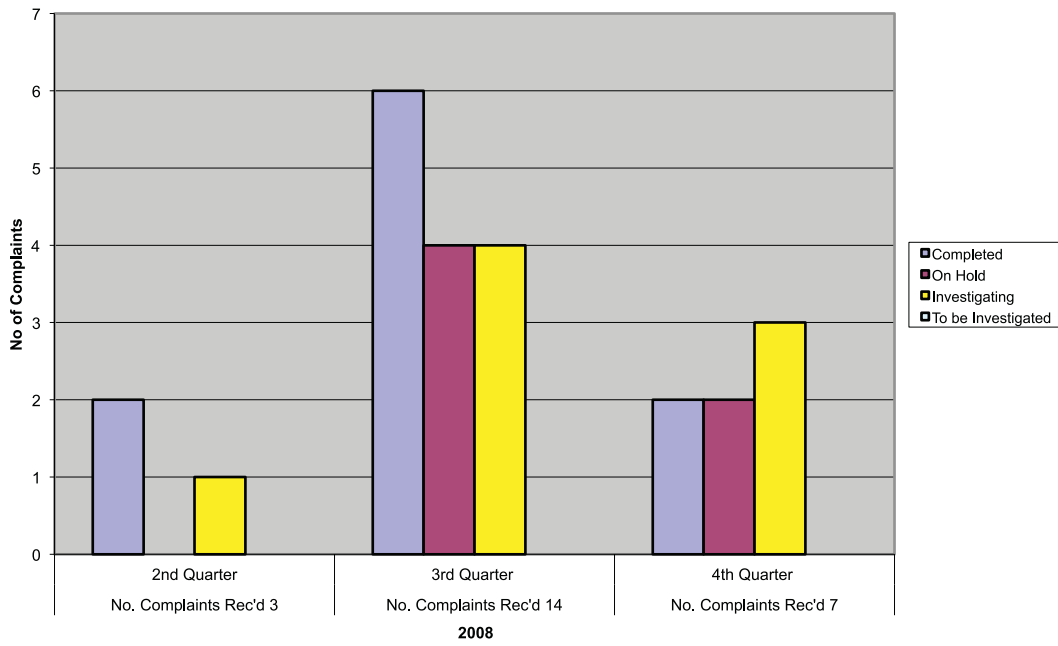
May – Dec. 2008	Jan. – Dec. 2009
24	19

(See Yearly Complaint break-down below)

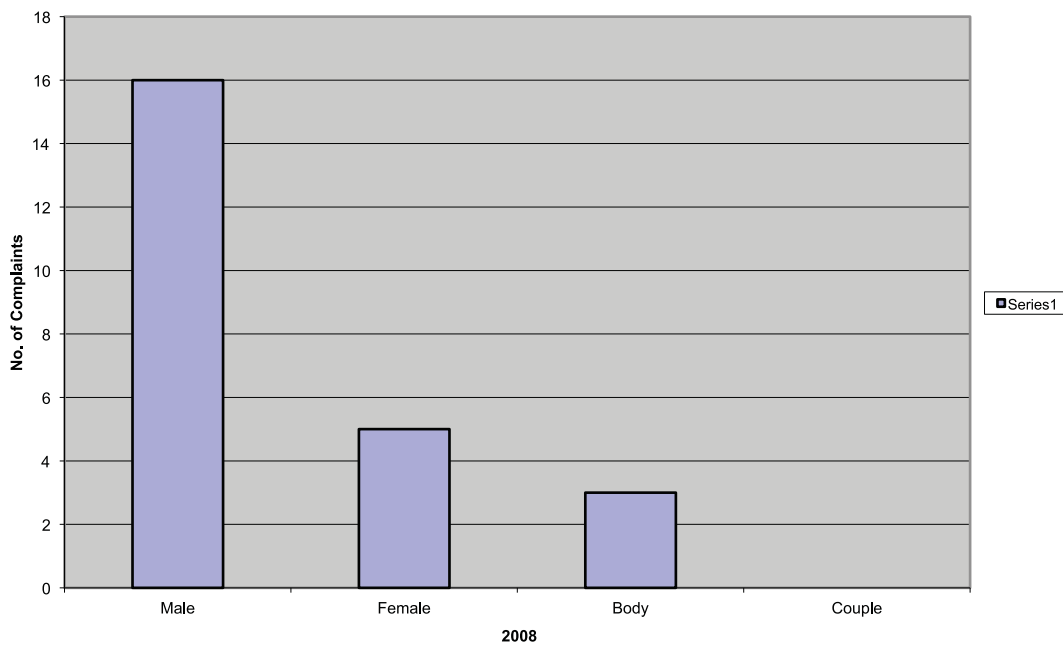


ACTIVITIES UNDERTAKEN BETWEEN 2008 & 2009

Complaints Received by Quarter (2008)

