



Republic of Trinidad and Tobago



Equal Opportunity Commission

Promoting Equality

5th

Anniversary

Annual Report 2013

Mandate

The Equal Opportunity Commission is created by section 26(1) of the Equal Opportunity Act Chapter 22:03 [Act No. 69 of 2000 as amended], (“the Act”) and is guided in its mandate by the terms and provisions of the Act. The Act seeks, among other things, to prohibit certain kinds of discrimination and to promote equality of opportunity between persons of different statuses.

In particular, the Act applies to:

- (i) Discrimination with respect to the following four broad categories:
 - Employment
 - Education
 - The Provision of Goods and Services and
 - The Provision of Accommodation

If that discrimination is on the grounds of a person’s status (that is any one or more of the following characteristics: their sex, race, religion, disability, origin including geographical origin, ethnicity and marital status) or for reasons of victimisation (as defined by section 6)

And

- (ii) Offensive Behaviour, that is, actions that are done in public that may be considered “offensive” in that it is reasonably likely to offend, insult, humiliate or intimidate another person or groups of persons, or it is done because of the gender, race ethnicity, origin, or religion of the other person or some or all of the other persons in the group and is done with the intention of inciting gender, racial or religious hatred (section 7).

The Act 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 is mandated by section 27 (1):

- 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 the Act and any relevant law and, when required or otherwise thinks it necessary, to draw up and submit proposals for amending them;
- d. To receive, investigate and, as far as possible, conciliate allegations of discrimination;
- e. To develop, conduct and foster research and educational programmes for the purpose of eliminating discrimination and promoting equality of opportunity and good relations between persons of different status;
- f. To prepare and publish appropriate guidelines for the avoidance of discrimination and
- g. To do any other thing conducive or incidental to the carrying out of its functions.

The Equal Opportunity Commission

The primary task of the Equal Opportunity Commission (EOC) is to oversee implementation of the Equal Opportunity Act (EOA), which prohibits certain kinds of discrimination and seeks to promote equal opportunity among all citizens of Trinidad and Tobago.

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.

Who can lodge a complaint?

Any person who believes that some other body or person has discriminated against and or victimised him or her or any person, who believes that some other body or person has offended, insulted, humiliated or intimidated him or her in public with respect to their race or ethnicity or religion or gender.

What is Victimisation?

This is where a person is treated less-favourably because of the following:

- i. He has brought proceedings under the EOA or any other law (or intends to do so)
- ii. He has given evidence in any such proceedings (or intends to do so);
- iii. He has made allegations which amount to a contravention of the EOA or any other law (or intends to do so)

What is Offensive Behaviour?

This is where a person does an act in a public place which:

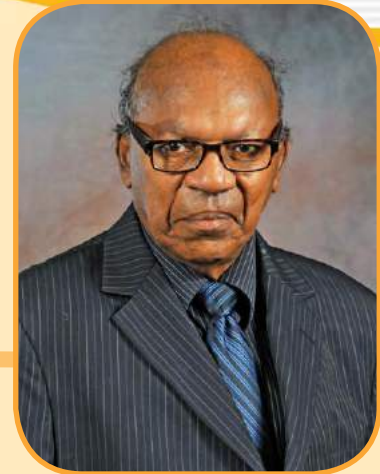
- a) Is reasonably likely in all circumstances to offend, insult, humiliate or intimidate another person or group of persons
- b) Is done because of the gender, race, ethnicity, origin, or religion of the other person or of some or all of the persons in the group; and
- c) Is done with the intention of inciting gender, racial or religious hatred.

NB: This does not apply to acts committed in a place of worship (i.e. Church, Mandir, Temple, Mosque or other building or structure in which religious activities are conducted).

Table of Contents

Mandate	1
The Equal Opportunity Commission	2
Chairman's Remarks	4
Chief Executive Officer's Remarks	5-6
Annual Report	7
Profiles of the Commissioners	8-12
Report on the Legal, Investigation and Conciliation of Complaints	13-25
Report on matters referred for Conciliation.....	26-28
Report on Public Education and Research Programmes.....	29-40
Monthly Public Sessions	30
Public Awareness Seminars Programmes.....	31-34
Branding and Public Relations	35-36
Research Unit	37-40
Report on Financial Expenditure	41
Unaudited Statement of Expenses Financial Year Ended - December 2013.....	42
Report on Accommodation and Human Resources	43-46
Accommodation	43
Human Resources	43-44
Organisational Structure	45-46
Report from the Legal and Investigations Department	47-49
Report from the Communications Department	50-51
Report from the Information Technology Department	52-54
Report with respect to Review of the Equal Opportunity Act	55
Report with respect to Preparation and Publication of Guidelines	56
The Equal Opportunity Commission Staff	57
Inter-departmental Activities	58-59
Notes.....	60

Chairman's Remarks



Since the mandate of the Equal Opportunity Commission continues to be to secure and ensure the rights of all citizens, we continued in 2013 to strengthen our capacity to deliver on our goals by the pursuit of several initiatives.

Widening the organisational capacity through expanded human resources and outreach programmes has been our thrust for much of 2013. Following the appointment of an adequate complement of staff by 2010 the Commission proceeded vigorously on a Public Education campaign in keeping with the mandate of the Act.

The increasing volume of complaints from public organisations and the wider society led in turn to the acquisition of more specialised staff. It is also expected that our imminent relocation to a more central location will make more accessible, the services and reach of

the Commission to the wider public in the country as a whole. The Commission also now has the use of a sub-office in Tobago which enables us to deal with complaints from the sister-isle more effectively.

While a slow response rate for information and documentation from both complainants and respondents continues to be a problem, our recent recourse to the Courts has helped to expedite the processing of complaints. The Commission is increasingly being approached to venture into hitherto uncharted areas of discrimination. This has resulted in the submission of proposals for amendment to the relevant authority. We are confident that the Equal Opportunity Commission will continue to make a major contribution towards the development of a society based on the ideal of equality of opportunity.

It is a pleasure to commend this report to the public.

John Gaffar La Guerre
Chairman,
The Equal Opportunity Commission



Chief Executive Officer's Remarks

The year 2013 was marked by a number of challenges but more significantly the successes of the last twelve months are noteworthy. An overview of some of these achievements and accomplishments are reflected in this report.

During the year the main focus was on building the human resource capacity in order to improve the efficiency of the Commission. We focussed on staffing and training as some departments were restructured and the tenure of some contracted employees came to an end. This restructuring led the way to the expansion of the Communications, Information Technology and Legal departments.

In an effort to build capacity at the EOC, management decided to focus on staff development. This effort is expected to improve the efficiency of the EOC as we go forward.

Another significant accomplishment made by the EOC in 2013 was securing a building to relocate its offices that would accommodate the growing needs of the organisation. In seeking new space the organisation was very mindful of the need to ensure that its new home would give full access to all users. The transitioning to the new location is dependent on the completion of the outfitting of the building.

The EOC continued to carry its services to different parts of the country in a facilitating manner, making

its services more accessible to the people of Sangre Grande on a monthly basis. This effort has allowed the Commission to expand its presence to three locations: San Fernando, Tobago and Sangre Grande.

In the area of public education we continued to inform and educate stakeholders with emphasis on improving understanding of the Equal Opportunity Act.

With a vibrant legal and investigative team on board by the final quarter of 2013, the EOC was better equipped to meet its challenges which included improving the procedure for processing complaints, for a faster turnover of matters and increased productivity of the department. It is anticipated that, in 2014 the level of efficiencies from this department is expected to further improve. On pages 13 to 25, full details of complaints received, investigated and conciliated can be viewed.

Also notable in 2013, the EOC partnered with the Trinidad and Tobago Manufacturers' Association (TTMA). To this end, the EOC was present at the TTMA's Trade and Investment Convention where a seminar was held to inform and educate the manufacturing sector of Trinidad and Tobago on matters pertaining to the Equal Opportunity Act as relevant to their operations.

The Commission closed the year with the commencement of strategic planning engaging both Staff and Commissioners. The year 2014 will see

Chief Executive Officer's
Remarks *(continued)*

the completion of the strategic plan that will guide the organisation. Also in 2014 we will continue staff development and public education.

In retrospect, 2013 was a year of maturing where systems and procedures were self-examined and voluntarily adjusted to suit changes in the environment and thus improve on the efficiency of the operations of the EOC. This ability to adjust to the needs of our stakeholders is indicative of the understanding

of the EOC's need to keep pace with the changing environment in which we engage. Further, it will allow for the longevity and relevance of the organisation and give good meaning to the EOC as a statutory body.

The year 2013 had its challenges which the EOC overcame and many lessons were learnt. As we enter 2014, we embrace this new year with a renewed sense of optimism and anticipation for our growth and continued development in pursuit of our mandate.

Devanty Dianne Maraj-Ramdeen
Chief Executive Officer,
The Equal Opportunity Commission

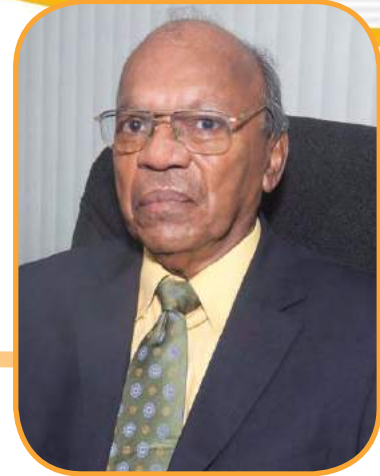
Annual Report

The Equal Opportunity Commission submits its fifth (5th) Annual Report on its activities for the year ended December, 2013. This report is prepared in compliance with Sections 53 and 54 of the Equal Opportunity Act (EOA) which states:

Section 53 “The Commission shall within three months after the end of each calendar year submit to the Minister a report of its operations during that year.”

Section 54 “The Minister shall cause the report of the Commission to be laid in Parliament.”

Profiles of the Commissioners



*Professor Emeritus John La Guerre
Chairman*

John Gaffar La Guerre – BSc (Econ) UWI, MSc (Govt) UWI, PhD (University of Manchester) is Emeritus Professor of Government at the St. Augustine Campus of the University of the West Indies. His education was attained at Progressive Educational Institute and St. Andrews High School in Trinidad and at the University of the West Indies, Manchester and Paris.

Professor La Guerre is currently Chairman of the Equal Opportunity Commission. He was a tutor in Politics at the University of Manchester and the University of the West Indies (UWI), lecturer and Professor of Government at the UWI 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 UWI. He was also the Public Orator at the University and was for many years the

Head of its Department of Government. He has written many books on the politics of the Caribbean and Africa and has contributed several articles to professional journals.

Professor La Guerre has contributed several papers to conferences in the Caribbean and elsewhere. He has prepared 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, UWI, St. Augustine during the period 1992-1996, a member of a Task Force on Legal Education in Trinidad and Tobago in 1997 and was a member of the Round Table on Constitution Reform.



