



Republic of Trinidad and Tobago



Equal Opportunity Commission
Promoting Equality

ANCE
GENDER
PLACE POLICY
ENDER EQUALITY
PLACE POLICY ·
AWARENESS · WORKPLACE
· NON-DISCRIMINATION · GENDER
PUBLIC AWARENESS · WORKPLACE POLICY
HUMAN RIGHTS · NON-DISCRIMINATION · GENDER EQUALITY
PROGRAMMES · PUBLIC AWARENESS · WORKPLACE POLICY ·
NT · ADVOCACY PROGRAMMES · PUBLIC AWARENESS · WORKPLACE
EMPOWERMENT · HUMAN RIGHTS · EQUALITY · NON-DISCRIMINATION
· ADVOCACY PROGRAMMES · PUBLIC AWARENESS ·
NON-DISCRIMINATION · GENDER EQUALITY ·
· EQUALITY · EMPOWERMENT ·
· WORKPLACE POLICY ·
GENDER EQUALITY
· AWARENESS
· DISCRIMINATION
· PLACE

ANNUAL **Report**

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Equal Opportunity Commission
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ANNUAL **Report**

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“Advocacy and Outreach”

Annual Reporting

The Equal Opportunity Commission submits its seventh Annual Report on its activities for the year ended 31st December 2016. This Report is prepared pursuant to the provisions of Sections 53 and 54 of the Equal Opportunity Act, Chapter 22:03, cited hereunder:

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 before Parliament.”

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Abbreviations

AGLA	Ministry of the Attorney General and Legal Affairs
AMCHAM	American Chamber of Commerce of Trinidad and Tobago
CEDAW	Convention on the Elimination of all Forms of Discrimination against Women
COP	Communities of Practice
ECA	The Employers Consultative Association
EOA, the Act	Equal Opportunity Act
EOC, the Commission	Equal Opportunity Commission
EOT, the Tribunal	Equal Opportunity Tribunal
GATE	Government Assistance for Tuition Expenses
GISL	Government Information Services Limited
GoRTT	Government of the Republic of Trinidad and Tobago
HASC	HIV/AIDS Workplace Advocacy and Sustainability Centre
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome
HR	Human Rights
IACHR	Inter-American Commission on Human Rights
ITU	Information Technology Unit
LGBTI	Lesbian, gay, bisexual, transgender and intersex
MORI	Market and Opinion Research International
NCPD	National Centre for Persons with Disabilities
NGO	Non-Governmental Organisation
NIBTT	National Insurance Board of Trinidad and Tobago
NODES	UWI Network and Outreach for Disability Education and Sensitisation
PGA	Parliamentarians for Global Action
PMCD	Public Management Consulting Division
SALISES	Sir Arthur Lewis Institute of Social and Economic Studies
TTUTA	Trinidad and Tobago Unified Teachers Association
UN	United Nations
UNCRPD	United Nations Convention on the Rights of Persons with Disabilities
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UWI	The University of the West Indies, St. Augustine Campus
WINAD	Women's Institute for Alternative Development

Chairman's Statement

The year 2016 saw the Commission assuming a greater role in raising awareness of its statutory obligations both to remove clearly defined forms of discrimination and to intercede in instances in which such discrimination was found to be present.

Among our activities was continued promotion of the need to broaden the scope of the legislation to include age discrimination and discrimination on the ground of sexual orientation.

The Commission also successfully enforced provisions of the Equal Opportunity Act in the undermentioned prominent actions before the (Court/Tribunal):

- Between Giselle Glaude (complainant) of Quality Security Bodyguard Services Limited (respondent) on the basis of religious discrimination in employment;
- Between Kerwin Simmons (complainant) of the Water and Sewerage Authority of Trinidad and Tobago (respondent) on the basis of race discrimination in employment.

Successive awareness-raising activities provided an opportunity to assess knowledge levels among youth and adult populations and to deliver targeted messages emphasizing the scope of the legislation and the powers of the Commission.

The Commission initiated and also participated in several high-profile events that addressed issues of human rights in education, employment and non-discrimination in national budgeting, and the issue of age discrimination.

We were vocal on the imposition of an age limit on the eligibility for support under the Government Assisted Tuition Expenses (GATE) programme and maintained our position on including "sexual orientation" as a status ground for protection against discrimination.

Draft legislation on the latter issue has been before Cabinet since October 2014, and we look forward to its inclusion as part of the Equal Opportunity Act. There are also strong grounds for considering health as a status for discrimination, particularly in the case of persons living with HIV and AIDS.

The Commission remained concerned that discrimination in the workplace has been having a disproportionate impact on the labour force (with reference to wage equality for women, denial of maternity benefits and other gender-related issues).

I also remained vocal on the issue of gender-based violence and repeatedly argued the case for diversion and intervention programmes to address increasing reports of attacks on women in the home and elsewhere.

Even as important work continued with respect to our major stakeholders, we maintained a focus on consolidating the institutional integrity of the Commission and strengthening areas of greatest need. Our three main strategic objectives identified hereunder continue to underpin our initiatives:

1. To work towards the elimination of discrimination in Trinidad and Tobago, in keeping with our statutory mandate set out in the Equal Opportunity Act
2. To become an autonomous institution
3. To maximise the efficiency and effectiveness of the Commission.

It is clear that, as levels of public awareness grow and our effectiveness heightens in the public view, there will be new and expanded areas of concern that will continue to be placed before us. This will call for a high degree of inter-agency cohesion and an expanded reach, involving all areas of civil society engagement and increased activism.

We are convinced that the path to national economic recovery has been embarked upon and that, over time, the volume of resources being made available to the Commission will improve. However, our success at attracting the attention of the aggrieved and engaging such matters at the juridical level has served to absorb our resources.

We nevertheless greet the future with growing confidence in our ability to continue making significant strides in ensuring that the work of the Commission to achieve the goals of the EOA is of the highest priority.

Tribute is paid to my fellow Commissioners, members of staff, collaborating agencies and all stakeholders for another successful year.



Lynette Seebaran Suite
Chairman
Equal Opportunity Commission

Remarks of the Chief Executive Officer

In keeping with its mandate, as outlined in the Equal Opportunity Act, Chapter 22:03, the Equal Opportunity Commission continued to work towards the elimination of discrimination and the promotion of equality of opportunity through advocacy, public education, research, investigation and conciliation of complaints, during the year 2016.

With Advocacy as the theme for 2016, alongside our Strategic Plan 2015-2018, we made good use of every opportunity to raise awareness and campaign for equality and non-discrimination through public awareness, stakeholder engagements, press interviews, press releases and courtesy calls, among other things. Details of such activities are presented in the Report from the Communications Unit, on pages 45 to 59.

Strengthening our internal systems remained a priority, particularly the functions of the Legal Unit and the operations of the legal workflow which was formalised and implemented during the previous year and was being monitored. Improving our service delivery and productivity were key areas of focus. In this regard, the conciliation process was also standardised, during the year, in the form of a workflow to capture the main steps in conciliation, the ideal timeframes and the relevant documentation. The Report from the Conciliation Unit, on page 44, provides more information on the workflow as well as statistics of matters conciliated.

As mentioned in my report for 2015, the change of Government in September 2015 was followed by a staff rationalisation exercise, which was undertaken throughout the Public Service, causing delays in filling vacancies at the EOC. On the completion of that exercise by mid 2016, we proceeded to fill vacancies in areas such as administration, investigations and legal. In addition, the Human Resource Unit underwent notable changes, with the Human Resource Specialist exiting within the first quarter of the year, as well as several changes in the position of Human Resource Officer I owing to promotions and acting arrangements in the Public Sector. These disruptions contributed to a significant lack of continuity in human resource management services during the year.

Staffing was also affected by high turnover rates, particularly in the Legal Unit, with more than fifty percent (50%) of the staff exiting during the course of the year. However, by year's end, steps had been taken to fill the resulting vacancies. Understaffing in the Legal Unit led to a re-evaluation of the public outreach programme and, by the year's end, only the monthly outreach segment in Tobago was maintained. Further details are given in the Report from the Human Resource Unit on pages 64 to 67. Notwithstanding the challenges with staffing in the Legal Unit, the work continued as indicated in the Report from the Legal Unit, on pages 23 to 43, which provides details of the complaint matters which were received, investigated and referred for Conciliation and/or to the Equal Opportunity Tribunal during the year 2016.

In addition, several employment contracts came to an end and, based on good performance reviews, steps were taken to secure further employment contracts, in keeping with policy and international best practices in human resource management. Further, the Six-Year Contract Employment Plan for new positions was put on hold at the Ministry of the Attorney General and Legal Affairs and did not resume during the year.

Given the financial crunch in the economy of Trinidad and Tobago, the year 2016 was challenging, as a result of further cuts in funding, when compared with previous years, and difficulties in securing timely releases of funds for smooth operations. Nevertheless, we managed the limited allocations and re-prioritised where necessary, in order to make the best use of available funds. The Report from the General Administration Unit on pages 62 and 63 provides a statement of expenses for the year.

Despite the various hurdles we encountered during the year, 2016 was another successful period for the EOC. Like most Public Sector organisations, there were challenges with funding and human resources, but we continued to carry out our functions as we worked toward achieving our Vision – A society which is free from discrimination and prejudice, where human rights and diversity are respected, and where there is equality of opportunity for all.



Devanty Dianne Maraj-Ramdeen
Chief Executive Officer



Judgements 2016

<http://tteot.org/>



Giselle Glaude won the first landmark judgement against her former employers, Quality Security Bodyguard Services Limited for discrimination on the basis of her religious beliefs.

She was awarded one hundred and fifty thousand dollars (\$150,000.00) with an interest rate of six percent per annum from the date of the filing of her complaint.



Kerwin Simmons, was also victorious in another landmark judgement against his employers Water and Sewerage Authority (WASA) for discrimination on the basis of race. Mr. Simmons was compensated one hundred and eighty-six thousand dollars (\$186,000.00) with an interest rate of six percent per annum from the date of the filing of his complaint. WASA was also ordered by the EOT to pay Mr. Simmons' legal costs of twenty-seven thousand dollars (\$27,000.00).