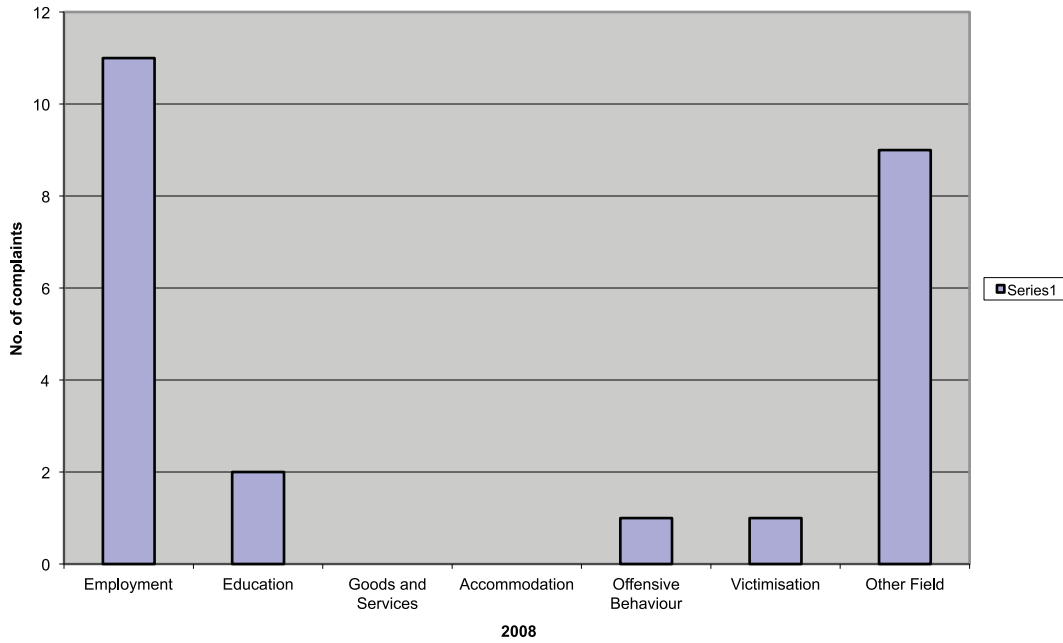


Complaints Received per Gender (2008)

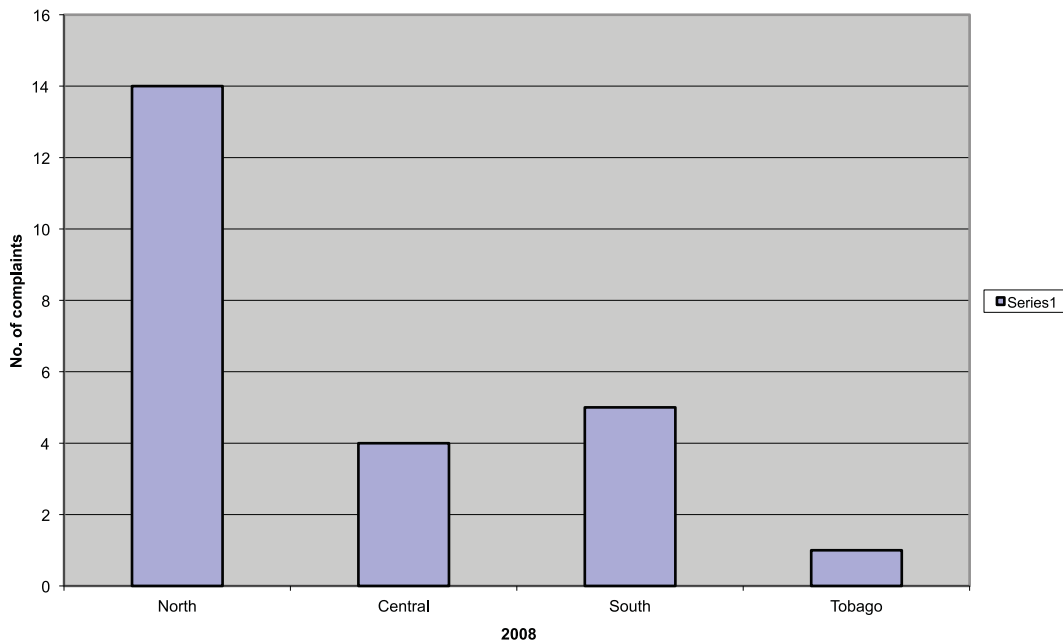


ACTIVITIES UNDERTAKEN BETWEEN 2008 & 2009

Complaints Received by Discriminatory Categories (2008)



Complaints Received by Geographical Area (2008)