*Dr. Eastlyn Mc Kenzie
Vice Chairman*

Dr. Eastlyn Mc Kenzie was born 5th October 1941 in the village of Bethany, Tobago. Dr. Eastlyn Mc Kenzie attended St. Patrick's Anglican Primary School and later 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 Teachers' College where she graduated in 1966 with a Trinidad and Tobago Teachers' Diploma.

She gained the reputation as the student having the best record of all time, having won several academic prizes. After teaching for five years at the Hope Anglican Primary School, Tobago, 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, Tobago.

Further academic achievements include a Post Graduate Diploma in Community Development where she received the Burney Prize for the Best External Dissertation in 1977, followed by a Master's Degree in Education (MED.) in 1979 both from the University of Manchester, England. She earned a Doctorate in Education (EdD) majoring in Human Resource Development from The George Washington University, USA in 1987. Dr. Mc Kenzie was appointed an Independent Senator in 1995, and served until 2007. She represented the Parliament of Trinidad and

Tobago at Commonwealth Parliamentary conferences in the Turks and Caicos Islands, New Zealand, The Bahamas and India. She was a member of the Commonwealth observer Team for the 2006 General Election in Gambia. Her interest in the education system afforded her the opportunity to serve on many education committees. She served as Chairman of a Task Force on the poor performance of Tobago students in Tobago and sat on a specially appointed Task Force on Education in Trinidad and Tobago.

She once headed the Youth Training and Employment Partnership Programme (YTEPP) in Tobago and initiated School Leaving Examinations classes in the Tobago prisons. Dr. Mc Kenzie has been a member of the executive committee of the Tobago Council of Handicapped Children Inc. since its formation in 1974, religious instructor on behalf of the Methodists Church at the Scarborough Secondary since 1996, and a motivational speaker at schools and Parent/Teacher Associations. She was also manager/tutor of the Homework Centre run by the Carnbee Mt. Pleasant Sports Club at the Carnbee Mt. Pleasant Community Centre. Dr. Eastlyn Mc Kenzie is also a performance artist. 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.



*Dr. Beverly
Ann-Marie Beckles*

Dr. Beverly Ann-Marie Beckles is the Chief Executive Officer of the National Centre for Persons with Disabilities (NCPD). She has thirty years' experience in the field of disability management and four decades in the NGO sector.

Her work expands at the national and regional levels promoting and advancing disability issues. Her work in the disability arena involves close contact with governments, regional and international agencies and civil society organisations in the promotion of equalisation of opportunities for persons with disabilities.

Dr. Beckles is highly respected in her field as demonstrated by her involvement in a multiplicity of public and private endeavours. She has received

several acknowledgements for her work in the field of disability nationally, regionally and internationally. In 1993, she received a National Award (MOM) in recognition of community service for persons with disabilities and an International Award from Goodwill Industries Inc. in recognition of extensive contributions to persons with disabilities in the Caribbean. She has also received awards from other internationally recognised institutions and has the distinction of being the first recipient of the Inter-American Development Bank's Award for Social Entrepreneurship (1999). Her academic qualifications also include a Doctor of Philosophy in Organisation and Management from Capella University, USA and Master in Rehabilitation Administration (MRA) from Mc Laren School of Business, University of San Francisco, USA.



Mr. Gérard Besson

Mr. Gérard Besson was educated at Tranquillity Boys' School and at St. Thomas High School in Port of Spain. He is the founder of Creative Advertising Co. Ltd. which he served between 1973 and 1993 and Paria Publishing Co. Ltd. in 1981 which he continues to lead.

Mr. Besson served for seven years on the Council of the University of the West Indies (St. Augustine Campus), and on the Advisory Council for the setting up of an Academy of Arts, Letters, Culture and Public Affairs at the University of Trinidad and Tobago (UTT). He also served as Chairman on the committee to inaugurate the O'Meara and the Battery Point Campuses and organised the first graduation ceremony of the UTT.

Mr. Besson was a director of the National Museum and was appointed to the board of the National Trust. He was the convener of the Cabinet-appointed Work Group to observe the 1987 centenary anniversary of

Tobago as a ward of the unified colony of Trinidad and Tobago. Mr. Besson is a member of the Society of Caribbean Historians, an international organisation for the furthering of historical research and teaching of the Caribbean experience. He is also a member of the Caribbean Publishers' Network; a Pan-Caribbean association created to support and promotes indigenous publishing throughout the region.

Gérard Besson has worked in all media, and as a writer, publisher and social historian he has curated museums and designed several historical and cultural exhibitions. He has authored books on the history and culture of Trinidad and Tobago, and through his publishing company, has facilitated the publishing of local authors. Mr. Besson was the recipient of the Humming Bird Medal (Gold) for Heritage Preservation and Promotion in 2007. He also was awarded the Heritage Preservation Award—Lifetime Achiever 2007 from the National Trust of Trinidad and Tobago.



Dr. Indira Rampersad

Dr. Indira Rampersad holds a Bachelor of Arts in Language in Literature, a Diploma in International Relations, a Certificate in Translation from Spanish to English, a Master of Philosophy in Latin American Literature, a Master of Philosophy in International Relations and a PhD in Political Science. She also obtained an LLB from the University of London in 2012.

Dr. Rampersad has been awarded two Fulbright scholarships for study in the United States, one at the Southern Illinois University, Carbondale, Illinois, to explore the American Political System, the other to undertake her PhD in Political Science at the University of Florida, Gainesville, where she majored in International Relations and minored in Public Policy. Her doctoral dissertation focused on American foreign policy to Cuba on which she has published and presented at many academic and non-academic forums. Her research now extends to Latin American and Caribbean Politics and International Relations,

American foreign policy, alternative energy, food security and crime with specific emphasis on the Caribbean.

Dr. Rampersad speaks Spanish fluently and has undertaken extensive research throughout the United States including Miami, Ft. Lauderdale, New York and Washington D.C. Her research has also taken her to Latin America namely Venezuela, the Dominican Republic, Puerto Rico, Panama, Colombia, Brazil and Cuba. She has also been an election observer for the Organisation of American States in Grenada, El Salvador and Guyana. She writes a regular column for the Trinidad Sunday Guardian and the New York based Guyana Journal. In addition, she is a regular media commentator on national, regional and international issues. Dr. Rampersad is now based at the Department of Behavioural Sciences at the University of the West Indies, St. Augustine, Trinidad, where she is a Lecturer in Political Science/International Relations.

Report on the Legal, Investigation and Conciliation of Complaints

This report provides details of the work of the Legal, Investigation and Conciliation Departments of the Equal Opportunity Commission in 2013.

Under section 27(1) (c) of the Equal Opportunity Act, the Commission is mandated “to receive, investigate and as far as possible, conciliate allegations of discrimination”. In this Report, the Commission will highlight what occurred in 2013 in particular categories in terms of the complaints received and the matters conciliated and/or referred to the Equal Opportunity Tribunal. We would then venture to identify trends with respect to complaints received over the last few years based on information readily available.

Complaints Received and Investigated

The following are the number of complaints received by the Commission for each month in 2013 and for the corresponding months in 2012 and 2011:

Number of complaints received per month 2011-2013

Month	2013	2012	2011
January	33	12	15
February	17	4	13
March	16	6	12
April	16	8	12
May	8	9	208
June	24	15	7
July	22	15	11
August	12	9	8
September	10	23	17
October	13	18	8
November	14	14	14
December	11	31	5
TOTAL	196	163	337

Table 1

The Commission received one hundred and ninety-six (196) complaints in 2013. An influx of sixty-six (66) complaints were lodged in the first quarter of the year after which there was a steady

decline in the complaints with forty-eight (48), forty-five (45) and thirty-seven (37) complaints being lodged in the second, third and final quarters respectfully. The influx at the beginning of 2013 correlates with the influx in the last quarter of 2012. Note for example in both December 2012 and January 2013 more than thirty (30) complaints were received which are the highest numbers of complaints received for any months between January 2011 and December 2013 (except for May 2011 when 208 complaints were received). It is difficult to notice any trends that repeated annually between 2011 and 2013. There seem to be low-points in May and August:

- In May 2012 and 2013, nine (9) and eight (8) complaints respectively were received. Two hundred and eight (208) complaints were received in May 2011 but of this 202 complaints were from a batch of police officers who complained about an identical issue and whose complaints were handled collectively as one matter. If these complaints were treated as one, then in actuality only seven (7) complaints were received in May 2011.
- In August of all three years less than twelve (12) complaints were received.

Of interest, in November of all three years, fourteen (14) complaints were received.

Types of Complaints Received

Per sections 4 to 7 of the Equal Opportunity Act, the Act generally applies to –

(1.) Discrimination in relation to the following four broad categories:

- **Employment** – This applies to the treatment of persons applying for employment (prospective employees) as well as to existing employees (where things like access to vocational training, promotions, transfers, benefits are included);
- **Education** – This applies to how an educational institution selects students (subject to any existing Agreement or practice between the State and Educational Boards), and how it treats with existing students;
- **The Provision of Goods and Services** – This relates to the provision of goods, facilities and services to the public (whether or not for payment) and includes things like access to and use of a public place; facilities for entertainment, recreation or refreshment, transport or travel; the services of any profession or trade or of any statutory or municipal authority, and such like;
- **The Provision of Accommodation** – This applies to the treatment of persons seeking accommodation as well as to persons to whom accommodation has already been provided;

but only applies if that discrimination is on the grounds of the person's 'status' or by way of 'victimisation' which are defined as follows:

(a) According to the Act, 'status' in relation to a person means one or more of the following characteristics-

1. Their **sex** – This does not include sexual preference or orientation;
2. Their **race** – This refers to a group of persons of common ethnic origin or colour , or of mixed ancestry;
3. Their **ethnicity** – In relation to a group of persons, this means the origin, characteristics, classification and distinctive cultural or aesthetic traditions of that group of people;
4. Their **origin** (including geographical origin);
5. Their religion;
6. Their **marital status** – this means the status or condition of being one of the following: single; married; married but living separately and apart from one's spouse; divorced; or widowed; or
7. Any **disability** of that person – This means (a) total or partial loss of a bodily function or of a part of the body; (b) malfunction and/or disfigurement or part of the body (including mental or psychological disease or disorder).

(b) According to the Act, discrimination by *victimisation* applies where a person is treated less-favourably because of the following:

- (i.) They have made a complaint to the Commission or has brought proceedings under any other law (or hey have indicated that they intend to do so);
- (ii.) They have given evidence in any such proceedings (or they have indicated that they intend to do so);
- (iii.) They have made allegations which amount to a contravention of the Act or any other law (or they have indicated that they intend to do so);

Simply put, victimisation involves taking any adverse action against any person who is engaged in any matter before the Commission (as a Complainant or a witness) or before any other Court, Tribunal or Legal Body (e.g. the High Court, the Industrial Court, the Magistrates Court, the Tax Appeal Board, the Environmental Commission and such like). This includes refusal to hire, denial of a promotion, threats or reprimands, giving negative performance appraisals, negative job references, denial of accommodation and giving negative academic grades, among other things.