The Equal Opportunity Act

The Equal Opportunity Act, Chapter 22:03 of the Laws of Trinidad and Tobago, was created in the year 2000 ‘to prohibit certain kinds of discrimination, to promote equality of opportunity between persons of different status, to establish to an Equal Opportunity Commission and an Equal Opportunity Tribunal and for matters connected therewith.’

About the Equal Opportunity Commission

A. Legislative Framework

1. Establishment and Composition

The Equal Opportunity Commission was established under the provisions of section 26 (1) of the Act, cited hereunder, with composition as described therein:

‘26. (1) There is established a body to be known as the Equal Opportunity Commission (hereinafter referred to as “the Commission”) which shall comprise five Commissioners including a Chairman and a Vice- Chairman appointed by the President after consultation with the Prime Minister and Leader of the Opposition.’

2. Appointments

In accordance with the stated provisions of the said Act, as well as section 28 (1), which provides that:

‘... a Commissioner shall be appointed for a period not exceeding three years, but is eligible for reappointment’,

the undermentioned five (05) persons were appointed Commissioners for a period of three (03) years (2014 to 2017), as indicated:

(from 27th August 2014)

Mrs. Lynette Seebaran Suite – Chairman

(from 21st August 2014)

Dr. Beverly Ann-Marie Beckles – Vice
Chairman

Dr. Indira Rampersad
Mr. Eric Colin Cowie
Mr. James Chin Chuck.

3. Functions

The functions of the Commission, as set out in section 27 (1) of the Act, are:

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

B. Administrative Framework

1. Support System

The Act also makes provision for the Commission to obtain administrative support in the execution of its duties. Section 29 states that ‘the Commission may appoint such officers and other staff to assist in the performance of its functions.’ In that regard, the current administrative head is the Chief Executive

Officer (CEO), who is responsible for planning, organising and coordinating activities and resources for the operational functions of the Commission.

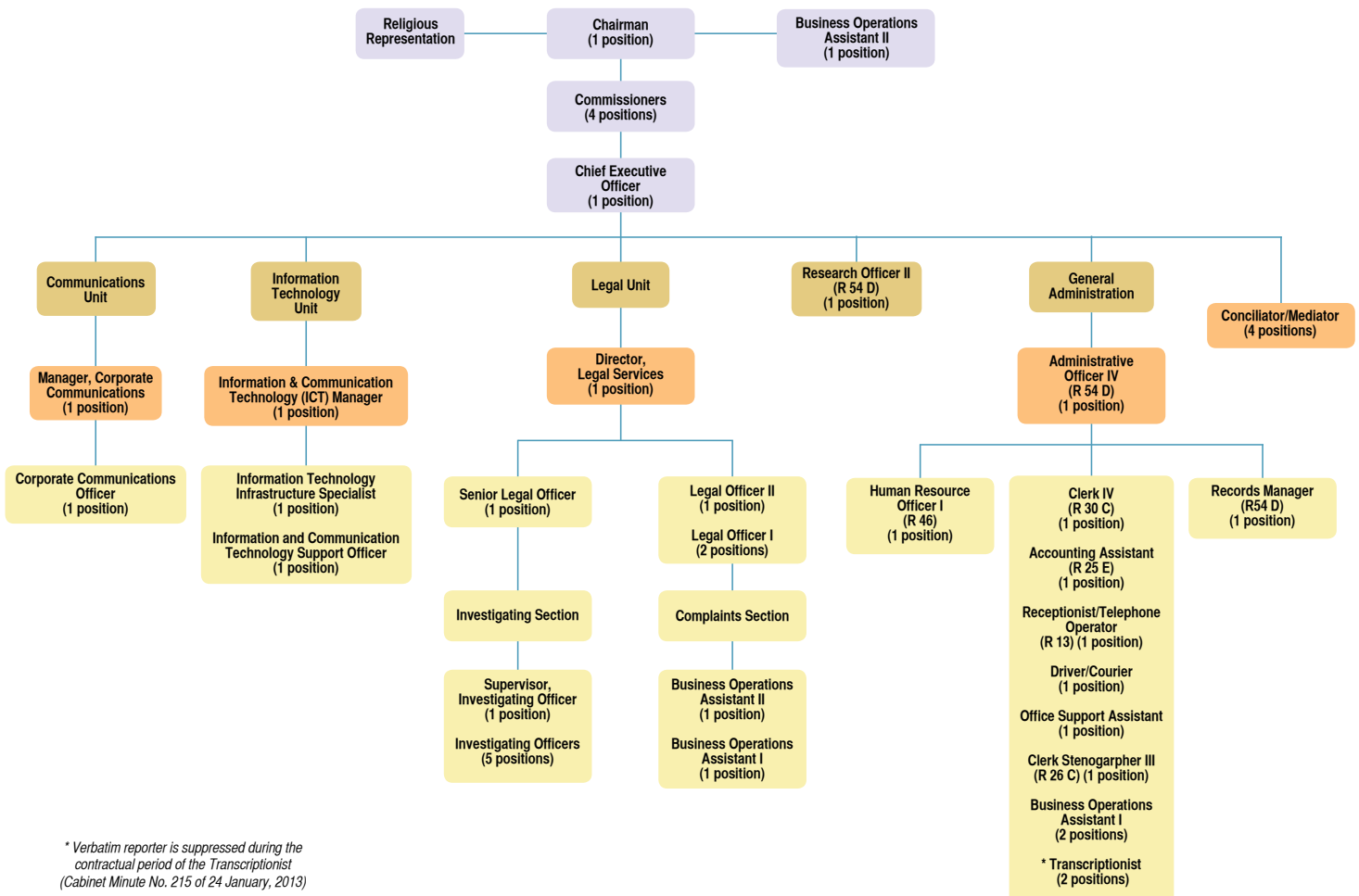
2. Organisational Structure

The work of the Commission is carried out within the following main areas, under the supervision of the CEO:

- Legal
- Communications
- General Administration (including Human Resource)
- Information Technology
- Conciliation
- Research.

The appropriate staff has been recruited to provide the necessary support. A copy of the Organisational Chart of the Commission is presented in the figure which follows.

Organisational Chart of the EOC



* Verbatim reporter is suppressed during the contractual period of the Transcriptionist (Cabinet Minute No. 215 of 24 January, 2013)

Figure 01

C. Strategic Overview

1. Mandate

The mandate of the EOC is to promote and advocate for mutual respect between groups based on understanding and appreciation of diversity and on shared respect for equality and human rights.

2. Vision

A society which is free from discrimination and prejudice, where human rights and diversity are respected, and where there is equality of opportunity for all.

3. Mission

The Equal Opportunity Commission works towards the elimination of discrimination and the promotion of equality of opportunity through advocacy, public education, research and the conciliation of complaints.

4. Priorities

- To secure an effective legislative and regulatory framework for equality and human rights;
- To build a society without prejudice, promote good relations and foster a vibrant equality and human rights culture;
- To promote understanding and awareness of rights and duties and deliver timely and accurate advice and guidance to individuals and employers;
- To build an authoritative and responsive organisation.

5. Core Values

- **Passion** – we are committed to what we do, knowing that it makes a difference to the lives of many, and when it is done right, we can make Trinidad and Tobago a better place for everyone.
- **Fairness, justice and equality** – we adhere at all times to due process, and are impartial in our procedures.
- **Customer-centricity** – we are sensitive to the needs of our stakeholders as we

continuously strive to create a positive client experience.

- **Empathy** – we seek to understand people's situations from their perspective and we are focused on exercising compassion.
- **Respect for diversity** – we promote respect for people's differences.
- **Timeliness** – we deliver our services promptly, in keeping with our commitments and protocols, and we address situations with a sense of urgency. We are an on-time and pro-active organisation.
- **Loyalty** – we strongly support and are committed to the EOC and its mission.
- **Integrity** – we operate with honesty, uprightness and honour.
- **Autonomy** – we operate independently, in accordance with the law, and we are free from unnecessary external influence.
- **Team cohesiveness** – we strive to communicate effectively, work together efficiently and we focus on the EOC's mission and activities that unite us.
- **Best practice** – we consistently adopt methods and technologies to achieve superior results, and we keep our practices under continuous review.
- **People development** – we continuously update and improve our knowledge and skills so that we develop the EOC's human capital.
- **Recognition and reward** – we acknowledge the work and efforts of our team and reward them.



Profile of Commissioners

Chairman

Mrs. Lynette Seebaran Suite has over thirty-five (35) years' experience as a litigator. She is currently the principal of her own firm, Lynette Seebaran and Company. Mrs. Seebaran Suite has been an advocate for the rights of women and girls, and an avid supporter of the rule of law, due process and social justice. She was highly influential in the national discourse which led to the passage of the Sexual Offences Act in 1986, and spearheaded the national debate leading to the passage of the Domestic Violence Act in 1986, and its amendment in 1991. She also headed the public debate which highlighted the mischief of sexual harassment in the workplace and which has led to the adoption in many workplaces of codes of behaviour.

Over the years, Mrs. Seebaran Suite has been a Member of several statutory bodies, such as, the Law Reform Commission, the National Commission on the Status of Women and the Youth Training and Employment Partnership Programme (YTEPP), and is a past Chairman of the Port Authority of Trinidad and Tobago. For many years, she was Legal Advisor to the Cooperative Credit Union League of Trinidad and Tobago and acted as a Director of the League's Stabilisation Fund. She was a Member of the Board of the Trinidad Publishing Company Limited (publisher of the Guardian Newspaper) for more than a decade and during that period served as its Legal Advisor.

She has also been a Member of various ethics committees of the Caribbean Epidemiology Centre (CAREC). She heads Advocates for Safe Parenthood: Improving Reproductive Equity (ASPIRE), which partners with the Family Planning Association in promoting the sexual and reproductive health and rights of women, girls and men in Trinidad and Tobago and regionally. She is the author of many reports and papers on women's and children's issues, and has attended and presented at numerous international and regional conferences.

Mrs. Seebaran Suite acted as Secretary of the Bar Association for several terms in the 1980s and is currently engaged in establishing a Family Law Association. She currently sits on the Council of the Law Association and was its nominee on the Medical Council of Trinidad and Tobago over the period 2010 to 2013.

At the 50th Independence Awards in 2012, Mrs. Seebaran Suite was awarded the Medal for the Development of Women (Gold), for her contributions in the area of law. She is married to Engineer, Professor Emeritus Winston Suite and is the mother of a daughter, Dara-Chameli, who recently graduated in the United Kingdom (UK) as a medical doctor.