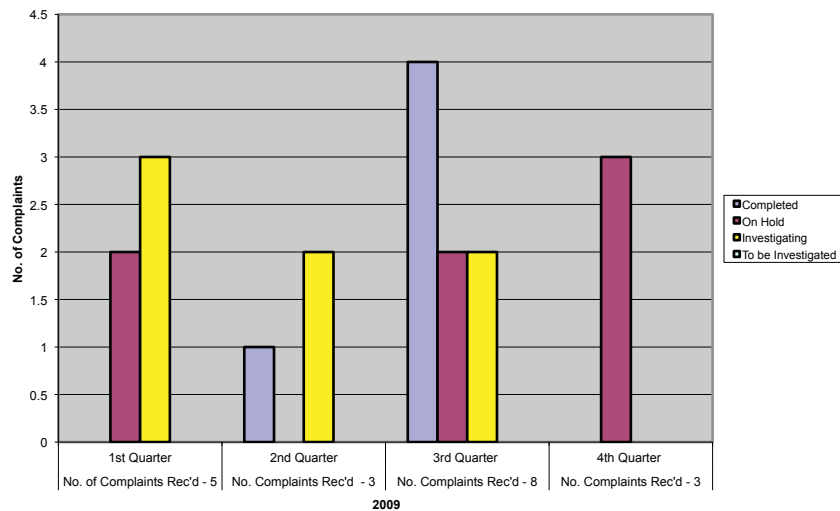
ACTIVITIES UNDERTAKEN BETWEEN 2008 & 2009

As at December 2009, the EOC received 19 complaints, a breakdown of which is as follows:

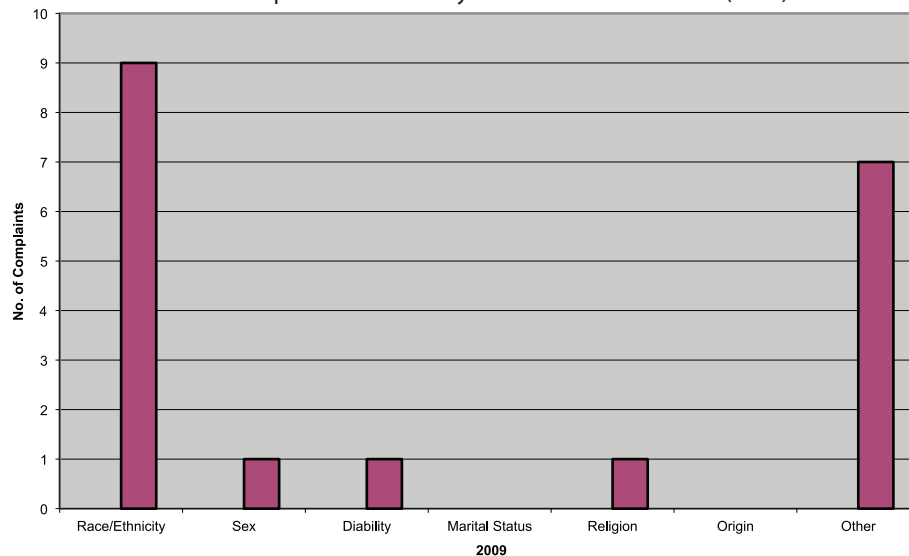
- Racial Discrimination – 9
- Gender Discrimination – 1
- Religious Discrimination – 1
- Employment Discrimination – 12
- State Services Discrimination – 13
- Education Discrimination – 0
- Other Fields of Discrimination – 4
- Complaints against the EOC – 0

A total of 43 complaints were received for the period 2008 and 2009.

YEAR: 2009
Complaints Received by Quarter

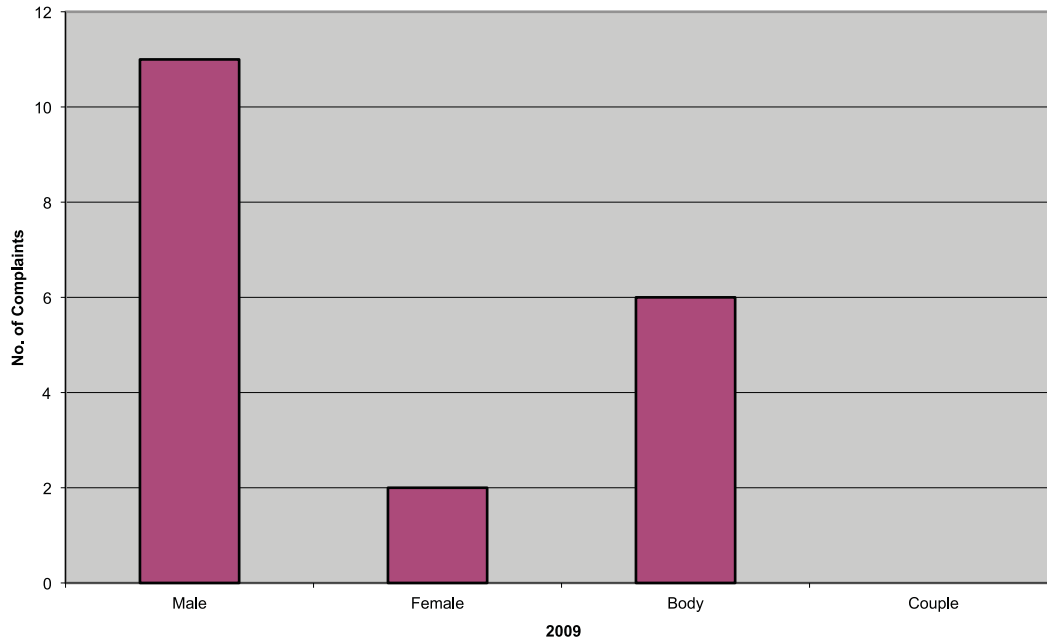


Complaints Received by Nature of Discrimination (2009)