(2.) Complaints of *Offensive Behaviour*: This applies where a person does an act outside of a private place (for example, the act is done in a place to which the public have access, or in the sight and hearing of persons in a public place, but this does not include a public place of worship) which

- (i) Is reasonably likely in all the circumstances to offend, insult, humiliate or intimidate another person or group of persons;
- (ii) Is done because of the gender, race, ethnicity, origin, or religion of the other person or of some or all of the persons in the group; and
- (iii) Is done with the intention of inciting, gender, racial or religious hatred.

Types of Behaviour Alleged

In 2013, the Commission received one hundred and seventy-two (172) complaints alleging discrimination in one of the four broad categories, sixteen (16) alleging discrimination by victimisation, two (2) alleging offensive behaviour and six (6) which did not fall within any of these categories. As per the pie-chart below, allegations of discrimination in the four broad categories takes up roughly 88% of the pie, and outnumbers discrimination by victimisation by roughly ten to one (10:1).

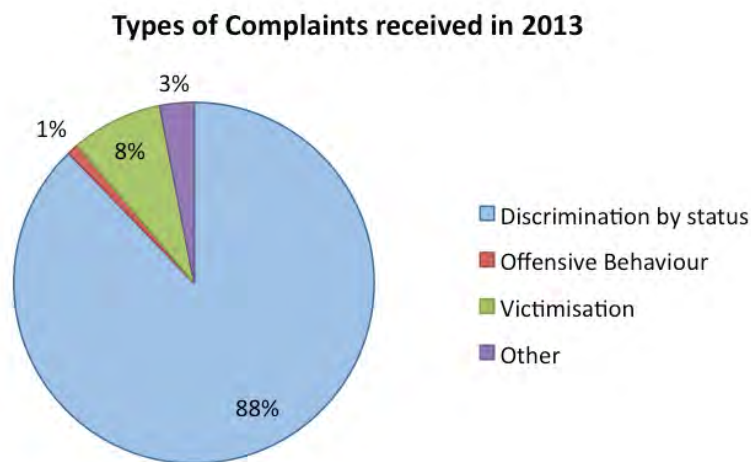


Figure 1

This trend has been consistent over the last three years or so. In the first two years of operations (2008-2009) complaints based on 'status' accounted for 54% and 74% of complaints received respectively and from 2010 onwards it has accounted for more than 80%. For the period 2008-

2013, complaints of ‘discrimination by victimisation’ and ‘offensive behaviour’ have consequently been very low: victimisation accounts for 4% of overall complaints received; offensive behaviour accounts for 1% of overall complaints received. However, it is to be noted that from 2010 to 2013 there has been a steady increase in the number of victimisation complaints lodged with the Commission: five (5) in 2010, six (6) in 2011, seven (7) in 2012 and this more than doubled to sixteen (16) in 2013. Most of these are from repeat complainants who have alleged that because of an initial complaint they lodged with the Commission they are being or continue to be ill-treated.

Types of Complaints received 2008-2013



Figure 2

Complaints Received by Category

Of the one hundred and seventy-two (172) complaints that alleged discrimination in one of the four broad categories:

- One hundred and thirty-seven (137) alleged employment, which is about 80%
- Twenty-three (23) alleged the provision of goods and services, which is about 13%
- Eleven (11) alleged education, which is about or about 6%
- One (1) alleged accommodation, which is less than 1%

Complaints by Category of Discrimination received in 2013

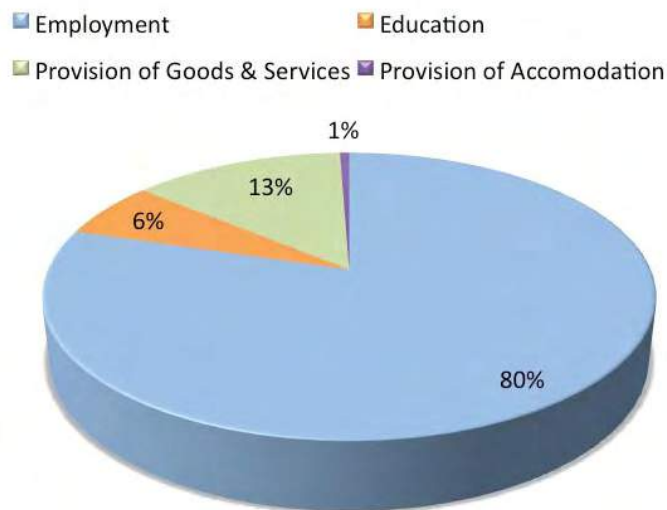


Figure 3

The most significant trend with respect to the categories of complaints received for the period 2010-2013, is that complaints of discrimination in the area of Employment have drastically outweighed complaints in the other three (3) categories and that complaints relating to the provision of goods and services has been a distant second. **Category of Complaints 2010-2013**

Category	2013	2012	2011	2010
Employment	137 (80%)	127 (87%)	306 (93.5%)	140 (90%)
Goods and Services	23 (13%)	16 (11%)	15 (4.5%)	8 (5%)
Education	11 (6%)	3 (2%)	3 (1%)	6 (4%)
Accommodation	1	0	3	2
TOTAL	172	146	327	156

Table 2

That said there has been a decline in the percentage share of employment complaints, from about 90% in 2011 to about 80% in 2013 and a steady increase with respect to both goods and services (from 5% in 2010 to 13% in 2013) and education (from 1% in 2011 to 6% in 2013). Complaints with respect to accommodation have been consistently low amounting to about 1% in 2010, 2011 and 2013 with none in 2012.

Complaints Received by Status

Of the one hundred and seventy-two (172) complaints that alleged discrimination in one of the four broad categories:

- Twenty-four (24) alleged discrimination based on race or ethnicity, which is about 14%
- Eight (8) alleged discrimination based on religion, which is about 4.5%
- Six (6) alleged discrimination based on sex, which is about 3.5%
- Five (5) alleged discrimination based on disability, which is about 3%
- Two (2) alleged discrimination based on origin, which is about 1%
- One (1) alleged discrimination based on marital status, which is less than 1%.

It is to be noted that a number of complainants allege more than one status.

What is significant is that about one hundred and fifty (150) persons did not allege a status, or alleged 'other'; this is about 87%.

Status alleged by Complaints 2010-2013

	2013	2012	2011	2010
Status				
Race/Ethnicity	24	15	40	38
Religion	8	8	10	2
Sex	6	11	10	6
Disability	5	13	9	3
Origin	2	3	11	3
Marital Status	1	1	0	0
TOTAL NUMBER WITH STATUS	22 (13%)	34(23%)	70 (21%)	30 (19%)
NUMBER WITH NO STATUS OR "OTHER"	150 (87%)	112 (77%)	257 (79%)	126 (81%)
TOTAL	172	146	327	156

Table 3

It is to be noted that a number of complainants alleged more than one status.

This has been consistent over the period 2010 to 2013 where between 77% to 87% of the complaints lodged either do not allege a status or allege 'other'. Of those that alleged a status, race and/or ethnicity have consistently been the highest; and marital status has consistently been the lowest.

Sex of Complainants

Out of the one hundred and ninety-six (196) complaints lodged in 2013:

- One hundred and twelve (112) were lodged by males, which is about 57%
- Eighty (80) were lodged by females, which is about 41% and
- Four (4) were lodged by groups or bodies, which is about 2%

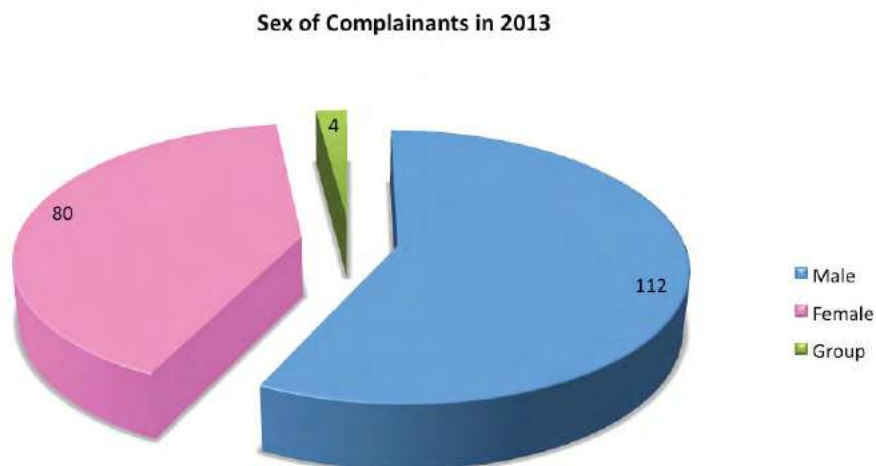


Figure 4

Sex of Complaints 2010-2013

Sex	2013	2012	2011	2010
Male	112 (57%)	103 (63%)	101(30%)	134 (75%)
Female	80 (41%)	58 (36%)	25 (7.5%)	41 (23%)
Group or Entity	4	2	211	3
TOTAL	196	163	337	178

Table 4

While over the period 2010 to 2013 the percentage of male complainants have outnumbered females, there has been a steady decline in the percentage of male complainants from 75% in 2010 to 57% in 2013 and correspondingly an increase in the percentage of female complaints from 23% in 2010 to 41% in 2013, which is an almost doubling over the period. 2011 was the only year where 'group or entity' complaints outnumbered the others; however this was because of the two hundred and two (202) complaints received by a group of police officers in May of that year.

Age of Complainants

In January 2013 the Commission started collecting data on the age group of complainants and as such this is the only calendar year where we have complete data, so there would be no meaningful comparison that could be done with previous years. For 2013, roughly 74% of the complainants were between the ages of twenty-six (26) to sixty-five (65), with approximately 19% or 20% falling in each of the ten-year spans within this group. About 5% each were over age sixty-five (65) and under age twenty-five (25) and about 15% of complainants gave no data.

Age of Complainants in 2013

Age	Total	Percentage
Under 18	1	Less than 1%
18-25	9	4.5%
26-35	38	19%
36-45	32	16%
46-55	39	20%
56-65	38	19%
Over 65	9	5%
Not Stated	30	15%
Total	196	

Table 5

Geographic Origin of Complainants

In its Annual Reports the Commission has always presented data on the geographic origin of the complainants. This information is based on the 'home addresses' stated on the complaint form, but it may not relate to where the alleged act of discrimination took place. For example persons may live in Arima or Couva but they work in Port-of-Spain and their complaint is with respect to discrimination in employment at their Port-of-Spain job. However it is useful to show the extent to which persons throughout Trinidad and Tobago are aware of the Commission and have sought to access its services.