Vice-Chairman

Dr. Beverly Ann-Marie Beckles holds a Doctoral degree in Organisation and Management (with Honours) from the University of Capella, Minneapolis, United States of America (USA) and a Master's degree in Rehabilitation Administration from Mc Laren School of Business, University of San Francisco, USA.

Dr. Beckles is the Chief Executive Officer of the National Centre for Persons with Disabilities (NCPD). She has over thirty (30) 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 (07) Caribbean countries. Her work involves close contact with governments, international agencies and civil societies in the promotion of equal opportunity for persons with disabilities.

Dr. 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 and Information Network on Employment and Training (GLADNET), an international organisation based at Cornell University, USA, past Chair and Member of the National Coordinating Committee on Disability. Dr. 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 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 (1st) recipient of the Inter-American Development Bank's Award for Social Entrepreneurship (1999).





Commissioner

Dr. Indira Rampersad holds a Bachelor of Arts degree in Language in Literature; a Diploma in International Relations; a Certificate in Translation from Spanish to English; a Master of Philosophy degree in Latin American Literature; a Master of Philosophy degree in International Relations and a Doctor of Philosophy degree in Political Science.

She has been awarded two Fulbright Scholarships for study in the United States, one at Southern Illinois University, Carbondale, Illinois, to explore the American Political System, the other to undertake a Doctor of Philosophy degree 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, Fort Lauderdale, New York and Washington D.C. Her research has also taken her to countries of Latin America, namely, Venezuela, the Dominican Republic, Puerto Rico, Panama, Columbia, Brazil and Cuba. She has been an election observer for the Organisation of American States in Grenada and El Salvador.

She has been writing 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 and Tobago, where she is a Lecturer in International Relations.

Commissioner

Mr. Eric Colin Cowie is a retired career Banker, having moved through the ranks at RBC Royal Bank. During this time, he amassed extensive experience in the banking industry, with specialised knowledge in regulatory compliance, money laundering and anti-terrorist financing.

He also was appointed by the Tobago House of Assembly and was the Vice President of the Pigeon Point Heritage Park, as well as the Tobago Hotel Association. Mr Cowie is an alumnus of Presentation College, San Fernando.





Commissioner

Mr. James Chin Chuck was a Senior Product Specialist with the Telecommunications Service of Trinidad and Tobago (TSTT). This portfolio ranged from managing existing products to generating products and services from inception to commercialisation.

His experience spans the private sector of banking, insurance, credit union and one of the largest conglomerates in food and financial services. He has been able to contribute to the various companies in the areas of strategic direction, marketing strategies, the competitive intelligence of emerging technologies and driving customer satisfaction programmes.

Mr. Chin Chuck holds a Bachelor of Science degree in Management Specialisation from the University of the West Indies, St Augustine with a focus in Marketing, Finance and Management Information Systems. He is currently pursuing a Master of Business Administration degree from the Australian Institute of Business.

Review of the Equal Opportunity Act

Under the provisions of section 27(1) (c) of the *Equal Opportunity Act, Chapter 22:03*, the Commission is mandated ‘to keep under review the working of the 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.’

Following a review in 2010, proposals were initially sent to the Attorney General, under cover of letter dated 19th July, 2010. An Amendment Bill was drafted and laid during the 1st Session of the 10th Parliament on 1st June, 2011 as the **Equal Opportunity Amendment Bill (No 2), 2011**. The Bill lapsed on 17th June, 2011 and has not been re-laid. The Commission took the opportunity to reassess the proposals and, by letter dated 26th February, 2014, advised the then Attorney General that:

- some of the proposed amendments should be pursued
- some of the proposed amendments should no longer be pursued
- some of the proposed amendments should be reformulated, and
- other new amendments were proposed and, respectfully, should be included.

A report was attached in which these recommendations were detailed. In summary, the major proposals are:

A. Amendments proposed in the 2011 Bill that should be pursued

1. **Include cohabitants in marital status:** The Act provides for protection from discrimination on the ground of ‘marital status’ and this is defined to mean being one of the following: single, married, married but separated, divorced or widowed. The 2011 Bill proposed an amendment to include half-blood relationships and Cohabitants (as defined in the Co-habitational Relationship Act, Chapter 45:55) in the definitions of ‘family’ and ‘marital status’, which the Commission felt was still relevant and necessary.

2. **Change the threshold for receiving late complaints:** Section 30 of the Act provides that a complaint of discrimination shall be lodged within 6 months of the alleged act of discrimination, but the Commission may accept a complaint outside of this time ‘in exceptional circumstances’. The 2011 Bill proposed an amendment to change the words ‘in exceptional circumstances’ to ‘if it is reasonable to do so’, and to add a new subsection (4) to empower the Commission to accept complaints that relate to matters that occurred between January 2001 to April 2008. The Commission supports this.
3. **Include a duty to assist:** The 2011 Bill proposed the inclusion of a new section 30B which provided that the Commission has a duty to assist persons who wish to lodge a complaint. The Commission supports this.
4. **Allow the Tribunal to grant interim injunctions:** The 2011 Bill proposed the inclusion of a new section 32A which allowed the Commission to apply to the Equal Opportunity Tribunal (the ‘Tribunal’) for an interim injunction. The Commission supports this.
5. **Allow for appeals to the Tribunal:** Under the present schemata of the Act, if upon investigating a complaint, the Commission found no evidence of discrimination, it informs the complainant accordingly and closes off the matter. This brings the matter to an end. The 2011 Bill proposed an amendment to allow a complainant to request that his/her matter be referred to the Tribunal if he/she disagrees with the Commission’s decision that there is no evidence of discrimination. The Commission supports this.
6. **Allow the Commission to institute contempt proceedings:** Under the existing provisions of the Act, if a matter has been referred to conciliation and an agreement has been reached, the agreement is drawn up, signed and registered with the Equal Opportunity

Tribunal. The 2011 Bill proposed an amendment to allow the Commission to initiate contempt proceedings before the Tribunal where there has been a breach of an agreement. The Commission supports this.

B. Amendments proposed in the 2011 Bill that should no longer be pursued:

1. Remove the proposed prescribed forms:

The 2011 Bill proposed that the form on which a complaint should be lodged should be provided for in an Appendix to the Act, but the Commission did not think it desirable that the forms to be used should be cemented in statute, as this would not allow for flexibility in revising and restructuring the form.

2. Remove the proposed requirement that the Commission inform a Respondent that there was no case of discrimination:

The 2011 Bill proposed that where the Commission has found no evidence of discrimination to support the complainant's allegations, the Commission should be mandated to write to a respondent and inform him/her of this. While the Commission felt that this should be part of a good customer-relations process, it was not felt desirable that this be mandated in statute. Firstly, this may be useless, as there are instances when, based on the existing information supplied by a complainant, the Commission was able to dispose of a complaint without ever writing to a respondent, and secondly, there may be instances where the Commission may think it appropriate and necessary to revisit an earlier decision, and it should have the freedom so to do.

3. Remove the proposed extra steps in sanctioning a party for non-compliance:

Under the provisions of the present Act, the Commission is empowered to send a notice to any person to provide information by a certain date and a notice to a party to attend conciliation. If someone fails and/or refuses to comply with either such notice, the Commission can institute a summary prosecution before the

Magistrates Court. The 2011 Bill proposed that in the case of non-compliance by a respondent, the Commission would issue a certificate, apply to the Equal Opportunity Tribunal for an *ex parte* order and then thereafter file a summary complaint before the Magistrates Court. The Commission did not see the need to encumber the process with the extra steps of issuing a certificate and applying to the Tribunal for an order and recommended that this be removed.

4. Remove the proposal that conciliation is deemed unsuccessful after 28 days:

The 2011 Bill proposed that conciliation should be deemed unsuccessful if a matter is unresolved after twenty-eight days. While the Commission agreed that the process should be done with due expedition, it was not felt that a limitation period should be cemented in statute. Conciliation is a voluntary process where the parties seek to arrive at a mutually acceptable resolution between themselves, and the parties may need more than 28 days to consider proposals, respond, and have meaningful dialogue.

C. Amendments proposed in the 2011 Bill that ought to be reformulated:

1. HIV/AIDS as well as other illnesses ought to be included as part of disability:

The 2011 Bill proposed that HIV/AIDS ought to be added as a status ground. However, Disability Discrimination Legislation in other countries (in particular, in the **Americans With Disability Act, 1990** (as amended in 2008) and **United Kingdom Equality Act, 2010**) provide for HIV/AIDS as a disability rather than a separate status ground, and the Commission believes that this approach should be favoured. Further, these other pieces of legislation provide that certain other diseases ought to be deemed disabilities, as well, in particular, cancer and multiple sclerosis; and for reasons of public policy, certain conditions, such as paedophilia, kleptomania and compulsive gambling, ought not be given protection. The Commission favoured this approach.

2. **A more comprehensive definition of disability:** The definition of disability ought to be amended to bring it closer to what is contained in the two aforementioned pieces of legislation, where emphasis is placed on the day-to-day and long-term effects of disability on a person, rather than on his/her medical condition. Concurrently, the proposed amendments with respect to 'reasonable adjustment/ accommodation' would have to be revisited, given that, to some extent, it already exists via the exception for 'unjustifiable hardship'.

D. New or additional amendments that ought to be included:

1. **Status should not be limited to only one protected characteristic:** "Status" as defined in the existing section 3 suggests that it must be an individual characteristic (for example, a person's race, a person's religion). The Commission recommended that "status" should mean any one or more of the listed characteristics, given that in our society, a person may be discriminated against not because of an individual characteristic, but because of a combination of characteristics that apply to him/her.
2. **Age ought to be added as a status ground, and hand-in-hand certain exceptions ought to be provided for:** The Commission had previously proposed that age be added as a "status" and this has been incorporated into the 2011 Bill. However, it was recognised that there are instances when it is acceptable for legislation or policy to provide for an entitlement or obligation to be based on a person's age, for example, the minimum age to obtain a driving permit or purchase cigarettes or alcohol. In the absence of a specified minimum or maximum age, decisions would have to be made by some person or entity on a case-by-case basis; this opens the door to subjectivity and arbitrariness even in the best of cases and corruption and abuse in less-altruistic situations. The Commission recommended that using sections

33 to 43 of the *Australian Age Discrimination Act, No 68 of 2004* as a guide, provision ought to be made for exceptions where decisions or considerations based on age would not be considered discriminatory. Additionally, provision ought to be made exempting employment promotions based on seniority and mandatory retirement ages.