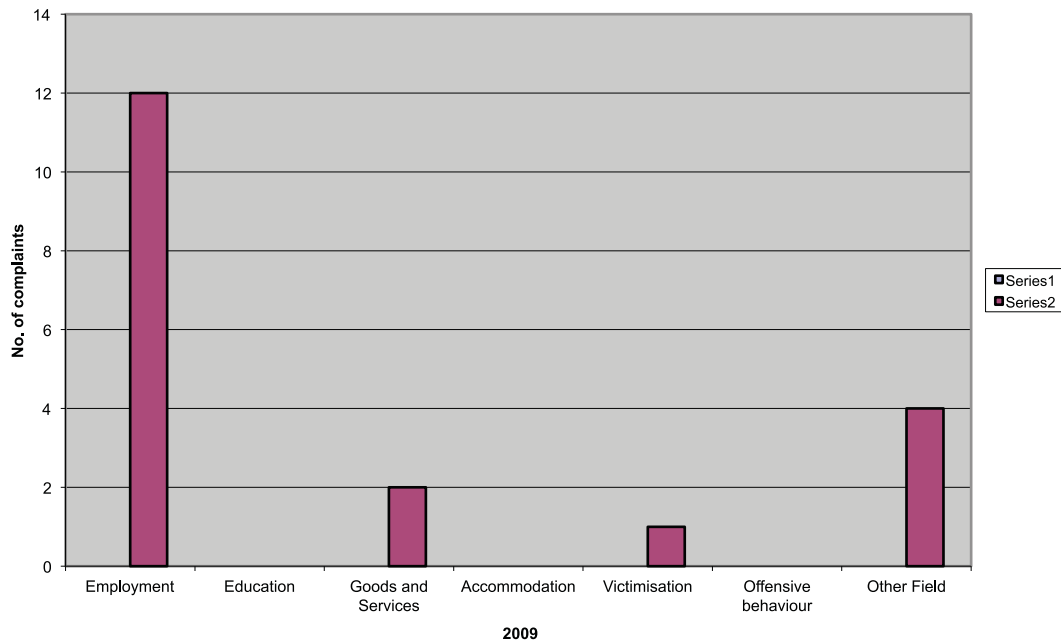


ACTIVITIES UNDERTAKEN BETWEEN 2008 & 2009

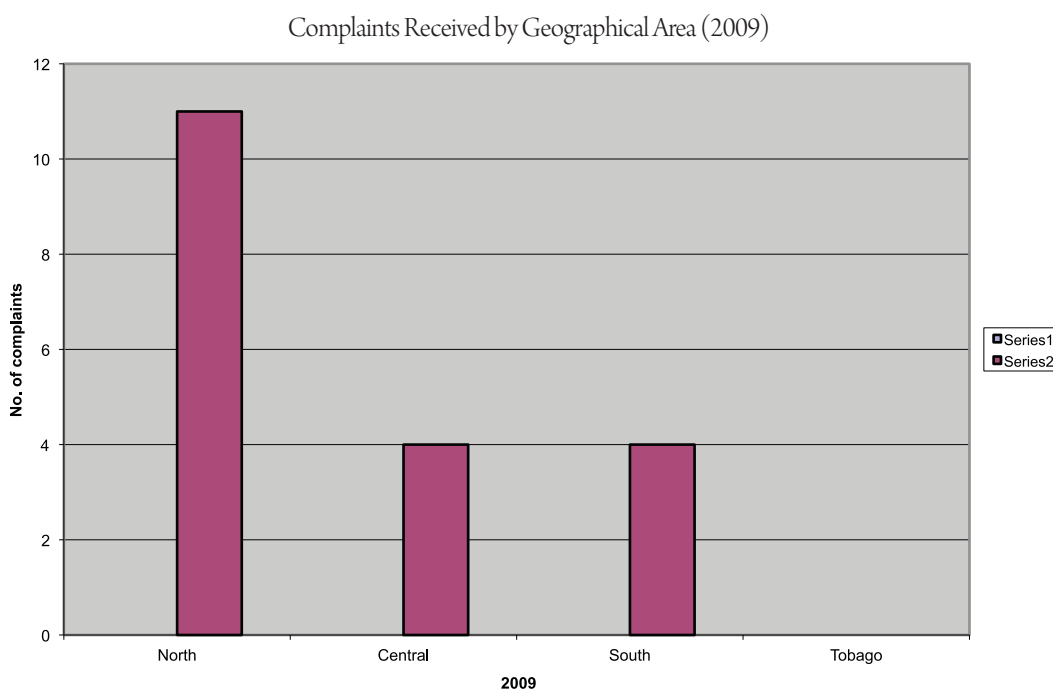
Complaints Received per Gender (2009)



Complaints Received by Category of Discrimination (2009)



ACTIVITIES UNDERTAKEN BETWEEN 2008 & 2009



7.0 Suggestions

The following were suggested in order to enhance the visibility of the EOC:

- Use of Public Campaigns;
- Publication of press releases in various newspapers;
- Interviews on radio talk shows to highlight the work of the EOC;
- Television programmes on the work of the EOC;
- Education and awareness at secondary schools on the roles and functions of the EOC;
- Dissemination of information on the EOC via TTConnect Offices, TTPost, District Revenue Offices and NALIS public libraries;
- Education and awareness programmes targeted at non-governmental organisations and other civil society groups.