The following figure illustrates the geographical spread of complainants for 2013:

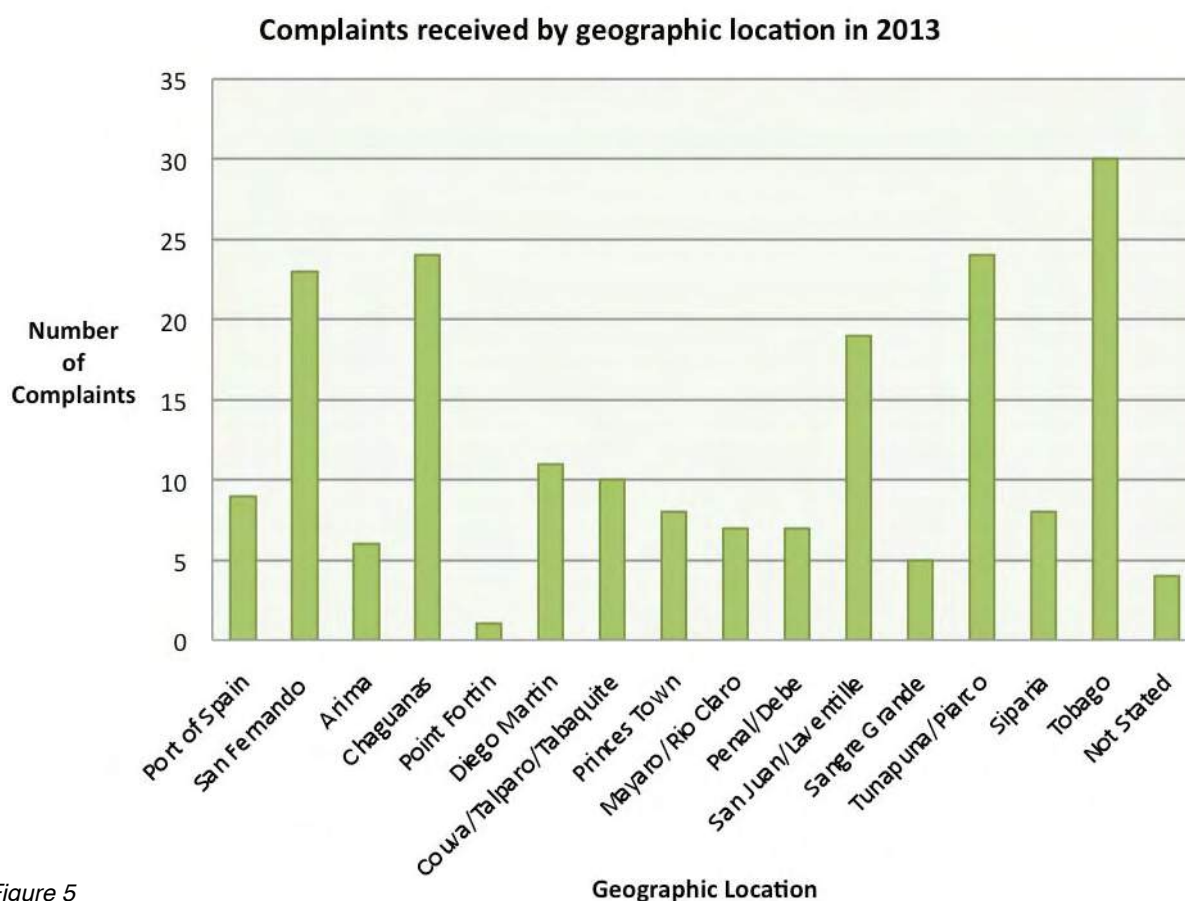


Figure 5

As between North Trinidad, South Trinidad, and Central Trinidad and Tobago:

- Seventy-four (74) complainants were from North Trinidad, which is about 38%
- Fifty-four (54) complainants were from Central Trinidad, which is about 28%
- Thirty-four (34) complainants were from South Trinidad, which is about 17%
- Thirty (30) complaints were from Tobago, which is about 15%
- Four (4) complainants did not give an address.

Due to the great number of complaints received around the country the Commission has established external office days in South and East Trinidad and Tobago to better serve the public. The Commission currently has office days between the hours of 10 a.m. to 3 p.m. every fourth (4th) Friday of each month in Tobago. By and large the complaints received from Tobago relate

to alleged acts of discrimination that took place in Tobago; most relate to employment, and most of these relate to employment at a public entity, that is one of the Divisions of the Tobago House of Assembly, or the Tobago Regional Health Authority. Over the period 2010 to 2013 there has been a steady increase in the number of complaints from Tobago, increasing from four (4) in 2010, which represented 2% of all complaints received that year, to twenty (20) in 2012 which represented 12% for that year, to thirty (30)/ 15% in 2013. Based on the increase in complaints emanating from Tobago, the Commission is exploring the avenues for having increased office days in Tobago.

Complaints received from Tobago 2010-2013

	2013	2012	2011	2010
Tobago	30	20	4	4
Total of all complaints	196	163	337	178
Percentage represented by Tobago	15%	12%	1%	2%

Table 6

Types of Respondents

Of the one hundred and ninety-six (196) complaints lodged in 2013:

- Only eleven (11) were against what can be considered purely private sector bodies or entities, amounting to about 5.6% of all complaints received.
- Four (4) were against Non-governmental and voluntary type bodies (two of which were against a Trade Union and one against a church).
- One was against a named individual.
- The remaining one hundred and eighty (180) or about 92% were against bodies that had a public element, that is:
 - Ministries or Departments of the Central Government,
 - Service Commissions, that is Public Service, Police Service, Teaching Service,
 - Judicial and Legal Service and Statutory Authority Service Commissions,
 - Regional Administrative and Municipal Bodies, in particular, Regional Corporations and Regional Health Authorities ('RHA'),
 - State Enterprises, that is corporations and bodies that fall within section 119(9) of the Constitution¹ including Petroleum Company of Trinidad and Tobago Limited ('Petrotrin'), National Gas Company of Trinidad and Tobago Limited ('NGC'), National Maintenance and Training Company Limited ('MTS') and such like,

¹ This refers to any corporation or body or entity which is owned and controlled by the State, the Corporation Sole, National Enterprises Limited whereby the State (a) exercises or is entitled to exercise control directly or indirectly over the affairs of the enterprise; (b) is entitled to appoint a majority of the directors of the Board of Directors of the enterprise; or (c) holds at least fifty per cent of the ordinary share capital of the enterprise, as the case may be.

- Bodies that exist by or under any Statute or Law and/or exercise powers conferred by law for example the Central Bank of Trinidad and Tobago, the Chagauramas Development Authority, the Nursing Council of Trinidad and Tobago and such like.

While we cannot discuss the details of any of these matters, we have noted some trends from among the public element matters:

- Twenty-one (21) of the matters named one of the Service Commissions as the respondent, which is approximately 11% of all complaints lodged with the Commission.
- Additional to this there were a number of other matters that would have involved both the Service Commission and a Ministry as employer. For example about eighteen (18) matters, or about 9% of all complaints received, were lodged by persons employed as Teachers in the Teaching Service, and their complaints were against either or both the Ministry of Education and the Teaching Service Commission.
- Including the eighteen (18) teachers there were forty-nine (49) complaints lodged in which a Ministry or Department or Office of the Central Government was named as respondent. This is 25% of all complaints received.
- With respect to Regional Administrative Bodies:
 - Seven (7) complaints were lodged against a Regional Corporation.
 - Fifteen (15) complaints, or about 7.5% of all complaints received were against an RHA based in Trinidad. For the purposes of our analysis we include the Tobago Regional Health Authority as a Tobago entity.
 - Twenty (20) of the complaints received, which is approximately 10%, named a Tobago entity as respondent, that is the Tobago House of Assembly ('THA') or a Department or Division of the THA, or the Tobago Regional Health Authority.
- About forty-eight (48) complaints, which is about 24.5% of all received, were lodged against State Enterprises and Corporations and Statutory Bodies. Of these:
 - Eleven (11) or about 5.5% of all complaints received for 2013 were lodged by employees of one State Enterprise that is involved in the exploration and refinement of petroleum.
 - Ten (10) or about 5% of all complaints lodged were against public bodies that fell within the purview of the Regulated Industries Commission (that is Trinidad and Tobago Electricity Commission and Water and Sewerage Authority). Of these, four (4) were referred to the RIC for their action.
 - Six (6) were lodged against tertiary level institutions, of which five (5) were lodged against one university. Of these only one related to the provision of education; the rest were lodged by employees (or former employees) of the institutions.

This situation – the preponderance of claims against public entities, bodies, corporations and such like – has been consistent over the last five years or so. For example, in both 2009 and 2011, 95% of the complaints that were lodged were against public bodies as opposed to 5% lodged against private institutions/individuals. It can be argued that whilst this trend illustrates that there is a need to improve equality within the public sector, it should not be said that it is not an equally occurring problem within the private sector. It may simply be that persons feel more confident (particularly in an employment setting) alleging discrimination by a public institution as opposed to alleging they were discriminated against by a private employer for fear of the consequences which may stem from making such allegations.

Conclusion

Discrimination by status, particularly in the area of employment, accounts for the largest number of complaints lodged. However, upon investigation it is usually revealed that the majority of complaints received either:

- do not actually relate to discrimination (i.e. less favourable treatment when compared with another) and may actually be better classified as an industrial relations matter (e.g. wrongful dismissal, maladministration etc.), or
- reveal some inequality of treatment that may not qualify as discrimination contrary to the Act.

Consequently, there may be need for fostering greater public awareness, particularly as it relates to the requirement that the discrimination in question must either relate to a 'status' ground, or be based upon victimisation (as it is defined in the Act). Additionally, the data also reveals the need to amend the Act to include/cover a wider range of 'status' grounds.

Report on Matters Referred for Conciliation

Conciliation Report for the period *January – December 31, 2013*

The Equal Opportunity Act empowers the Commission to refer a complaint for conciliation where it is of the opinion that this may resolve the subject matter of the dispute. The Commission has an in-house Conciliation Unit which in 2013 was staffed by one Conciliator who was a certified mediator registered with the Mediation Board of Trinidad and Tobago.

The Conciliation Unit received six (6) cases for the period January 1st, 2013 to December 31st, 2013. These matters would have been referred by the Legal and Investigations Department which would have completed its investigation into the particular matter.

Out of these six cases one (1) case was resolved with no formal written agreement; there was no amicable resolution achieved for four (4) cases and currently there is one (1) case on-going pending an agreement.