3. **Allowing the Commission to discontinue an investigation where it is frivolous, vexatious or has already been adequately dealt with:** The current section 32 mandates the Commission to investigate all complaints lodged with it. Read in conjunction with section 34, it would seem that a matter can only be discontinued where, after an investigation, the Commission has found no evidence of discrimination. The Commission recommended that it should be empowered to discontinue an investigation where it is of the opinion that the complaint is:
 - (i.) trivial, frivolous, vexatious or not made in good faith, misconceived or lacking in substance
 - (ii.) involves a subject matter that has been adequately dealt with by another court, tribunal, public body, entity or forum
 - (iii.) involves a subject matter that would be more appropriate for another court, tribunal, public body, entity or forum.
4. **Power to request documents:** The current section 33 empowers the Commission to request information via notice in writing. Given that information may be contained in documents, the Commission has regularly requested documents and has not had a difficulty receiving any. However, the Commission recommended that for the sake of clarity, it should also be expressly empowered to request documents as well.
5. **Expanding the range of persons who may be convicted:** The current section 36 provides that persons who have failed and/or refused to provide information to the Commission can be summarily convicted, but

only either an individual or a body corporate could be sentenced by way of fine. There are, however, many entities that are regularly asked to provide information, that are neither individuals nor bodies corporate, for example, Ministries, Government Departments, Service Commissions, Faith-Based Organisations, Community-Based Organisations, Non-Governmental Organisations. The Commission has expressed concern that if the Act is not modified to capture all of these entities then the Act itself becomes discriminatory, in that, while it recognises where the offence can be committed by anyone, only some are subjected to sanction, while others may escape with impunity. The Commission recommended that all entities be brought under sanction.

6. **‘Referring’ a matter to the Tribunal, rather than ‘initiating proceedings’:** The current section 39(2) provides that where a complaint before the Commission is unresolved (and the Commission has taken certain steps), the Commission shall ‘initiate proceedings’ before the Equal Opportunity Tribunal on behalf and with the consent of the complainant. The Commission would prefer that the section be amended to task the Commission with ‘referring’ the matter rather than ‘initiating proceedings, as the latter has led to a number of practical difficulties.
7. **Empowering the Commission to give assistance to persons before the Tribunal:** While the Commission does not want to bear the obligation to institute proceedings in all matters, it would like to give effect to the intent of the framers of the Act and provide assistance to some complainants in taking their matter before the Tribunal. It is to be noted that Commissions in other jurisdictions do this (for example, Hong Kong). The Commission would like to have this power expressly stated in the Act. The mechanics as to how it should be exercised should be left to the Commission to formulate and modify over time.
8. **Extending the non-admissibility of evidence in conciliation proceedings to all other**

Courts: The current section 40 provides that evidence of anything said or done in the course of conciliation proceedings shall not be admissible in proceedings before the Tribunal. The Commission has recommended that the non-admissibility of evidence in conciliation proceedings extend to all other Courts and not just be limited to the Tribunal, as there are unresolved complaints that the complainant would prefer to take to another Court, for example, the Industrial Court (through a Trade Union) or the High Court, rather than to the Tribunal, as the complainant may be of the opinion that the other Courts may offer a more appropriate resolution.

Subsequent to these proposals being sent, the Commission, by letter dated 15th October 2014, sought to include the following additional proposal:

9. **Sexual Orientation ought to be added as a status ground for protection:** The Act currently protects against discrimination based on certain personal and inherent characteristics known as status grounds. There are seven status grounds protected under the EOA - race, ethnicity, religion, marital status, disability, sex and origin, including geographical origin. However, sexual orientation is not included as a status ground and is, in fact excluded, as the Act provides that “sex” does not include sexual preference or orientation.

In December 2014, the then Attorney General referred the proposals of the EOC to the Law Reform Commission. That Commission sent the proposals out to select stakeholders for consultation and feedback. In March 2016, the Attorney General and Minister of Legal Affairs formed an ad hoc Committee, comprising Officers of his Secretariat, the Law Reform Commission, the Office of the Chief Parliamentary Counsel and the Equal Opportunity Commission, to review the amendments and prepare a report containing recommendations for his consideration. The Equal Opportunity Commission looks forward to a prompt resolution of that process, the drafting of the necessary amendment Bill, and the tabling of such Bill in Parliament.

Reports

Report from the Legal Unit

Complaints Received by The Commission in 2016

At section 27(1) (d) of the Act, the Commission is mandated “to receive, investigate and as far as possible, conciliate allegations of discrimination” that are lodged with it by members of the public.



Overview of the Process:

Part VII of the Act provides for the process by which complaints are handled. For convenience, the process can be broken down as follows:

- **Lodging a complaint:** The process begins when a member of the public lodges a complaint, which must be in writing [section 30(1)]. This should be done within six months of the date of the offending action [section 30(2)] but the Commission may accept a complaint outside of this period if there are exceptional circumstances [section 30(3)].
- **Investigating complaint:** The Commission is mandated to investigate all complaints lodged [section 32]. The Commission is empowered to send a notice in writing to any party to furnish specified information by a specified date [section 33]. Where upon investigation, no evidence of discrimination has been found, the Commission shall write to the complainant and inform of this and the reasons for this finding [section 34].
- **Conciliating complaint:** However, where the Commission has found that the subject matter may be resolved by conciliation, it is obligated to make all reasonable steps to have same conciliated [section 35]. The Commission may by notice request the attendance of the complainant, respondent and any other person with relevant information or who is likely to assist the resolution of the matter. If the parties are able to reach an amicable resolution at conciliation, an Agreement is usually drawn up, and signed, and it can be registered with the Equal Opportunity Tribunal where it becomes an Order of the Court [section 38].
- **Prosecuting defaulters:** Recall that the Commission may send a notice under section 33 to produce information and/or a notice under section 35 to attend conciliation. Section 36 provides for a process to criminally sanction parties who fail and/or refuse to comply with either of these notices. A summary complaint can be lodged before the Magistrates Court, and the party can be summoned to Court as a defendant; if the party cannot advance reasonable justification for this failure or refusal, the party can be convicted and sentenced:
 - In the case of an individual to a fine of \$1,000.00 per day or
 - In the case of a body corporate to a fine of \$5,000.00 per day
 for each and every day the party has failed and/or refused to comply.
- **Preparing and Publishing Reports:** In accordance with the provisions of section 39, if:
 - (a) attempts to resolve the matter by conciliation have not been successful, or
 - (b) after completing the investigation, the Commission felt that it was unlikely that the matter could have been resolved by conciliation, and as such, the matter was not so referred,
 but the Commission is satisfied that there was likely a breach of the Act, the Commission will:
 - (i) prepare a report relating to the investigation with its recommendations,

- (ii) send a copy of the report to the parties to the complaint,
- (iii) publish the report, and
- (iv) make said report available for inspection by the public.

If the matter remains unresolved, the Commission may with the consent and on behalf of the complainant, refer the matter to the Equal Opportunity Tribunal for hearing and adjudication.

This section of the Report presents information on complaints received and handled in 2016, using the processes described above, that is:

- (A) Complaints received and investigated;
- (B) Complaints referred to conciliation;
- (C) Summary Prosecutions before the Magistrates Court;
- (D) Reports that have been published, and matters that have been referred to the Equal Opportunity Tribunal.

A. Complaints Received and Investigated in 2016

This section presents and discusses data on the following:

1. Number of complaints received;
2. Demographic Data on the Complainants: Sex, Age, Race/Ethnicity
3. Geographic Data on the Complainants
4. Category and Status of Discrimination alleged
5. Types of Respondents
6. Geographic Data on Respondents

1. Number of Complaints Received

The Commission received ninety-eight (98) complaints in 2016, which is four (04) less than it received in 2015 [one hundred and two (102)], and which represents a drop of about four percent (04%). It is also less than what was received in 2014 [one hundred and twenty-six (126)]. December of 2016 recorded the highest number of complaints received for that month over the three years.

**Number of Complaints received by month
January 2014 to December 2016**

Month	Year		
	2016	2015	2014
January	09	10	11
February	05	09	06
March	09	07	15
April	10	04	10
May	11	09	20
June	06	08	13
July	05	07	12
August	05	14	06
September	09	13	09
October	08	07	01
November	09	04	15
December	12	10	08
Total	98	102	126

Table 01

When disaggregated by quarters, it is observed that number and percentage of complaints received in the first and third quarters of 2016 were less than in the corresponding quarters of 2015, whereas the number and percentage of

complaints received in the second and fourth quarters were more than for the corresponding periods of the previous year. The highest quarter in 2015 was the third, whereas this was the lowest quarter in 2016.

Number of Complaints received by Quarter – 2015 and 2016

Quarter	2016		2015	
	No.	% of Annual Total	No.	% of Annual Total
1st (Jan to March)	23	23.5	26	25.5
2nd (Apr to June)	27	27.5	21	20.5
3rd (Jul to Sept)	19	19.5	34	33
4th (Oct to Dec)	29	29.5	21	20.5
Total	98	100	102	100

Table 02

There was an even split of 50% between the first and second half of 2016; by contrast, in 2015 the halves were split 46:54.

2. Demographic Data on the Complainants: Sex, Age, Race/Ethnicity

For the three-year period January 2014 to December 2016, a total of three hundred and twenty-six (326) complaints were lodged, of which:

- One hundred and eighty-five (185) were lodged by males, or about fifty-seven percent (57%)
- One hundred and thirty-nine (139) were lodged by females, or about forty-two and half percent (42.5%) and

- Two (02) were lodged by a group, which is less than one percent (<01%)

In each of the three years, more complaints were lodged by males than by females. Moreover, there has been an increase in the percentage lodged by males: fifty-one percent (51%) in 2014 to fifty-nine percent (59%) in 2015 to sixty-two percent (62%) in 2016. The number of females lodging complaints went from forty-eight percent (48%) in 2014 to thirty-eight (38%) in 2016, which is a decline of about thirty-nine percent (39%).