The Chairman of the EOC promised to take note of all the suggestions and to ensure that they be brought to the attention of the Commission.

ACTIVITIES UNDERTAKEN BETWEEN 2008 & 2009

8.0 Projections

It has been proposed to focus in the coming year on the following, based on experiences over the last two years:

- Establish a strategic plan for the EOC;
- Implement aggressive public education programmes;
- Submit proposed amendments to the EO Act for approval;
- Establish a satellite office of the EOC in Tobago.

8.1 Projections for Legal Department

- Obtain a full complement of staff for the Legal Department, including Mediators, Research Officers and Investigators;
- Create protocols for investigating all complaints;
- Create a database for all complaint reports and completed complaints;
- Become fully operational in relation to the investigation and settlement of complaints;
- Become accessible to all complainants throughout Trinidad and Tobago;
- Publish the Freedom of Information Statement.

A Mission Statement was recently adopted and would be incorporated into a brochure that is being prepared for public education, in the special context of Trinidad and Tobago.

An amended Complaint Form has been designed and approved and will soon be available for public use. Copies of the EO Act have been sent to various public and private sector organisations. A strategic plan has also been developed to cover a three-year period.

9.0 Conclusion

Most of the proposals emerging out of these deliberations and discussions have been implemented and others have been deferred for ensuing years. We hope, therefore, that there will be complete implementation of the various proposals as soon as we are able to move to our new location.

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APPENDIX I

The following is a list of persons who joined the staff of the EOC in 2008 and 2009

ADMINISTRATION UNIT		
Name	Position	Date of Assumption
Ms. Christine Francis	Administrative Officer IV	October, 2008
Mr. Ravi Singh	Driver / Messenger	October 21, 2008
Mrs. Theresa Liverpool-Lezama	Receptionist/Telephone Operator	October 1, 2009
Ms. Lydia Doyle	Clerical Assistant	October 26, 2009
Ms. Janice Mc Intyre	Business Operations Assistant II	May 1, 2009
Mrs. Joanne Noreiga	Clerk IV	November 11, 2009
Ms. Yolande Mootoo	Clerk Stenographer III	December 8, 2009
Mrs. Ilecia Phagoo-Gabriel	Accounting Assistant	December 9, 2009
Mr. Fernando Howard	General Services Attendant	May 1, 2009

COMMUNICATIONS UNIT		
Name	Position	Date of Assumption
Mrs. Ria Mohammed-Pollard	Communications Specialist	September 14, 2009
Mr. Roger Belgrave	Business Operations Assistant II	December 7, 2009

LEGAL UNIT		
Name	Position	Date of Assumption
Ms. Michelle Benjamin	Legal Officer I	October 9, 2009
Mr. Narendra Lalbeharry	Legal Officer II	November 2, 2009



Republic of Trinidad & Tobago



ANNUAL REPORTS 2008 & 2009

Equal Opportunity Commission
1st Floor, Ceramic (Trinidad) Ltd. Building
37 Wrightson Road
Port of Spain
Trinidad & Tobago
West Indies



Republic of Trinidad & Tobago



**ANNUAL REPORTS 2008 & 2009
ADDENDUM**

ADDENDUM 2008 & 2009

INTRODUCTION

This report is being submitted in keeping with Clause 53 of the Equal Opportunity Act (EOA) of 2000. The Equal Opportunity Commission (EOC) was appointed on the 21st April, 2008 with a basic mandate to work towards the elimination of discrimination and the promotion of equality and good relations between persons of different statuses.

Since its appointment, the EOC along with the Ministry has been actively seeking an alternative location to house the necessary staff. Several buildings were located and visited, principally in Port of Spain and in Chaguanas, but for various reasons they did not conform to the standard set by the technical team which would enable the EOC and the Equal Opportunity Tribunal (EOT) to achieve their objectives. Considerations ranged from adequate space to accommodate both the EOC and the EOT to the failure of the owners to obtain the necessary approvals required by the Water and Sewerage Authority, Town and Country Divisions, Electorate Inspectorate, Fire Services Division and other authorities. A location has since been identified on Wrightson Road in Port of Spain, and the necessary investigations are being conducted. The EOC was accordingly reluctant to ask for the full complement of since it

could not provide the necessary accommodation. This factor, more than any other, has determined the EOC's functions and initiatives to date. More recently, however, the EOC was able to identify more adequate accommodation for expanded staff. It would require some refurbishing and the EOC has begun to take the necessary steps to ensure that critical positions are being advertised and filled with dispatch. As the EOC is about to move to its new location it confidently expects that it would be able to address the backlog of complaints as well as any awaiting its attention.

Over the last few weeks the EOC has been engaged in a clause by clause analysis of the EOA and it is the EOC's intention to make recommendations to the relevant Minister when the exercise is completed.