	1st Quarter	2nd Quarter	3rdQuarter	4th Quarter	
Details	Jan - Mar	Apr - June	July - Sept	Oct - Dec	2013
		2013	2013	2013	2013
No of cases received for the Period	0	3	2	1	6
TOTAL	0	3	2	1	6
No. of cases in Progress				1	1
No. of cases - Resolved with written Agreement					0
No. of cases - Resolved with no formal written Agreement				1	1
No. of cases - No resolution			3	1	4
No. of cases - No further action					0
TOTAL	0	0	3	3	6

Table 7

Matters initiated before the Equal Opportunity Tribunal in 2013

According to Section 39 of the Act, if

- (a) attempts to resolve the matter by conciliation have not been successful or
- (b) after the completion of the investigation the Commission had felt that the matter could not have been resolved by conciliation and did not so refer it

The Commission will:

- prepare a report relating to the investigation with its recommendations,
- publish the report,
- send a copy of the report to the parties to the complaint and
- make said report available for inspection by the public.

If after doing these things the matter remains unresolved, the Commission shall, with the consent of the complainant initiate proceedings before the Equal Opportunity Tribunal (the 'Tribunal') for hearing and adjudication.

In 2013 the Commission prepared and published reports in the following six matters:

Date of Report	Complainant	Respondent	Category	Status
February 28, 2013	Mr. Anthony Noel Hosein	Caroni (1975) Limited	Employment	Race and Ethnicity
May 8, 2013	Ms. Geeta Sahatoo	Ministry of Labour Small and Microenterprise Development	Employment	Race
June 26, 2013	Mr. Wilfred Edwards	Petroleum Company of Trinidad and Tobago Ltd ('Petrotrin')	Employment	Disability
June 27, 2013	Ms. Giselle Glaude	Quality Security Bodyguard Services Limited	Employment	Religion
November 13, 2013	Mr. Dindial Ragoo	Ministry of Food Production	Employment	Race
December 30, 2013	Mrs. Indra Chankasingh Budhai	Ministry of Food Production	Employment	Sex

Table 8

In each of these matters the report was published and a copy of the report was sent to the parties, and is available for inspection by members of the public at the front desk of the Commission's office.

In the first five matters proceedings were initiated before the Tribunal in the 2013 calendar year. The sixth matter was initiated in January 2014.

At the outset one can observe that total amount of females and the total amount of male complainants in these matters are even (three each). All of the complaints fall under the category of employment and are based on status grounds. Out of the seven (7) statuses under the Act race was alleged in three (3) out of the six (6) matters. Ethnicity was claimed once, as was the case with religion, disability and sex. It should be noted that none of the matters relied on the status grounds of origin (including geographical origin) or marital status.

Report on Public Education and Research Programmes

This report provides details of the Commission's activities in 2013 with respect to Work towards the elimination of Discrimination, Promotion of Equality of Opportunity generally and Public Education and Research Programmes.

Under section 27(1) (a) of the Equal Opportunity Act, the Commission is mandated ***“to work towards the elimination of discrimination”***.

By section 21(1) (b) the Commission is required “to promote equality of opportunity and good relations between persons of different status generally”. Further section 27(1) (e) charges the Commission ***“To develop, conduct and foster research and educational programmes and other programmes for the purpose of eliminating discrimination and promoting equality of opportunity and good relations between persons of different status.”***

In 2013 the Commission continued its public education campaign building on work that was done over the previous years.

This included public sensitisation through the EOC's website, the press, informational literature, billboards, seminars and lecture presentations. Activities conducted involved the general public, employers and students. The public education initiatives such as workshops, seminars and distribution of informational literature to stakeholders nationwide (via the Ministry of Local Government and Regional Corporations) were conducted across both Trinidad and Tobago on a continuous basis in order to reach the widest cross section of the citizenry possible. The thrust of the campaign has been to inform persons about the Commission and its work and about the provisions of the Act. It is hoped that persons would perceive the Commission as a critical human rights body that impartially and effectively carries out its mandate as set out by the Equal Opportunity Act

In 2014 the EOC plans to further sensitise the population by targeting specific stakeholders with the intention of educating all of our stakeholders about the Act, the Commission and the services offered by the Commission thereby strengthening awareness of the Commission.

Monthly Public Sessions

In an effort to reach the largest cross section of the national community, the Commission has continued and expanded its outreach efforts in Trinidad and Tobago.

- **San Fernando:** The Commission conducts its Office Day, once a month on the fourth Monday of every month at the San Fernando City Corporation, Harris Promenade, San Fernando
- **Tobago:** In Tobago the Office Day is held on the fourth Friday of every month at the Planning Department Conference Room formerly known as PRDI Conference Room located at the corner of Main and Burnett Streets, Scarborough, Tobago.



- **Sangre Grande:** In October, 2013 the Commission expanded its Office Days to include an Office Day in Sangre Grande at the Conference Room, Technical Building, Sangre Grande Regional Corporation (SGRC), Rahim Street, Sangre Grande.

It is hoped that the Commission can further expand and offer outreach services to more communities across Trinidad and Tobago in 2014 and beyond.

Public Awareness Seminars

February 6, 2013 – Human Resources Management Association of Trinidad and Tobago (HRMATT)

Theme: “The Equal Opportunity Commission and You”.

The benefits that can be derived from “good’ employer/employee relationships in the seminar.

Target: Human Resource Professionals

Venue: Blanchisseuse Room, Courtyard Marriot, Wrightson Road, Port of Spain



April 10, 2013 – National Workers Union Seminar

Theme: “The Equal Opportunity Act”

Target: Labour Relations Officers and Senior Union Officers

Venue: Transport and Industrial Workers Union, Eastern Main Road, Laventille

May 01, 2013 – National Union of Government and Federated Workers Union NWGF Awareness Session, Tobago

Theme: “The Equal Opportunity Act”

Target: Union Officers

Venue: Works Conference Room, Shaw Park, Tobago



Public Awareness Seminars (continued)



June 12-14, 2013 – Trinidad and Tobago Manufacturers' Association's Trade and Investment Convention

Theme: "Equality in the Workplace and Non-Discriminatory Employment Practices: The Employers Role in Bridging the Skills Gap"

Target: Convention Attendees and the Media

Venue: San Fernando Room, Hyatt Regency, Wrightson Road, Port of Spain

June 21, 2013 – General Public Seminar

Theme: "The Investigative Process; gathering evidence; time factors involved and the issues surrounding the statuses as covered by the Act."

Target: The Public

Venue: Aubrey Fraser Lecture Hall Theatre, Hugh Wooding Law School



July 4, 2013 – Ministry of Gender & Youth and Child Development

Theme: "The Equal Opportunity Commission and You"

Target: Staff of the Ministry Gender & Youth and Child Development

Venue: Ministry of Gender & Youth and Child Development, Level 20 & 21 Tower D, International Waterfront Complex, Wrightson Road, Port of Spain

Public Awareness Seminars (continued)

August 15, 2013 – General Public Awareness Session, Tobago

Theme: “The Investigative Process; gathering evidence; time factors involved and the issues surrounding the statuses as covered by the Act.”

Target: The Public

Venue: Lecture Theatre, Conference Center, Division of Infrastructure and Public Utilities, Old Government Farm Road, Shaw Park, Scarborough, Tobago



August 30, 2013 – Sangre Grande Regional Health Authority Seminar

Theme: “The Investigative process; gathering the evidence; time factors involved and the issues surrounding statuses as covered by the Act.”

Target: Sangre Grande Regional Health Authority Staff

Venue: Conference Room, Sangre Grande Hospital, Ojoe Road, Sangre Grande

September 27, 2013 – Inter-Company Industrial Relations Forum

Theme: “The Equal Opportunity Commission and You”

Target: Industrial Relations and Human Resources Professionals

Venue: Beaumont Hill, Pointe-a-Pierre



Public Awareness Seminars (continued)



October 2, 2013 – Presentation to Chief Administrators, Tobago House of Assembly

Theme: “The Equal Opportunity Act and the Equal Opportunity Commission”

Target: Industrial Relations and Human Resources Professionals

Venue: Chief Administrative Complex, Calder Hall, Tobago

November 6, 2013 – Barrackpore West Secondary School Presentation

Theme: *The Investigative Process; gathering evidence; time factors involved and the issues surrounding the statuses as covered by the Act*

Target: Forms 5 and 6 Secondary School Students

Venue: Barrackpore West Secondary School



November 14 -15, 2013 – Booth at the Mediation Board of Trinidad and Tobago Symposium

Theme: *Building a Peaceful and Caring Nation through Mediation*

Target: Mediators

Venue: Port of Spain Ballroom Hyatt Regency

Branding and Public Relations

Along with the billboards in Tobago and San Fernando, new billboards were erected in two (2) new locations.

1. Diego Martin located on the Diego Martin Highway, Trinidad. The billboard is before the Crystal Stream traffic lights on the left hand side of the Diego Martin highway (Heading into Port of Spain) and...



1. St. Augustine, Trinidad exiting The University of the West Indies (UWI) Highway entrance. The billboard is (East Bound) on the Churchill Roosevelt Highway it is located on the right hand side Opposite UWI traffic lights or (West Bound): on the Churchill Roosevelt Highway it is located on the left hand side Opposite UWI traffic lights.

Website



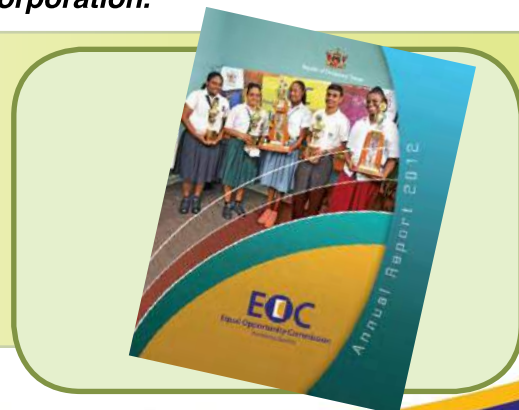
The website was maintained and updated by the Web and Digitisation Support Information Technology Department at the Government Information Services Limited (GISL). The Commission's Freedom of Information Statement, Advisory Notices, Legal Notices and Employment Notices were posted to the website at www.equalopportunity.gov.tt

Media Appearances

- June 18, 2013:** **CNC3 Morning Brew**
TV6 Morning Edition
Power102 Center Stage
I95.5 - The Afternoon Drive with Darian and Natalie
These appearances were made to promote the Public Awareness held at the TTMA's Trade and Investment Convention and Hugh Wooding Law School.
- August 14, 2013:** **Radio Tambrin and Tobago Channel 5**
This appearance was held to promote the Tobago Public Seminar.
- October 25, 2013:** **WACK live on air**
This appearance was held to promote the San Fernando Office day at the San Fernando City Corporation.