Sex of the Complainant 2014-2016

Type	2016	2015	2014	Total for all 3 years
Male	61 (62%)	60 (59%)	64 (51%)	185
Female	37 (38%)	41 (40%)	61 (48%)	139
Group	0 0	01 (<01%)	01 (<01%)	02
Total by year	98 (100%)	102 (100%)	126 (100%)	326

Table 03

Of the ninety-eight (98) complaints received in 2016, twenty (20), or about twenty and half percent (20.5%) of complainants, did not give age information. This was higher than the previous two years – twelve percent (12%) in 2014 and sixteen and half percent (16.5%) in 2015. There has been a consistent increase over the three years in the numbers and percentages of persons who do not provide this information. From those who gave information, the following can be noted:

- In all three years, the percentage of complaints lodged by persons under 25 years old has been relatively small. It may be that persons in this age group are now entering the labour market and are not yet in a position to complain about things like promotions and transfers.
- Similarly, the percentage of complaints lodged by persons over 65 years old has also been small over the three years, and in fact has declined by half – from six percent (06%) in 2014 to three percent (03%) in 2016. It may be that persons in that age group are no longer in the labour market as employees, as they would be beyond mandatory retirement age, and as such, have passed the point of complaining about things like promotions and transfers. It must be noted that age is

not a status ground that is protected under the Equal Opportunity Act. Consequently, if because of age, a person over 65 years is denied employment, or some benefit or facility associated with employment, that person has no recourse for relief with the Commission.

- In 2016, the cluster of persons aged 26 to 35 years outshone all other clusters, and by itself accounted for almost forty percent (40%) of all complaints lodged. Even if the twenty percent (20%) who did not give information were added to any other single cluster, that still would not displace the 26 to 35 years age group from the top spot.
- In 2016, the clusters 36 to 45 years and 46 to 55 years both tied for the second highest spot at twelve percent (12%) each. In both 2015 and 2014, the dominant age group of persons lodging complaints was 36 to 45 years, followed by 26 to 35 years and then followed by 46 to 55 years. In both years, this ‘super-cluster’ of persons aged 26 to 55 years accounted for more than sixty percent (60%) of all complaints lodged: about sixty-seven percent (67%) in 2015 and sixty-three and half percent (63.5%) in 2014. Similarly, in 2016, this super-cluster accounted for about sixty-four (64%) of all complaints lodged.

Age of the Complainants 2014-2016

Age group (By years)	2016		2015		2014	
	No. of Complainants	% of the Annual Total	No. of Complainants	% of the Annual Total	No. of Complainants	% of the Annual Total
Under 18	0	0	01	01	02	1.5
18-25	03	03	01	01	06	05
26-35	38	39	24	23.5	27	21
36-45	12	12	25	24.5	27	21
46-55	12	12	19	18.5	26	20.5
56-65	10	10	12	12	15	12
Over 65	03	03	03	2.5	08	06
Not Stated	20	20	17	16.5	15	12
Total	98	100	102	100	126	100

Table 04

With respect to the racial composition of persons who lodged complaints in 2016:

- Thirty-four (34) persons self-identified as being of African origin;
- Forty-two (42) persons self-identified as being of East Indian origin;
- Twelve (12) persons self-identified as being of mixed origin;
- Three (03) persons self-identified as being of White/ French Creole or Chinese origin; and
- Seven (07) persons did not provide information.

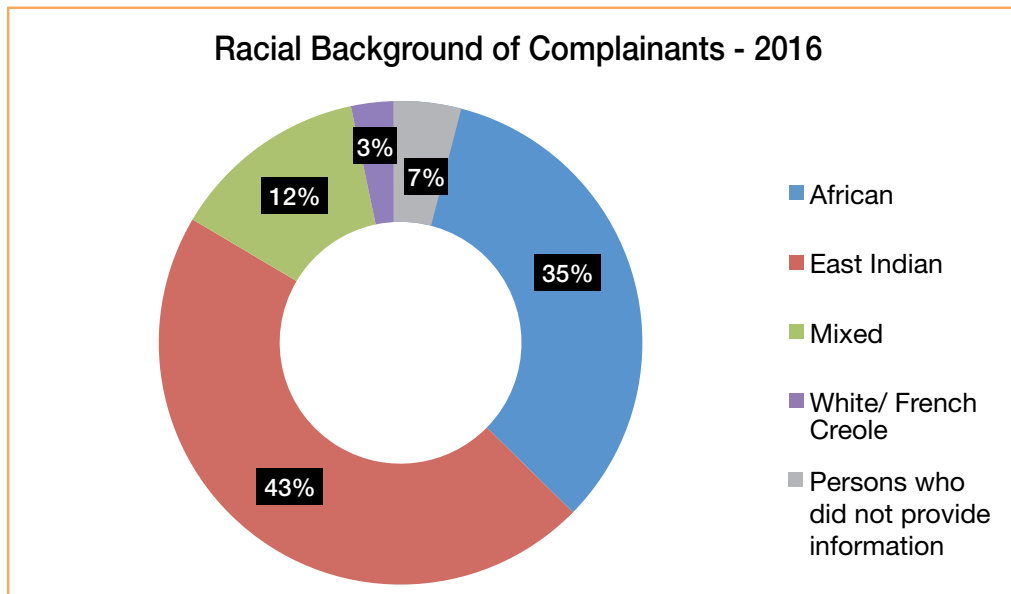


Figure 02

In 2015 there was an equivalent number and percentage of complaints lodged by persons of African origin and persons of East Indian origin. However, in 2016 persons of East Indian origin lodged more complaints when compared with persons of African origin.

According to 2011 Census data published by the Central Statistical Office, the following groups account for the following percentage composition of the population of Trinidad and Tobago:

- Persons of East Indian origin – 35.4%
- Persons of African origin – 34.2%
- Persons of Mixed origin – 23.3%
- Persons of the following origins: White/ French Creole, Portuguese, Chinese and Syrian/Lebanese – 01%

Compared with national statistics, in 2016 there was a greater tendency for persons of East Indian origin to lodge complaints, an equivalent tendency for persons of African origin to lodge complaints, and a lesser tendency for persons of mixed origin, that is:

- Persons of East Indian origin account for about forty-three percent of the complainants, but only thirty-five percent (35%) of the national population;
- Persons of African origin account for about thirty-four and half percent (34.5%) of complainants, and about thirty-four percent (34%) of the national population;
- Persons of Mixed origin make up about twelve percent (12%) of complainants, whereas they account for about twenty-three percent (23%) of the national population.

3. Geographic Data on the Complainants

This data is based on the 'home addresses' that the complainants provided on their complaint form. This helps to indicate the extent to which persons throughout Trinidad and Tobago are aware of the Commission and have utilised its services. The information as provided was grouped according to the Regional Corporations and Municipal Corporations.

- About eleven and half percent (11.5%) of all complaints received [38 out of 326] were lodged by persons living in the North-West region of Trinidad [Port-of-Spain and Diego Martin]. According to 2011 National Census Data published by the Central Statistical Office, this region accounts for 10.6% of the total population of Trinidad and Tobago; consequently, it can be said that the percentage of complaints received from persons in this region is roughly proportionate to the national population (the deviation is about one percent point).
- About thirty-three percent (33%) of all complaints received (107 out of 326) were lodged by persons living in the North-East Region [San Juan/Laventille, Tunapuna/Piarco, Arima and Sangre Grande]. According to 2011 National Census Data, this region accounts for 36.3% of the total population of Trinidad and Tobago; consequently, it can be said that there is a lesser tendency for persons from this region to lodge complaints, but the differential is not large (about three percent points).
- About twenty-four and half percent (24.5%) of all complaints received (80 out of 326) were lodged by persons living in the Central Region [Chaguanas and Couva/Tabaquite/Talparo]. According to 2011 National Census Data, this region accounts for 19.7% of the total population of Trinidad and Tobago; consequently, it can be said that there is a greater tendency for persons from this region to lodge complaints. The differential is about five percent points above the national population (that is, national population is 19.7%, but complaints received is 24.5%).
- About twenty-two and half percent (22.5%) of all complaints received (73 out of 326) were lodged by persons living in the Southern Region [San Fernando, Point Fortin, Debe/Penal, Princes Town, Siparia and Rio Claro/Mayaro]. According to 2011 National Census Data, this region accounts for 28.8% of the total population of Trinidad and Tobago; consequently, it can be said that there is a lesser tendency for persons from this region to lodge complaints. The differential is about seven percent points below the national population (that is, national population is 28.8%, but complaints received is 22.5%).
- About seven percent (07%) of all complaints received (22 out of 326) were lodged by persons from Tobago. According to 2011 National Census Data, Tobago accounts for 4.6% of the total population of the twin-island Republic; consequently, it can be said that there is a greater tendency for persons from this region to lodge complaints, but the differential is not large (about two and half percent points).

**Geographical Origin of Complainants 2014-2016
(By Regional and Municipal Corporations)**

Area	2016		2015		2014	
	No of Complaints	% of Annual Total	No of Complaints	% of Annual Total	No of Complaints	% of Annual Total
Port-of-Spain	07	07	06	06	11	09
Diego Martin	06	06	03	03	05	04
San Juan / Laventille	08	08	05	05	11	09
Tunupuna / Piarco	13	13	12	12	14	11
Arima	10	10	20	19.5	10	08
Toco / Sangre Grande	01	01	02	02	01	<1
Chaguanas	26	26	14	14	23	18
Couva / Talparo / Tabaquite	04	04	06	06	07	5.5
San Fernando	10	10	12	12	15	12
Penal / Debe	02	02	01	01	04	03
Siparia	02	02	01	01	04	03
Point Fortin	02	02	02	02	02	1.5
Princes Town	01	01	06	06	04	03
Mayaro / Rio Claro	01	01	04	04	0	---
Tobago	03	03	07	07	12	9.5
Not stated / Other	02	01	01	01	02	1.5
Total	98		102		126	

Table 05

Excluding San Fernando, the number of complaints received from the Southern regions of Trinidad [Point Fortin, Debe/Penal, Princes Town, Sparia and Rio Claro/Mayaro] remains small: this region accounted for nine percent (09%) of all complaints received in 2016, down from fourteen percent (14%) in both 2015 and 2014.