In view of the above it will be appreciated that the efforts of the EOC were largely directed at laying the foundations for future tasks. The public and complainants were kept informed of developments relating to the EOC. Complaints were received and duly acknowledged. In the absence of the requisite staff all matters have been deferred for further action until the department becomes more operational.

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1.1 Commissioners' Meeting

Over the eight (8) month period, the EOC met four (4) times, the respective dates being: Monday 26th May, 2008; Thursday 17th July, 2008; Thursday 18th September, 2008 and Thursday 15th December 2008, where discussions relating to a number of issues took place. These included: the EOA of 2000, the estimates and stipends of the EOC, expanded staff for the EOC, the analysis and development of the rules and regulations governing the EOC, and the advertising of the EOC to the general public so as to make them aware of the purpose and function of the EOC. In the case of stipends for the Commissioners, one of the major impediments encountered has to do with the deliberations of the Salary Review Commission whose input was required, but there were also bureaucratic glitches, including the number of processes and institutions involved in the exercise, which proved to be time consuming. It was also agreed that a historian should be recruited to design a comprehensive presentation of the origins of inequality and their differential impact on groups in the society. The possible relocation of the EOC's office to a building on Wrightson Road in Port-of-Spain was also discussed, as well as the possibility of making some provision in Tobago for a sub-office of the EOC. In addition, the appointment of denominational

advisors to the EOC, the scope of authority of the EOC, and the need for a Code of Conduct for the EOC was discussed.

Additionally, courtesy calls were made by the Chairman on the Prime Minister and on the Leader of the Opposition of Trinidad and Tobago on Friday 28th November, 2008 and Wednesday 3rd December, 2008 respectively, apprising them of and discussing all of the developments relating to the EOC. As well, in respect of the vacancy for a Communications Specialist, a short-list has been drawn up and interviews will be conducted in the near future. A Mission Statement was also recently adopted which would be incorporated into a brochure that is being prepared for public education in the special context of Trinidad and Tobago. A complaint form has been designed and approved and will soon be available for public use. Copies of the Act have been sent to various public and private sector organizations. A strategic plan has also been developed to cover a three-year period. Most of the proposals emerging out of these deliberations and discussion have now been implemented and others have been deferred for ensuing years. We hope, however, that there will be more complete implementation of the various proposals as soon as we are able to move to our new location and as soon as the necessary staff is appointed and functional.

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MEETINGS WITH STAKEHOLDERS

- 1. Thursday January 23, 2009- Meeting with Professor John La Guerre, Chairman of EOC, and Mrs. Jennifer Baptise-Primus, President of the Public Services Association (PSA).**

Mrs. Jennifer Baptise-Primus showed satisfaction with the EOC and promised to refer complaints reaching her organisation to the EOC to obtain their reaction as soon as the EOC relocates to its more permanent location.
- 2. Friday January 24, 2009 – Meeting with Professor John La Guerre, Chairman of EOC, and Ms. Natasha Mustapha, Chief Executive Officer of the Trinidad and Tobago Manufacturers’ Association (TTMA).**

At the meeting some major concerns emerged relating to issues pertaining to the EOC Act of 2000 and its disability clauses and small businesses and its limitation to a unit of three (3) members. As well, a number of areas including HIV/AIDS in the work place, employees with disabilities, safety and security in the work place and the OSHA Act, local labour laws, unfair treatment of employers in the Industrial Court and gender inequality in the work environment were specifically aired.
- 3. Wednesday January 28, 2009 – Meeting with Professor John La Guerre, Chairman of EOC, and His Worship Dr. Surujrattan**

Rambachan, Mayor of the Chaguanas Borough Corporation.

With reference to the clause concerning small business in the EOA of 2000, Dr. Rambachan disagreed with rubric specifying the number three (3), and recommended that this clause be re-visited and expanded. Furthermore, the Mayor agreed that indeed provisions should be made for the disabled in society, and that this clause in the EOA of 2000 should be re-visited.
- 4. Tuesday February 3, 2009 – Meeting with Professor John La Guerre, Chairman of EOC, and Alderman Mr. Victor Mitchell, Mayor of the Point Fortin Borough Corporation.**

Mr. Mitchell showed great satisfaction with the establishment of the EOC. However, Mr. Mitchell expressed concern on the issues of ‘red-tape’ in the bureaucracy and felt that the clause in the EOA regarding small businesses and three (3) family members alone should be given further thought as well as the issue of the distance Point Fortin residents would need to travel to access the EOC. Mr. Mitchell also spoke about his attempts to establish a single building in Point Fortin comprising of all government offices, but to no avail. He also spoke of discrimination against rural areas of country as far as state

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services are concerned as opposed to urban areas. Also both the Chairman and Mr. Mitchell discussed concerns on the issue of meritocracy, fairness and 'square pegs in round holes' and agreed that attention must be paid to those areas to allow for equality in Trinidad and Tobago's diverse society. They also spoke about the need to be correct. Both the Chairman and Mr. Mitchell agreed that bureaucracy and the economy play a major role in the creation and perpetuation of obstacles in society.