Publications

1. Annual Report 2012
2. Freedom of Information Booklet
3. '10 Things an Organisation Should Know about the Equal Opportunity Commission' which was published in the Newsday on Thursday, August 1 2013 and Trinidad Express on Wednesday July 3, 2013



Research Unit

The Research Unit of the Equal Opportunity Commission commenced operations in June 2010, with the appointment of a Research Officer II (Ag.). The main responsibility of the Research Unit is to “develop, conduct and foster research and educational programmes and other programmes for the purpose of eliminating discrimination and promoting equality of opportunity and good relations between persons of different status.”

More specifically the Unit:

- assist in planning, organising and conducting programmes of research into areas related to the functions and objectives of the EOC;
- collects, analyses and evaluates data on relevant trends of equality ; and
- Liaises and collaborates with other Research Units in Government Ministries and Departments and private organisations, for the exchange of information relating to the Equality of Opportunity for the citizenry of Trinidad and Tobago.

The role of the Research Unit is to encourage research, and to ensure the quality and dissemination of research projects associated with the Commission by providing support, advice and education on research matters.

Research Agenda

The Equal Opportunity Commission (EOC) has a legal duty to monitor and evaluate progress towards equality and human rights, taking into account, disability, ethnicity/race, employment, marital status, gender and religion. The EOC undertakes and supports work across the range of equality grounds to facilitate evidence-based policy formulation and to support the work of the Commission, in general.

The Research Unit’s agenda for 2010-2014 set targets for the delivery of outputs and the development strategies for maximising the contribution of the projects and associated activities to the attainment of the goals of the EOC through:

- Research,
- Data collection,
- Statistical analysis, and
- Monitoring and Evaluation of Programmes

Limitations of the Research

There is not enough information and data on the extent and nature of experiences of discrimination by all the groupings protected by the legislation. There is also the meagre availability of statistical data for measuring inequalities and the limitations regarding the collection and processing of sensitive data. In addition, the information and data available and accessible via the sites of the national statistical offices in particular the Labour Force Surveys are inadequate and dated. It is hoped that the Central Statistical Office and other Government Agencies would be able to standardise the relevant data needed in the near future.

Research Initiatives 2010-2013

During this period the Research Unit focused on:

- Identifying research needs and commissioning research accordingly;
- Obtaining baseline data for future comparative study and analysis;
- Building evidence- based culture within the Commission; and
- Evaluating Public Awareness Sessions Conducted by the EOC

Research Activities for the period ending December 2013

- Formulation of the EOC's Evaluation Forms that were used to conduct the specific in-house evaluations 2013.
- In Collaboration with the Communications Department - Evaluation of the Public Awareness/Sensitisation Programmes conducted for :
 - Public Awareness Session, Tobago 2013
 - Eastern Regional Health Authority, Sangre Grande 2013
 - Inter-Company Industrial Relations, Point-a-Pierre 2013
 - Administrators at the Tobago House of Assembly, Tobago 2013
 - Barrackpore West Secondary School
- An Analysis of the National Budget Documents 2012-2015 as it impacts/relates to the EOC
- Formulation of a Research Unit Work plan 2012 -2014
- Request for Information:
 - Review of ANSI/ICC A117.1 Accessible and Usable Buildings and Facilities in preparation for input into the Building Codes Document for Trinidad and Tobago
 - Mediation Board Report 2013
- Attendance at the Consultation at the Trinidad and Tobago Bureau of Standards on Accessibility for Persons with Disabilities in Trinidad and Tobago at the HYATT Hotel, March 2013.
- Formulation of a Draft Documents:
 - Policy Framework for the Monitoring and Evaluating System within the EOC
 - Measuring Performance at the EOC
 - Outline Guidelines for the EOC's Strategic Plan
- Statistical Report of the EOC Complaints data for 2012- 2013

Table 9

Research Agenda For Fiscal 2014

Research Objectives

- To develop a conceptual framework for evaluating progress in equality and anti-discrimination efforts within the country
- An examination of the statistical data available at the national levels that might contribute to an evaluation of the progress made in equality and anti-discrimination efforts of the EOC.

Main Initiatives proposed for fiscal 2014

- Public Awareness : Impact Assessment -EOC Survey
- Client Satisfaction Survey
- Monitoring and Evaluation of Statistical Complaint Data
- Review of Social Programmes designed to promote equity in the Social Sector

Investigative Research Initiatives

Equality Impact Assessment

- To examine the relationship between poverty and inequality - the linking of economic inequality with other forms of inequality. The investigation of Government Departments service delivery (customer base) to ensure that the delivery of services is accessible to all members of society.

Indicators:

- The extent to which institutions are made aware of and implement the principles of equality of opportunity and human rights within their policies and practices.

Report on Financial Expenditure

During the period January 2013 – December 2013 the Equal Opportunity Commission obtained releases in the sum of eight million, three hundred and eighty-five thousand, four hundred and thirty dollars (TTD \$8,385,430.00) from the Budget Division, Ministry of Finance. This sum was in relation to Goods and Services (02/003) and Minor Equipment (03/003).

Out of these releases the sum of seven million, eight hundred and seventy-eight thousand, six hundred and nineteen dollars and ninety-four cents (\$7,878,619.94) was spent under 02/003 – Goods and Services (this consisted of Fixed cost \$3,583,777.20 and Variable cost \$4,294,842.74) and eighty-nine thousand, nine hundred and twenty -one dollars and eight cents (\$89,921.08) was spent under 03/003 –Minor Equipment.

A total of seven million, nine hundred and sixty-eight thousand, five hundred and forty-one dollars and two cents (\$7,968,541.02) was utilised by the Equal Opportunity Commission for 2013.

Unaudited Statement of Expenses Financial Year Ended - December 2013

Goods and Services (02/003)	
Fixed Costs	
Rent/Lease	3,381,000.00
Janitorial Services	202,777.20
Total Fixed Cost	\$ 3,583,777.20
Variable Costs	
Travelling & Subsistence	52,356.00
Overseas Travel	-
Uniforms	-
Electricity	168,509.60
Telephone	262,770.87
Stationery	112,556.11
Books and Periodicals	32,427.58
Materials and Supplies	2,456.79
Maintenance Vehicle	7,544.52
Maintenance Equipment	19,817.14
Contract Employment	2,427,511.96
Training	43,605.23
Official Entertainment	-
Repair and Maintenance Building	78.20
Fees	39.00
Official Overseas	-
Contract Services	20,553.85
Extra Expenses	-
Security Services	223,189.13
Postage	600.00
Medical Expenses	2858.00
Travelling -Direct charges	97,200.00
Insurance	-
Promotion/Publicity/Printing	659,708.01
Hosting of Conferences	161,060.75
Employee Assistance Programme	-
Total Variable Cost	\$ 4,294,842.74
Minor Equipment	
Vehicles	-
Office Equipment	75,942.25
Furniture	11,534.50
Other Minor Equipment	2,444.33
Total Minor Equipment	89,921.08
Total Expenditure	\$ 7,968,541.02

Report on **Accommodation and Human Resources**

Accommodation

It is expected that within 2014 the Equal Opportunity Commission will move from # 37 Wrightson Road, Port of Spain to Central, Trinidad.

Human Resources

Report from the Human Resource Unit at the Equal Opportunity Commission for the year 2013.

The management of Human Resources at the Equal Opportunity Commission (EOC) has significantly evolved over the last two years following the delegation of many Human Resource functions by the Permanent Secretary at the Ministry of the Attorney General in late 2012. Notwithstanding this delegation, the Human Resource Unit continues to function effectively with one (1) Human Resource Officer I (Ag.) under the direction of the Chief Executive Officer (CEO).

Some of the functions of the Human Resource Unit include:

- Recruitment and Selection
- Training and Development
- Human Resource Planning
- Employee Relations
- Performance Management
- Industrial Relations

The year 2013 saw the expansion of the Legal, Communications and Information Technology Departments with the creation and re-designation of various positions in these departments. Reference can be made to the initial and the current organisational charts for details of the expanded departments on figures 6 and 7. With this expansion the human resource management needs continue to increase at the EOC. This has brought about the recognition to expand the Human Resource Unit to adequately address the needs of the organisation. At the end of 2013, work on this expansion began and will be completed for the approval of Cabinet by the middle of 2014.

In an effort to build capacity at the EOC, management decided to expose the staff to much vital training in the following areas during the year 2013:

1. Administration of Government Contract
2. Business Writing Techniques
3. Cabinet Note Writing
4. Conducting Effective Performance Appraisals
5. Developing Leadership Skills for Middle Level Officers
6. Effective Speech Writing
7. Freedom of Information
8. Human Resource Planning
9. Interviewing Skills
10. Judicial Settlement Conference & Case Management Conference on Mediation
11. Managing People through Change
12. Mediation Skills
13. Minute-Taking and Memo-Writing
14. Presentation Skills
15. Proposal Writing
16. Protocol for Public and Senior Officers
17. Registry Systems & Procedures
18. Speech Writing
19. Strategic Corporate Communication
20. Terms of Reference & Requests for Proposals

Additionally, in an attempt to take a holistic approach to service the wellbeing of the staff at the EOC, a mini health outreach programme was arranged where officials from the Ministry of Health were invited to conduct medical screening and deliver health lectures.

As we look ahead to 2014 we plan to further expand various departments at the Commission to meet the growing needs of the population as we work towards the accomplishment of our mandate. We will continue to focus on the overall development of the staff to improve the efficiency and effectiveness of the Commission.