The percentage of complaints received from persons who reside in regions in the East-West

Corridor of Trinidad – Diego Martin, Port-of-Spain, San Juan/Laventille, Tunapuna/Piarco – has remained consistent over the three years, with the variations in each area being no more than three percentage points. For example, Port-of-Spain's share varied between six and nine percent (06% and 09%), Diego Martin's share varied between three and six percent (03% and 06%) and Tunapuna/Piarco's share varied between eleven and thirteen percent (11% and 13%). The exception to this was

Arima, which went down from nineteen and half percent (19.5%) in 2015 to ten percent (10%) in 2016, a drop of almost ten percent points.

At the same time, there has been a decline in the number of complaints lodged by persons from Tobago, so that while the three-year average is higher than the percentage of the national population, the percentage of complaints received from Tobago in 2016 is lower than the percentage of the national population who reside there.

4. Category and Status of Discrimination Alleged

In order to understand the information presented under this heading, it is important to appreciate the kinds of behaviour the **Equal Opportunity Act**, and by extension, the Commission, is concerned about. In Parts II to V, the Act defines “discrimination” and specifies the fields in which the Act is and is not to apply.

According to section 4, the Act is concerned with discrimination in relation to the following **four broad categories**:

- **Employment**
- **The Provision of Goods, Services and Facilities**
- **The Provision of Education**
- **The Provision of Accommodation**

but it only applies if that discrimination is:

- (i.) discrimination on the **ground of status** as defined in section 5, or
- (ii.) discrimination by way of **victimisation** as defined in section 6.

The Act is also concerned with a separate category of action known as **“offensive behaviour”** as defined in section 7.

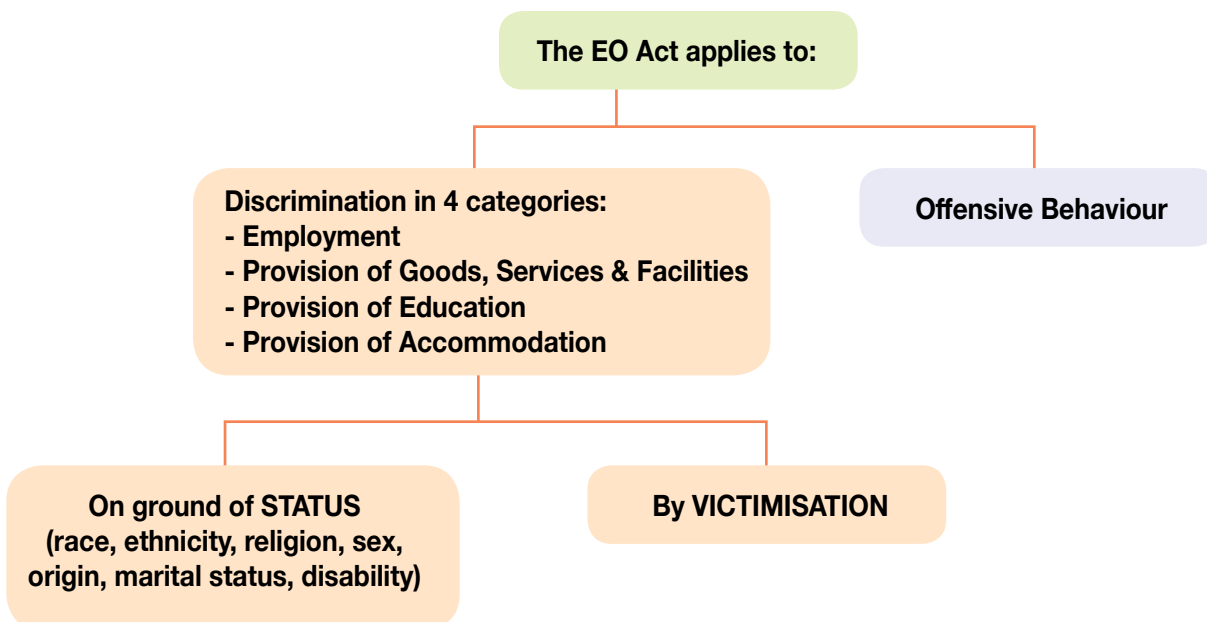


Figure 03

A 'status' is a personal characteristic that the Act gives protection to. Currently there are 7 status grounds that are protected: Sex, Race, Ethnicity, Religion, Marital Status, Origin (including geographic origin) and Disability.

Category of Discrimination:

Of the three hundred and twenty-six (326) complaints lodged over the period January 2014 to December 2016:

- Two hundred and forty-eight (248) alleged discrimination with respect to employment, which is about seventy-six percent (76%) of all complaints received;
- Fifty-nine (59), about eighteen percent (18%), alleged discrimination with respect to the provision of goods, services and facilities;
- Twelve (12), or about three and half percent (3.5%), alleged discrimination with respect to the provision of education;

- Four (04) persons alleged discrimination with respect to the provision of accommodation, which is about one percent (01%);
- Four (04) persons alleged Offensive Behaviour, which is less than one percent (<01%) and
- Two (02) persons alleged 'other' or did not allege one of the four categories, which is less than one percent (<01%). It should be mentioned that in 2013, twenty-four (24) of the one hundred and ninety-six complaints, or about twelve percent (12%), alleged other or did not allege a ground, so that this has decreased drastically to the point where all complaints lodged in 2016 alleged a category. It is either or both that the public has a better understanding of what the Commission does, or persons make the effort to find out before lodging a complaint.

Category of Discrimination Alleged 2014 -2016

Category	2016		2015		2014	
	No of Complaints	% of Annual Total	No of Complaints	% of Annual Total	No of Complaints	% of Annual Total
Employment	67	67	75	73.5	106	84
Goods, Services and Facilities	25	25	21	20.5	13	10.3
Education	05	05	03	03	04	03
Accommodation	01	01	01	01	02	1.5
Offensive Behaviour	03	02	01	01		
Other	0	0	01	01	01	<1
Total	101[⊗]	100	102	100	126	100

Table 06

⊗ The Four persons who alleged Offensive Behaviour also alleged discrimination in other categories with respect to the same incident.

In 2016, employment continued to occupy the largest share of the pie, but its significance has declined from eighty-four percent (84%) in 2014 to sixty-seven percent (67%) in 2016, a decline of seventeen percent points. On the other hand, the segment occupied by the provision of goods and services has risen from about ten percent (10%) in 2014 to twenty-five percent (25%) in 2016. For the three years, the provision of education has amounted to five percent (05%) or less of complaints.

Complaints of discrimination in the provision of accommodation and discrimination by offensive behaviour continued to be small. In 2016 three (03) complaints were lodged alleging offensive behaviour, but all also alleged discrimination in another field with respect to the same incident. For this reason, the total in the preceding table is one hundred and one (101) and not ninety-eight (98).

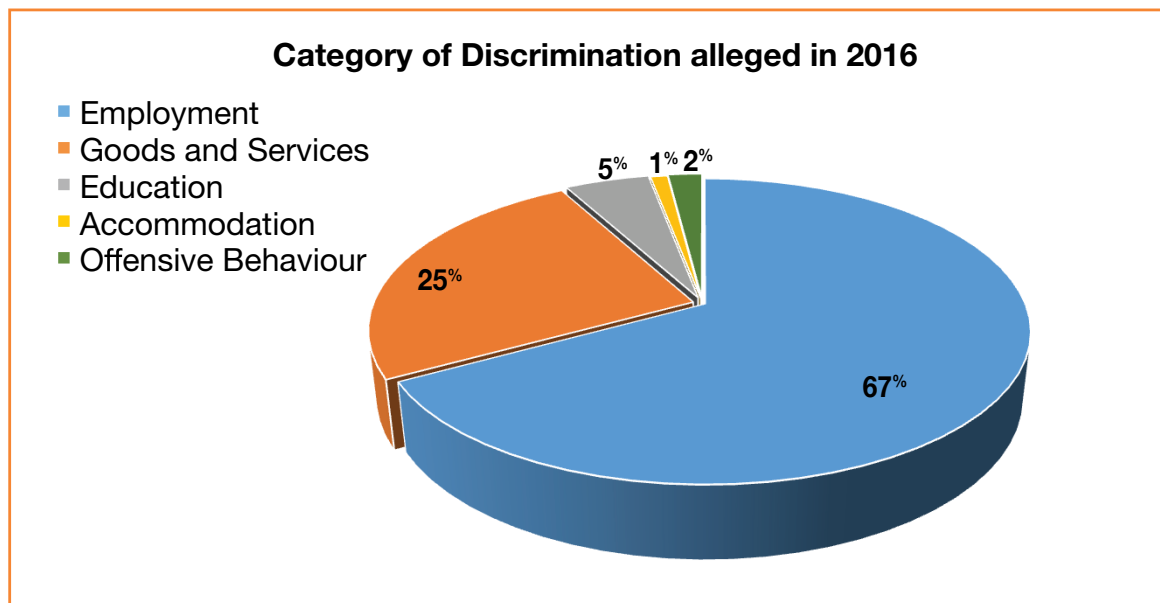


Figure 04

Status/ Victimization Alleged:

Of the ninety-eight (98) complaints lodged in 2016:

- Eleven (11) identified no status under the Act. Of this number, four (04) identified grounds not covered by the Act, including political affiliation and unfair treatment.
- Eight-seven (87) complaints lodged identified one or more status grounds (including victimisation). This amounts to about eighty-nine percent (89%) of all complaints lodged and it is the highest percentage over the three-year period 2014

to 2016, and the second highest number (the highest was ninety-three in 2014). Of this number:

- Thirty-eight (38) complaints alleged only one status ground (or victimisation);
- The remaining forty-nine (49) persons alleged two or more grounds. For example, more often than not, both race and ethnicity are alleged together although these are two different (but related) concepts.