5. Wednesday February 4, 2009 – Meeting with Professor John La Guerre, Chairman of EOC, and Mr. Ian Collier, President of the Trinidad and Tobago Chamber of Commerce.

Mr. Collier mentioned his familiarity with the EOA and expressed his concern regarding political involvement and questioned the true merit (possibility) of equal opportunity as far as the EOC is concerned. Both the Chairman and Mr. Collier agreed that generally where politics in Trinidad and Tobago is concerned it is simply a power play with only the interest of the politician given importance and not the general public. They also spoke about meritocracy, fairness, productivity, trust and loyalty in the work environment. Some other points that arose were the lack of law enforcement,

discipline, integration and integrity of the country. Both parties spoke about the improper management of the resources of and by the state which has and continues to contribute to the stagnation and improper development of Trinidad and Tobago's society.

6. Tuesday February 10, 2009 – Meeting with Professor John La Guerre, Chairman of EOC, and His Worship Murchison Brown, Mayor of Port-of-Spain City Corporation.

The Chairman and the Mayor of Port-of-Spain (His Worship Murchison Brown) spoke about legislation regarding 'disability' in the EOA where the issue of affordability of facilities for the disabled was discussed. They concluded that if an establishment simply cannot afford to provide proper accommodations for the disabled, then that establishment cannot be rightfully accused of discrimination against the disabled. They spoke about 'work ethic' and agreed that it was poor in both the public and private sectors and needs to be addressed. The Mayor stated that the use of ethics he used as his watchwords when dealing with his staff and the city of Port-of-Spain "Commitment, Ownership and Pride". Discussion arose concerning the clean up work in Port-of-Spain done by the student of the University of the Southern Caribbean on Sunday February 08th 2009, which they both

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commended and agreed that society needs much more humanitarian acts of that kind to promote 'service to one's country'.

The Mayor spoke about the complaints that he received, that are frequently of a personal nature, such as the household utility bills of the complainants, which the Mayor found to illustrate a "dependency syndrome" of the society which needs to be addressed. However, in the same vein, the Mayor said that he supports and contributes to humanitarian aid in his city from funds allocated to him by the government, as well revenue from earned from advertisement and parking fees.

The Chairman and the Mayor spoke about the state of security in the country which both parties agreed was deplorable and requires much attention from those in authority. Furthermore, the Mayor found that the clause pertaining to small businesses in the EOA is too restricted and needs to be revisited. To this, he added that where the development of the Port-of-Spain is concerned, there is very limited support from the business community.

On the issue of sexual orientation, the Mayor contended that the members of our society seek to emulate patterns of behaviour in

both the United States of America and the United Kingdom, and quite often, the members of our society seek to outshine these patterns of behaviour. Both the Mayor and Chairman agreed that "Reflection" is needed by all members of our society.

7. Friday February 13, 2009 – Meeting with Professor John La Guerre, Chairman of EOC, and His Worship Adrian Cabralis, Mayor of Arima Borough Corporation.

The Chairman and the Mayor of Arima discussed the composition, duties and responsibilities of both the EOC and the Equal Opportunity Tribunal (EOT), with the Mayor offering his best wishes to the newly sworn-in Chairman of the EOT, Mr. Joseph. They also discussed the historical past of Trinidad and Tobago, which explains the present composition of society, as well as the different forms of discrimination. The Chairman and the Mayor additionally spoke of the clauses of the Act pertaining to Disabilities and Small Businesses, which the Mayor found needed revising as the clause pertaining to Disabilities "...needs more depth..." and the clause pertaining to small Businesses is too restrictive. Both parties discussed the importance of constitutional reform, objectivity in the operations of the public sector and the great need for the morale of/in the public sector to be examined.

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8. **Monday February 16, 2009 – Meeting with Professor John La Guerre, Chairman of EOC, and Mr. Satnarayan Maharaj, Secretary General of the Sanatan Dharma Maha Sabha (SDMS).**

The Chairman and Mr. Maharaj spoke about the historical past of Trinidad and Tobago which explains the existence of the number of different groupings in the society, as well as the different form of discrimination. Mr. Maharaj spoke about the plight suffered by members of the Hindu community in this country and the struggles that he and his organization have gone through to obtain equality for Hindus and Indians, alike, in this society. They both discussed the importance of education for both men and women in society and spoke against the subordination of women in society.

9. **Wednesday March 25, 2009 – Meeting with Professor John La Guerre, Chairman of EOC, and His Worship, Mr. Kenneth Ferguson, Mayor of the San Fernando City Corporation.**

Mayor Ferguson expressed his familiarity with the EOC and his concern regarding political involvement and questioned the true merit of equal opportunity where the EOC was concerned. Both the Chairman and Mayo Ferguson agreed that where politics were concerned that it is simply a

power play with only the politician given importance and not the general public. Also, where bureaucracy is concerned both parties concurred that it can prove to be great impediment where progress in the governing of society is concerned. The Chairman and Mayor Ferguson spoke about meritocracy, fairness and productivity and both agreed that education of all members of society is of paramount importance to enable self-independence of the population. They also spoke about the lack of enforcement of laws, general lack of discipline, and the need for integration and integrity in the country.