Organisational Structure

Current Organisation Chart for the Equal Opportunity Commission

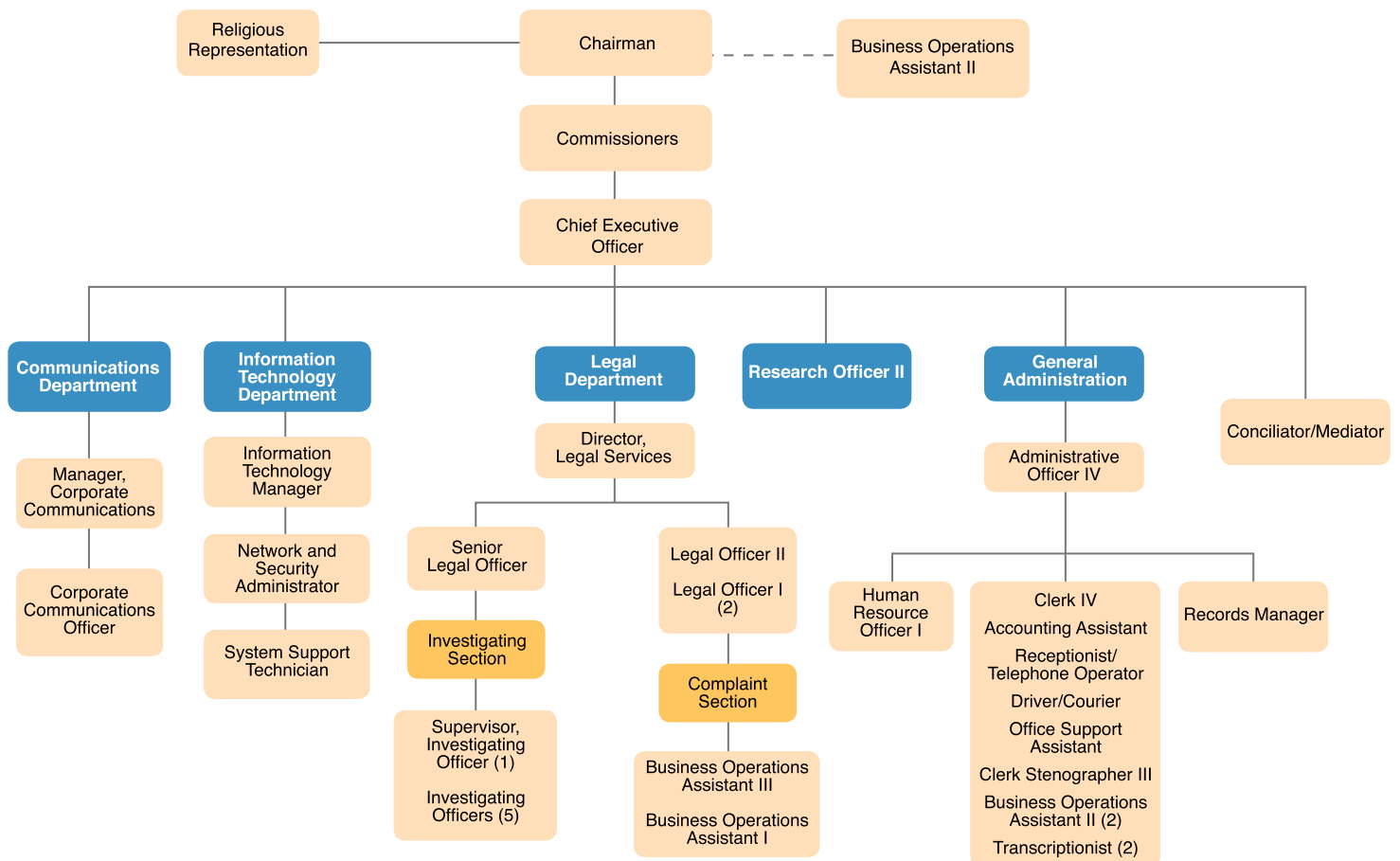


Figure 6

Equal Opportunity Commission - Previous Organisation Chart

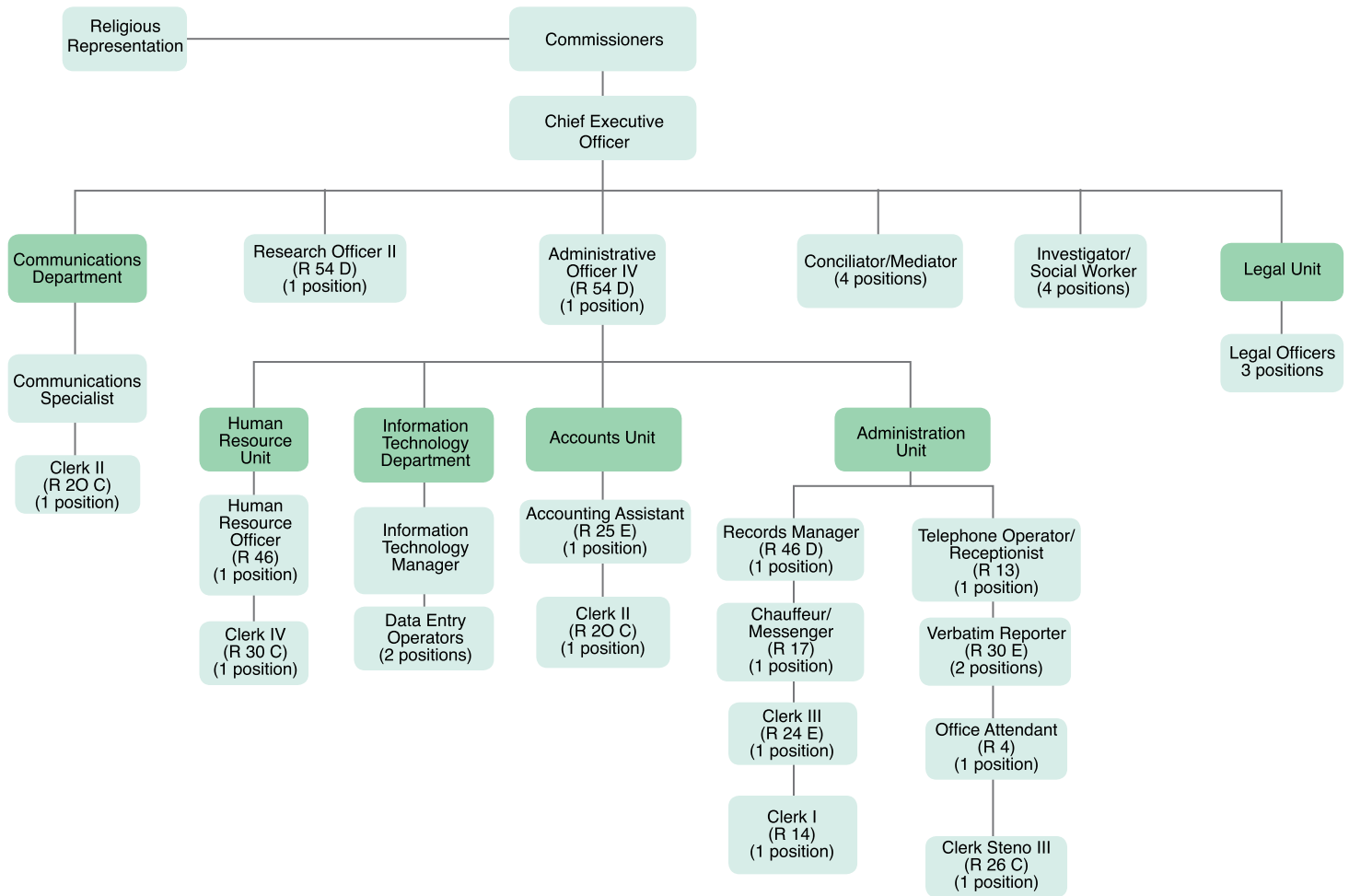


Figure 7

Report from the Legal and Investigations Department

This Unit comprises:

- (i) The Legal Staff, who are Attorneys-at-Law in good standing with the Law Association of Trinidad & Tobago. They provide advice and guidance to the Commissioners, its management and staff, and are particularly responsible for advising on the Commission's statutory mandate, and for supervising the investigating of and reporting on complaints of discrimination that members of the public lodge with the Commission. The Staff compliment is as follows:



Legal and Investigations Department

- The Head of the Unit: This position was re-designated to Director, Legal Services, and was filled in August 2013 by the incumbent Head of the Unit.
 - One Senior Legal Officer: This post was only created in late 2012 and has yet to be filled largely because of a lack of physical space to accommodate the officer.
 - One Legal Officer II: This post has been vacant since late 2012 and has yet to be filled also because of a lack of office space.
 - Two Legal Officers I: There was previously only one post of Legal Officer I but an additional post was created in late 2012. Both posts were filled in January 2013.
- (ii) The Investigating Staff who investigate complaints lodged by members of the public. They interview complainants and gather information and evidence. Additionally they interact with and provide guidance to members of the public. They are required to have an undergraduate degree which should comprise disciplines such as Sociology, Psychology, Research Methods, Public Sector Management and Security Administration. The Staff compliment is as follows:
- One Supervisor of Investigations: This post was only created in late 2012 and has yet to be filled also because of a lack of physical space to accommodate the officer.
 - Five Investigating Officers: At the beginning of 2013 there were only three officers, two of which subsequently left with the end of their contracts. All four vacancies were filled in 2013.
- (iii) Two (2) Business Operations Assistants ('BOA') who perform a variety of complex clerical/secretarial and administrative support duties. One has been with the Commission for the past three years where as another joined in late 2012.

Much of the work that was done by the offices in this Unit has been detailed elsewhere and we do not propose to elaborate any further. One area that was not mentioned was that for the first time we have filed sanctioning proceedings before the Port-of-Spain Magistrates Court. Per section 36 of the Act if a party who has been served with a Notice to provide specified information by a given date (and also a Notice to attend conciliation) has failed or refused to comply, the Commission can lay a summary complaint and the person can be summoned before a Summary Justice or Magistrate and in the absence of reasonable justification for their failure, they can be convicted and sentenced:

- In the case of an individual to a fine of One thousand dollars (\$1,000.00) per day or
- In the case of a body corporate to a fine of Five thousand (\$5,000.00) per day

For each and every day that the individual or body corporate has failed or refused to comply with the Notice.

In 2013 the Commission laid summary complaints against the following who were all summoned before the Port-of-Spain Magistrates Court:

- The Teaching Service Commission and the Director of Personnel Administration (both were named as defendants with respect to one matter);
- The Chief of Defence Staff, Trinidad and Tobago Defence Force (two complaints with respect to two matters);
- Ms. Charleen Phillips, (Ag.) Executive Officer, Statutory Authorities Service Commission (three complaints with respect to three matters); and
- Mr. Vivek Dinanath trading as “the Game Shop”.

In almost all of the matters the respondents have provided the requested information, some within days of being served with the Summonses. We have noted that subsequent to us taking this action there has been some increase in the speed at which respondents provide requested information. We hope that this trend continues into 2014 and beyond.

Also in 2014:

- We hope that the process of amending the Equal Opportunity Act takes flight. The Commissioners have given their approval to list of policy recommendations. The Unit is engaged in preparing a report to be submitted to the Ministry of the Attorney General which will be completed in the first quarter of 2014. Thereafter it would be for the Honourable Minister to take the necessary action. The Legal Unit will liaise with the Ministry in moving this matter forward.
- At the same time, with the advent of new Commissioners in April 2014 we hope in due course to have discussion on further policy recommendations for amendments.
- We hope to dedicate some efforts into further streamlining our internal processes. Much of the staff in the Unit joined in 2013 and spent time adjusting to our existing

- processes (many of which were revised in 2012). We believe that we are now in a better position to critically reassess our workflow and systems.
- Coupled with this is the need to computerise our data, which we hope will take place in 2014.
 - We hope to focus more on staff training and development. We have already identified some areas that we would like to address and we hope that we can find some service providers who would meet our requirements given our limited budget.
 - Finally we hope to focus more on policy and outreach matters, rather than dealing with the day-to-day handling of complaints. For example, we used to have a monthly publication in the newspaper which has stopped. We hope to restart this. Also we hope to develop and publish more guidelines. Also we hope to develop networks and where possible partner with other Equal Opportunity and Human Rights Commissions in other jurisdictions and with other Governmental and Non-governmental agencies and entities locally that operate in areas similar to us (for example disability organisations).