Total Number of Complaints that Alleged a Status Ground 2014 to 2016

	2016	2015	2014
Total Number of complaints received	98	102	126
Of which, total number that alleged one or more status ground	87(89%)	51(50%)	93(74%)

Table 07

The eighty-seven (87) complaints where persons alleged a status can be dissected as follows:

Race and/or Ethnicity	<p>Twenty-two (22) complaints, or about twenty-two and half percent (22.5%) of all received, involved an allegation of racial and/or ethnic discrimination:</p> <ul style="list-style-type: none"> • Five (05) persons alleged race alone; no one alleged ethnicity alone • Two (02) persons alleged race and ethnicity together; • Four (04) persons alleged race and ethnicity along with some other reason; of these persons, one (01) alleged a reason that is not a recognised status ground (political affiliation); • Six (06) persons alleged race and ethnicity along with sex, and of these persons, two (02) added reasons that are not recognised as status ground (organisational mismanagement); • Two (02) persons alleged race and ethnicity along with religion, and of these, one (01) added reasons that are not recognised as status ground (gender and class); • One (01) person alleged race along with origin and victimisation; • One (01) person alleged race and ethnicity along with victimisation; • One (01) person alleged race along with offensive behaviour.
Disability	<p>Twenty (20) complaints, which is about twenty and half percent (20.5%) of all received, involved an allegation of disability discrimination:</p> <ul style="list-style-type: none"> • Sixteen (16) complainants alleged disability on its own; • Three (03) persons alleged disability along with victimisation; • One (01) person alleged disability along with offensive behaviour.
Sex	<p>Thirteen (13) complaints, which is about thirteen percent (13%) of all received, involved an allegation of sex discrimination:</p> <ul style="list-style-type: none"> • Five (05) persons alleged sex alone; • Six (06) persons alleged sex along with race and ethnicity, and of these, two (02) added reasons that are not recognised as status ground (organisational mismanagement); • Two (02) persons alleged sex along with another reason that is not recognised as a status ground (one alleged gender and the other alleged bias/ favouritism).

Origin	Eight (08) complaints, which is about eight percent (08%) of all received, involved an allegation of discrimination on the ground of origin: <ul style="list-style-type: none"> • Five (05) persons lodged complaints based on origin alone; • One (01) person alleged origin along with race and victimisation; • One (01) person alleged origin along with religion; • One (01) person alleged origin along with some other reason that is not a recognised status ground (professional integrity).
Religion	Six (06) complaints, or about six percent (06%) of all received, involved an allegation of discrimination on the ground of religion: <ul style="list-style-type: none"> • Three (03) complaints alleged religion on its own; • Two (02) persons alleged religion along with race and ethnicity, and of these, one (01) added reasons that are not recognised as status ground (gender and class); • One (01) person alleged religion along with origin.
Marital Status	No complaints involved an allegation of discrimination on the ground of marital status.
Victimisation	Ten (10) complaints, which is about ten percent (10%) of all received, involved an allegation of victimisation: <ul style="list-style-type: none"> • Four (04) complaints alleged victimisation on its own; • Three (03) persons alleged victimisation along with disability; • Two (02) persons alleged victimisation along with race, and of these, one (01) went on to allege origin as well.

Table 08

It is to be repeated that forty-nine (49) persons alleged two or more status grounds. As such, the numbers presented in the preceding Table may not easily add up and there will be obvious overlaps. For example, under the heading “Disability”, the three (03) persons who alleged discrimination because of disability along with victimisation would be the same three (03) persons who, under the heading “Victimisation” alleged discrimination based on victimisation along with disability.

Percentage of Complaints by Status Ground 2014 – 2016

Category	2016	2015	2014
Race and / or Ethnicity	22.5%	16.5%	24%
Disability	20.5%	12%	10%
Sex	13%	08%	18%
Religion	06%	08%	09%
Origin	08%	06%	17.5%
Marital Status	0%	02%	1.5%
Victimisation	10%	12.5%	14%

Table 09

In 2016, allegations of discrimination on the basis of race and/or ethnicity continued to be

the top ground of complaint. The percentage share of disability complaints has doubled

from ten percent (10%) in 2014 to twenty and half percent (20.5%) in 2016. This was the second highest ground of complaint in 2016, whereas in previous years, the second highest ground was either victimisation (2015) or sex (2014). Whereas complaints on the ground of disability doubled over the period, complaints of discrimination on the ground of origin halved: from seventeen and half percent (17.5%) in 2014 to eight percent (08%) in 2016. Complaints of discrimination on the ground of marital status have been consistently low, amounting to two percent (02%) or less in each of the three years. While complaints of discrimination on the ground of religion have hovered between six and nine percent (06% and 09%), it has steadily declined from the high of nine percent (09%) in 2014 to the low of six percent (06%) in 2016.

5. Types of Respondents
(The person or entity against whom the complaint was lodged)

Unlike the Ombudsman, who is concerned with actions or decisions of public authorities, or the Integrity Commission, which is concerned with persons in public life, the provisions of the Equal Opportunity Act and the jurisdiction of the Commission extend to both the Public and Private Sectors. The Commission is empowered to enquire into matters originating from both sectors that may arise under the broad categories of employment, the provision of goods and services, education and the provision of accommodation.

Of the ninety-eight (98) complaints lodged in 2016:

- Seventy-five (75), which is about seventy-six and half percent (76.5%), were against State/Public Sector entities, and
- Twenty-three (23), which is about twenty-three and half percent (23.5%), were against Private Sector entities.

By State/Public Sector is used to mean all entities, departments, offices and agencies that are part of, owned by, or connected to the State. These would include:

- Ministries or Departments of the Central Government, for example, the Ministry of Education, the Board of Inland Revenue, the Trinidad and Tobago Police Service;
- Service Commissions, such as, the Public Service, Police Service, Teaching Service, and Statutory Authority Service Commissions;
- Regional Administrative and Municipal Bodies, in particular, Regional Corporations and Regional Health Authorities (RHAs);
- Enterprises that are owned and/or controlled by the State (as defined by section 119(9) of the Constitution) for example, National Gas Company of Trinidad and Tobago Ltd;
- Bodies that exist by or under any Statute or Law and/or exercise public and/or regulatory powers for, example, the Central Bank, the Chaguaramas Development Authority;
- Educational and Vocational institutions that are funded by the public purse, for example, The University of the West Indies.

Type of Respondents 2014 to 2016

CATEGORY	2016		2015		2014	
	No. of Complaints	% of Annual Total	No. of Complaints	% of Annual Total	No. of Complaints	% of Annual Total
State/ Public Sector	75	76.5	82	80.4	93	74
Private (including NGOs and Individuals)	23	23.5	20	19.6	33	26
Total	98	100	102	100	126	100

Table 10

For the period 2014 to 2016, complaints against State/Public entities have consistently accounted for more than seventy percent (70%) of complaints lodged in each year. These complaints accounted for more than eighty percent (80%) in 2015, but in 2016 there was an increase in both the number and percentage share of complaints against Private Sector entities.

Of the seventy-five (75) complaints that are considered State/Public Sector:

- Twenty-three (23) complaints were lodged against a Government Ministry or a Department, Office or Division of a Ministry;
- Six (06) complaints named the Trinidad and Tobago Police Service as a Respondent;
- Four (04) complaints were lodged against a Service Commission;
- Two (02) complaints were made against public bodies that have regulatory and/or investigative functions;
- Five (05) complaints were lodged against Regional Health Authorities based in Trinidad
- Three (03) complaints were lodged against regional and administrative bodies that operate in Tobago;
- Two (02) complaints were lodged against schools that fall under the purview of the Ministry of Education;
- Four (04) complaints were lodged against a regional University that has a campus in Trinidad, and of these, one was lodged against a technical school that is owned and operated by that University;
- Twenty-two (22) complaints were filed against corporations and entities owned by the State, apart from those that would fall into one of the categories above. Of the twenty-two (22), three (03) were against a corporation that is concerned with housing, two (02) were against a utility that provides water and two (02) were against State companies that operate in the oil and gas sector.

Of the twenty-three complaints that were lodged against private sector entities:

- One (01) was against an oil and gas Company with revenues in excess of one billion dollars;
- With respect to the manufacturing sector, two (02) complaints were lodged against heavy manufacturing entities, with annual revenues of more than one billion dollars, and a further one (01) was against a mid-sized manufacturer;
- With respect to the food and beverage sector, one (01) complaint was lodged against a manufacturer of bottled drinks;
- Two (02) complaints were lodged against entities involved in the retail of goods and merchandise;
- The rest of the complaints were lodged against entities involved in the services sector, of which:
 - With respect to the restaurant, nightclub and entertainment sub-sector, two (02) complaints were lodged against restaurants, and one (01) was lodged against a nightclub;
 - With respect to the hospitality sub-sector, one (01) complaint was lodged against a hotel
 - Three (03) complaints were against entities that provided medical services: one was against a private nursing home, one against a private doctor, and one against a private ambulance company;
 - Two (02) complaints were lodged against private security companies;
 - One (01) complaint was lodged against a company that provided financial services; and
 - One (01) complaint was lodged against a trade union.

All private sector entities were from Trinidad; no complaints were lodged against any private sector entities from Tobago.

It is important to emphasise that the foregoing simply presents information on who the

complaints were lodged against; it does not necessarily mean that there has been finding for or against any party.

6. Geographic Data on the Respondents

This data is based on the ‘corporate addresses’ of the respondents. In the case of a respondent with multiple offices or branches (for example, a commercial bank, a restaurant chain), this

may not necessarily be the address where the alleged actions might have taken place. In presenting this information, addresses were grouped into economic and commercial cluster zones, and not in accordance with regional and municipal corporations. The following Table presents these cluster zones and the number of individual respondents that are based in said zones.