10. **September 30, 2009 – Meeting with Professor John La Guerre, Chairman of EOC, and the following members of GOPIO (Global Organisation of People of Indian Origin):**

Mr. Deosaran Bisnath
(President of GOPIO)

Mr. Robert Ramsamooj
(Director of GOPIO)

Mr. Sat Sukdeo
(Director of GOPIO)

Mr. Niranjana Bhaggan
(Director of GOPIO)

A major concern brought up by GOPIO members was that the current location of the office of the EOC on Wrightson Road,

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Port-of-Spain is too far away from the people along the Eastern corridor and also those living in Central. The members of GOPIO greatly emphasized the need for the EOC to commence work on the complaints that they have already received and also to envisage the creation of a website. Mr. Deosaran Bisnath requested that the EOC be at least fully staffed by January 02nd 2010.

11. **November 23, 2009 – Meeting with Professor John La Guerre (Chairman of EOC) and Mr. Aiyegoro Ome of the National Joint Action Committee (NJAC).** Mr. Ome was very pleased with the existence of this Commission and strongly suggested that the EOC embark on familiarizing the public of its role through the use of public campaigns and also target similarly secondary schools.

3.0 Accommodation

An office was provided by the Ministry of the Attorney General with access to a conference room. A temporary secretary was employed during the period 12th May, 2008 to 17th October, 2008.

5.0 Financial Expenditure

The 2008/2009 estimates for the EOC and the EOT were \$17,129,242.00. However there was minimal expenditure in 2008, in light of the fact that the department has not been fully operational.

6.1 Expected Outcomes

It must be pointed out that, as with all legislation from the state, change is gradual. Our basic objectives are equality of opportunity so that all members of society can participate and contribute to societal and national development. We expect that an appropriate programme of public education and increasing transparency in vital institutions will lead to a growing awareness that every member of society has the potential to make an appropriate contribution. We expect that some kinds of conflict will be lessened and that more harmonious relations between the various sectors of society will be promoted. It is well to remember that the productive capacity of societies and economies is expanded when there is free flow of resources to the sectors that provide maximum returns.

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EQUAL OPPORTUNITY COMMISSION STRATEGIC PLAN 2010/2011

Background

In keeping with the EOC's strategic plan, a building was obtained and a substantial number of its core staff was appointed. In this respect the EOC was able to embark on its mandate as a set out in section 27 (c) of the EOC Act, 200 as follows:

- (a) to work towards the elimination of discrimination;
- (b) to promote equality of opportunity and good relations between persons of different status generally;
- (c) to keep under review the working of this Act and any relevant law and, when so required by the Minister, or otherwise thinks it necessary, draw up and submit to the Minister proposals for amending them;
- (d) to receive, investigate, and, as far as possible, conciliate allegations of discrimination;
- (e) to develop, conduct and foster research programmes for the purpose of eliminating discrimination and promoting equality of opportunity and good relations between persons of different status;
- (f) to prepare and to publish appropriate guidelines for the avoidance of discrimination;
- (g) to develop, conduct and foster research programmes for the purpose of eliminating

discrimination and promoting equality of opportunity and good relations between persons of different status;

- (h) to prepare and to publish appropriate guidelines for the avoidance of discrimination;
- (i) to do any other thing conducive or incidental to the carrying out of its functions.

GOALS AND OBJECTIVES

1. Sifting of complaints lodged with the Equal Opportunity Commission;
2. To carry out public education programmes;
3. To procure office supplies and equipment for the new accommodation;
4. To prepare guidelines and processes for business operations;
5. To draft appropriate complaints form;
6. To assess staff training needs;
7. To conduct interviews for the recruitment of the remaining staff;
8. To develop a website for public viewing.

ACTION PLAN

1. The Legal Unit to manage the sifting of complaints and the establishment of an appropriate record keeping system
2. The Communications Specialist to advise and manage on appropriate public education programmes
3. The Administrative Unit will collaborate

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- with the Attorney General's Office for the allocation of funds for the provision of resources
4. Members of the Commission to prepare guidelines and processes for the efficient function of the EOC;
 5. The Communications Specialist, on the advice of the Commission, to draft complaints form;
 6. The Administrative Unit to conduct Needs Assessment for Training of the clerical staff;
 7. The EOC to collaborate with the Human Resource Unit of the Office of the Ministry of the Attorney General for the recruitment of the remaining staff;
 8. The Communications Specialist to oversee the development of the EOC's website.

FUTURE PLANS

1. A detailed plan of action for public education for the period 2009-2010 was submitted
2. To reevaluate our organizational structure as to achieve greater productivity.
3. To embark on a staff training programme
4. To sensitize the Public and Private Sectors on the importance of best practices in these sectors.
5. To assist in the development of codes relevant to these sectors.

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APPENDIX

APPENDIX I		
Name	Position	Date of Assumption
Ms. Reshma Deo	Research Assistant (On-the-Job Trainee)	01st December 2008



Republic of Trinidad & Tobago



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1st Floor, Ceramic (Trinidad) Ltd. Building
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