Report from the Communications Department



Communications Department

Much of the work undertaken by the Communications Department was detailed in the section titled “Report with respect to work towards the elimination of Discrimination, Promotion of Equality of Opportunity generally and Public Education and Research Programmes.

The major achievements and challenges overcome by the unit in 2013 are as follows:

- i. Recommendations for a Communications Work plan (2013-2016) were submitted to the Commissioners. Approval was given for a six (6) month plan for 2013-2014.
- ii. The Unit was restructured and approved by Cabinet.

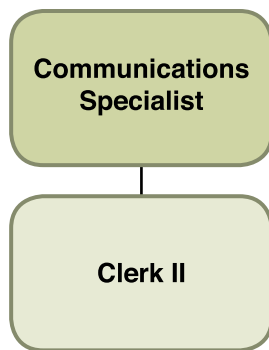


Figure 8: Communications Unit 2009/2012.

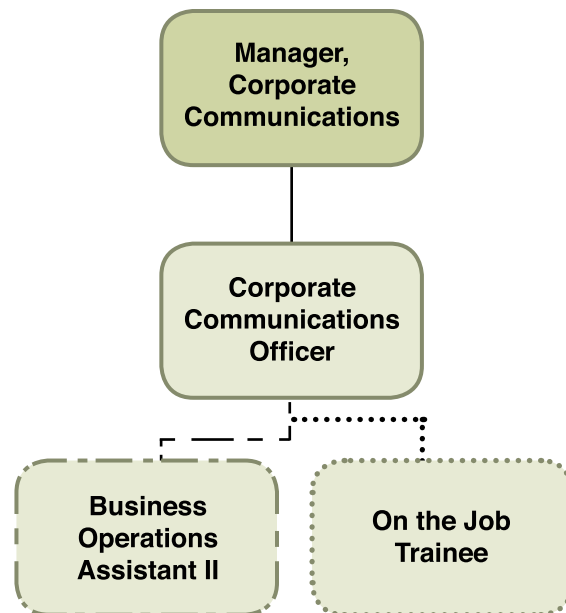


Figure 9: Approved Unit Structure - Communications Department 2013.

The major challenges that this Unit faces are as follows:

- (i) Lack of sufficient funding to effectively execute internal and external initiatives
- (ii) Insufficient equipment such as a high volume colour printer, a DSLR camera, a portable PA System and a compact projector for use at Public Awareness Sessions,
- (iii) The need for additional staff such as a Web Communication Officer and Public Education Officers in the department and or organisational structure, and
- (iv) The need for more office space for the Unit as it expands in addition to storage space.

For the new calendar year the Communications Unit proposes to embark on the following activities:

- i. In-house Awareness Sessions with the staff of the Equal Opportunity Commission's (EOC) and the Equal Opportunity Tribunal (EOT) staff, the Ministry of the Attorney General (MoAG) and other statutory bodies that fall under the MoAG's purview.
- ii. Completion of a handbook "Guidelines for Employers".
- iii. Creation of DVD "Guidelines for Employers"
- iv. Ongoing public awareness sessions for both private and public sector organisations and institutions.
- v. A Reception to bid farewell the outgoing Commissioners for their service to the Commission.
- vi. A Reception to welcome the incoming Commissioners.
- vii. Approval from Commissioners for the Draft Strategic Communications Plan 2013-2016.
- viii. Working closely with the Research Officer to conduct an Impact Assessment Survey 2014.
- ix. Conduct workshops for all media personnel in an attempt to sensitise them of the functions and mandate of the Commission.
- x. Begin the coordination and execution of the 2015 Essay Competition to raise awareness of the Equal Opportunity Act and work of the Commission to engage the youth.

Report from the Information Technology Department



Information Technology Department

Staffing

The restructuring of this department was approved by Cabinet in early 2013 and on July 8, 2013 a Manager, Information Technology assumed duty at the Commission. In August 2013 a Systems Support Technician joined and in September 2013 a Network and Security Administrator was added to assist with building the information technology capacity within the Equal Opportunity Commission.

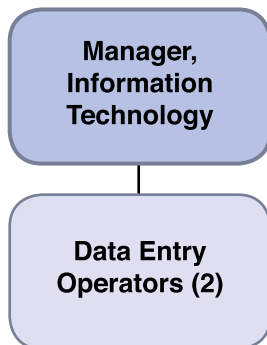


Figure 10: Information Technology Unit 2009/2012.

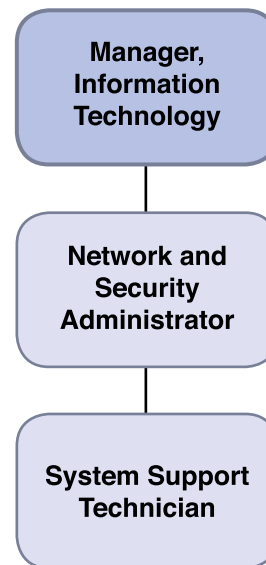


Figure 11: Approved Unit Structure – Information Technology Department 2013.

Internet

The IT Manager's inception on the July 8, 2013 began with upgrading and changing the Commissions' internet link service provider.

Firewall

A hardware firewall was installed; protecting the intellectual data of the Commission thus making the environment a more secure one. For security reasons the details of the brand and type of firewall installed will not be disclosed.

Migration of Electronic Mail

The Commission's entire e-mail system was migrated to the iGov backbone system. iGov hosts emails for most government ministries and has the capacity and intensive security measures in place which secures all emails from external attacks. Prior to this the Commission's staff relied on third-party email providers such as Yahoo, Hotmail and Gmail to communicate work related correspondences to external recipients.

Security Policies

In an attempt to further secure the Commission's data other security policies were implemented such as

- a. Stronger Passwords
- b. Password Expiration
- c. Auto locking of desktops
- d. Less user access to settings and controls

Installation of new servers and other services

Two (2) new servers were installed to store virtual documents. This allows for better data retention, backing up of data, security and control. The servers also hosts other services such as

- a. A redundant email system
- b. Web Proxy for tracking web traffic
- c. Symantec Endpoint Protection (antivirus)
- d. Microsoft Update Services
- e. Secondary Active Directory

Copy Tracking

The copy and print tracking feature on the current printer was activated to record the copies and prints made by a department or user to better manage internal resources. All user codes and access rights were revamped and new codes and access rights were rendered.

Web Control

Controls were introduced to regulate internet access. This reduced the amount of virus/worms/Trojans entering the network.

Backup

There was no backup system in place previously. An onsite fully automated backup system was implemented where daily and monthly backups are taken. After every successful backup, the tape is taken off-site until the next rotation.

Data Separation

Given the confidential nature of the data in the Legal Department all of their data is hosted on a separate section of the network where it is ONLY accessible by that department. Also, due to the extensive artwork, video, pictures and other media used by the Communications Department they also have been allocated separate storage that in the event of desktop loss, the data would be retrievable.

Report with respect to Review of the Equal Opportunity Act

Under section 27(1) (c) of the Equal Opportunity Act the Commission is mandated “**to keep under review the working of the Act and any relevant law and, when required or otherwise thinks it necessary, to draw up and submit proposals for amending them.**”

Following discussions in 2010, a number of proposed amendments to the Equal Opportunity Act were submitted to the Ministry of the Attorney General for consideration. Eventually a draft Bill was tabled before Parliament but this lapsed.

The Legal Unit has been liaising with the Office of the Chief Parliamentary Counsel with respect to this Bill. However the Commission has decided to use this opportunity to formulate further proposals for amendment, and where appropriate review some of the previous proposals. The Commissioners gave outline approval for certain policy changes that it would like to be reflected in the Act. In turn the Legal Department is preparing a report which will be submitted to the Ministry of the Attorney General in the first quarter of 2014.

Report with respect to **Preparation and Publication of Guidelines**

Under section 27(1) (f) of the Equal Opportunity Act Chapter 22:03 [Act No 69 of 2000 as amended], the Commission is mandated **“to prepare and publish appropriate guidelines for the avoidance of discrimination.”**

The Guidelines for Employers booklet was prepared by the Legal Unit in 2013 and will be published in the first quarter of 2014. Under the guidance of the Commissioners and the Chief Executive Officer, the Legal and Corporate Communications Departments will work together to create and publish appropriate publications for dissemination to all stakeholders in 2014.

Staff at the EOC

Missing: Research Unit, Human Resources Unit.



*Standing, Chief Executive Officer (CEO),
Devanty Dianne Maraj-Ramdeen,
from left, Nicholas Dass, Manager, Information Technology,
Gandalal Naipaul, Administrative Officer (Ag.),
from right Ria Mohammed Pollard, Manager,
Corporate Communications and
Haran Ramkaransingh, Director, Legal Services*



Legal and Investigations Department



Legal Unit



Communications Department



Administration Department



Information Technology Department

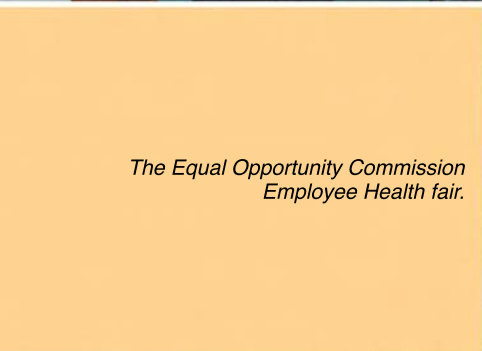
Inter-Departmental Activities



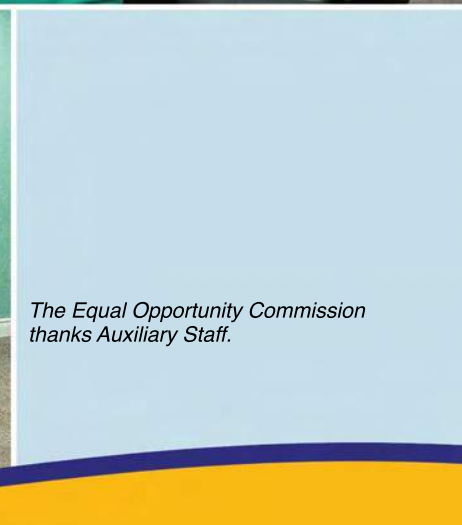
Administrative Professionals Week Luncheon, Jaffa Restaurant, April 26, 2013.



The Equal Opportunity Commission thanks Members of Staff.



The Equal Opportunity Commission Employee Health fair.



The Equal Opportunity Commission thanks Auxiliary Staff.

Inter-Departmental Activities

Divali Celebrations at the Equal Opportunity Commission Office.



Christmas Luncheon, Joseph's Restaurant, December 17, 2013.



Cricket Match between Equal Opportunity Commission and Equal Opportunity Tribunal, March 16, 2013.



Notes



Equal Opportunity Commission

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