**Geographical Origin of Respondents 2016
(By Economic/ Commercial Cluster Zones)**

Cluster Zone	Brief Explanation of Zone	Number of Respondents	Percentage of Annual Total
Port-of-Spain	This comprises the City of Port-of-Spain and environs (for example, Sea Lots, East Dry River, St Ann’s, Maraval, St James)	58	59
North West	This comprises areas west of Port-of-Spain, such as Diego Martin, Diamond Vale, Carenage, Chaguaramas	02	02
San Juan	This comprises San Juan, El Socorro, Aranjuez	02	02
St Joseph/ St Augustine	This comprises areas from St Joseph to Curepe	10	10
Macoya/Trincity	This comprises areas from Tunapuna to Piarco	05	05
Arima	This comprises the Borough of Arima and environs (O’Meara)	03	03
North-East	This comprises areas east of Arima, such as Valencia, Toco and Sangre Grande	0	
Charlerville/ Chaguanas	This comprises areas from Frederick Settlement in Caroni to Munroe Road to Charlerville to Chaguanas and environs (such as Lange Park, Edingburgh, Felicity)	03	03

Cluster Zone	Brief Explanation of Zone	Number of Respondents	Percentage of Annual Total
Couva/Point Lisas	This would comprise Couva and environs (for example, Balmain, McBean, Freeport) and the Point Lisas Industrial Estate	01	01
Claxton Bay/ Pointe-à-Pierre	This comprises areas such as Plaisance Park, Forres Park, and the industrial centres around Claxton Bay and Pointe-à-Pierre	02	02
San Fernando	This comprises the City of San Fernando and environs (for example, Marabella, Union Park, La Romain)	07	07
La Brea/ Point Fortin	This comprises areas from Otaheite to the industrial centres at La Brea and Point Fortin	02	02
South West	This comprises areas south and west of the La Brea/Point Fortin cluster, and includes Icacos, Cedros, Chatham, Erin, Palo Seco and Santa Flora	0	
Penal/ Debe/ Princes Town	This comprises areas east of the San Fernando, La Brea and South West clusters, and includes places like Fyzabad, Penal, Debe, Princes Town, Moruga	0	
Manzanilla/Mayaro	This comprises areas of East Trinidad south of Sangre Grande	0	
Tobago	This comprises the island of Tobago	03	03
Total		98	

Table 11

Fifty-nine percent (59%) of the Respondents are based in Port-of-Spain. To a large extent, this is not unusual when it is considered that seventy-five out of ninety-eight complaints were against Public Sector agencies (of which thirty-three (33) were against Government Ministries, the Police Administration or the Service Commissions), and many of these agencies are based in Port-of-Spain. A further twenty-two percent (22%) of complaints were against entities based in the East-West Corridor (that is, from Arima to Diego Martin, but not including Port-of-Spain). In total, eighty-one percent (81%) of Respondents were from the East-West corridor (including Port-of-Spain). Seven percent (07%) of Respondents were from San Fernando, and this was the third highest source area for Respondents (after Port-of-Spain and St Augustine/ St Joseph). A remarkably low number of complaints was lodged against entities based in the energy belt, that is the area stretching from Point Lisas, to Point Fortin, and would include Claxton Bay, Pointe-à-Pierre and La Brea (but for the purpose of this analysis, would not include San Fernando). This belt only accounted for five percent (05%) of the complaints, but this belt accounts for a significantly higher percentage of the employed population of Trinidad and Tobago.

If one were to compare the geographical location of the Respondents with the geographical location of the Complainants, that was presented earlier, one may observe the following:

- Twenty-six percent (26%) of the Complainants reside in the Chaguanas region, but only four percent (04%) of the Respondents are based in the area stretching from Charlieville to Point Lisas.
- Only seven percent (07%) of the Complainants live in Port-of-Spain, but fifty-eight (58%) of the Respondents are based there.
- Six percent (06%) of the Complainants live in the area stretching from Siparia to Mayaro (including Penal, Debe, Princes Town and Rio Claro) but none of the Respondents is based there.

In short, there is no correlation between where persons live and where they work. Persons may live in Arima or Chaguanas, but work in St Joseph or Port-of-Spain.

B. Complaints Referred to Conciliation in 2016

The **Equal Opportunity Act, Chapter 22:03** empowers the Commission to refer a matter to Conciliation where it finds that the subject matter of the complaint may be resolved by this process. Conciliation is facilitated in-house by the Conciliation Unit at the Commission. There is no cost attached to this process at the Commission, unless the disputing parties opt to hire representation.

Eight (08) matters were referred for Conciliation in calendar year 2016. A summary of the complaints is as follows:

No. and Code	Brief Description of Matter	Status as at December 30, 2016
1.(GPD)	A Carpenter I at a public authority who is Muslim and dresses in Muslim garb claimed discrimination on the ground of his religion, when persons who were junior to him were promoted to posts ahead of him.	Matter was not resolved. Final report will be prepared and published.

No. and Code	Brief Description of Matter	Status as at December 30, 2016
2.(CR)	An Engineering Technician alleged discrimination by an energy company, when it refused to hire him on the ground that he was in remission from hairy-cell leukaemia, and it did not want to take the risk as to whether or not his condition would recur.	Matter was not resolved. Final report will be prepared and published.
3.(RC)	A former Lecturer claimed victimisation when his contract of employment was not renewed, after he had written a letter to his former employer in which he alleged that the employer had breached the Equal Opportunity Act.	Matter was resolved.
4.(DP)	A Graduate Trainee at a public utility claimed that she was discriminated against on the basis of her sex, her geographical origin, and by way of victimisation, when other Trainees who were in her batch were absorbed into permanent posts.	Matter is with the Conciliation Unit
5.(NJ)	A Muslim woman claimed discrimination when a company that retails fashion accessories and products rescinded an offer of employment to her on the basis that she wore a hijab.	Matter is with the Conciliation Unit
6. (AMS)	An Analyst III at a State agency claimed discrimination on the basis of his race and/or ethnicity when other persons were either promoted ahead of him to Analyst II or sent on training abroad, or both.	Matter is with the Conciliation Unit
7.(KCM)	A draughtsman at a State Enterprise claimed discrimination on the ground of his disability after he was involuntarily retired on medical grounds ('medically boarded') on the recommendation of an Occupational Specialist.	Matter is with the Conciliation Unit
8.(SS)	An employee at an energy company claimed discrimination on the basis of his race and/or ethnicity when he was not promoted into a supervisory post when it became vacant, and someone who was junior to him was promoted.	Matter is with the Conciliation Unit

Table 12

All matters were based on the **category of employment**. Six (06) of the eight (08) complaints were against public sector bodies. Only two (02) matters were against private sector employers (that is, numbers 02 and 05 above). It should be noted, however, that the matters spanned the entire spectrum of the "employment relationship" as complaints were referred from job applicants, trainees, current employees and even former employees.

C. Summary Prosecutions for Non-Compliance

In the 2015 Annual Report, it was reported that the Commission had laid summary complaints before the Magistrates Court against:

- Mrs. Gloria Jones-Knapp, proprietress of Bacolet Beach Club; and
- Eco- Industrial Development Company of Tobago Ltd (E-IDCOT)
- The University of Trinidad and Tobago (UTT).

The first two were laid before the Tobago Magistrates Court, and the third was laid before the Arima Magistrates Court. In 2016, the matter against Mrs Jones-Knapp was discontinued, but the matters against E-IDCOT and UTT continued. Also, in February 2016, the Commission, acting through its Investigating Officer, laid a complaint before the Arima Magistrates Court against:

- The University of Trinidad and Tobago (UTT).

This matter is also ongoing.

The complaints were laid pursuant to section 36 of the Equal Opportunity Act, which provides that:

‘A person who, without reasonable excuse, refuses or fails to comply with any requirement of a notice under sections 33 and 35(2), is liable on summary conviction-
(a) in the case of an individual, to a fine of one thousand dollars;
(b) in the case of a body corporate, to a fine of five thousand dollars,
for every day that the individual or body corporate refuses or fails to comply with any requirement.’

The cause of action in these cases is the alleged non-compliance with a notice issued by the Commission under section 33 to provide information with respect to an on-going investigation.

D. Reports on Matters Published for Public Inspection

According to section 39(1) of the Equal Opportunity Act, where the matter cannot or has not been resolved by Conciliation the Commission shall:

- (a) prepare a report relating to the investigation with its recommendations;**
- (b) send a copy of the report to the parties to the complaint;**
- (c) publish the report; and**
- (d) make the report available for inspection by the public.’**

Pursuant to the provisions of this section, the Commission prepared and published four (04) Reports in calendar year 2016, in respect of the matters referred to hereunder:

Complainant	Respondent	Category	Ground(s)
Ingrid C García-Quintero	Public Service Commission and Director of Personnel Administration	Employment	Disability and victimisation
Sean Ocho	Water and Sewerage Authority of Trinidad and Tobago ('WASA')	Employment	Race and/or ethnicity and victimisation
Nigel Meltz	Trinidad and Tobago Fire Service	Employment	Religion
Moriba Baker	University of Trinidad and Tobago ('UTT')	Employment	Race and/or ethnicity and victimisation

Table 13

The first three reports (Garcia-Quintero, Ocho and Meltz) were published on 04th July 2016; the fourth (Baker) was published on 07th September, 2016.

In each of these matters, copies of the reports were sent to the parties, and are available for viewing by members of the public at the Commission's office.

The following are summaries of these matters:

➤ **Complaint lodged by Mrs Ingrid C García-Quintero**

The Complainant is an Acting Administrative Officer IV in the Public Service and in October 2013 was posted to the Ministry of Education's office which was then in St Clair. She presented a medical report which said that she has lumbar disc herniation and severe lower back pain, and it was recommended that she avoid climbing stairs and excessive walking. The Ministry's now former office in St Clair did not have an elevator and she was posted into an office on the first floor. She claimed that she accessed her office by dragging herself up by her buttocks up the stair case. She asked the Service Commission to transfer her to a vacant post at a location where there is an elevator, which the Service Commission refused to consider, on the ground, among other things, that she had commenced a judicial review application in the High Court against the Service Commission, concerning its decision to transfer her from her post at another Department. However, that matter was discontinued.

➤ **Complaint lodged by Mr Sean Ocho**

The Complainant started working at WASA in 1989, and after having been awarded a degree by The University of the West Indies, entered WASA's Graduate Trainee programme in August 2007. He has been acting as Project Manager on and off since 2010, but has alleged that persons who are either junior to him or who entered the Trainee programme at the same time he entered have been promoted into permanent posts ahead of him.

➤ **Complaint lodged by Mr Nigel Meltz**

The Complainant is a firefighter who worships with Assemblies of Yahweh church and follows their tenets, one of which is that men should not shave their beards. Regulation 118 of Fire Service (Terms and Conditions of Employment) Regulations 1998 state that firemen should have their chin and underlip clean-shaven. The Complainant asked for an exemption to this policy on religious grounds but this was denied, and instead he was subjected to disciplinary processes for being unshaven. The Fire Service said that there are no documented policies or regulations which govern exemptions from shaving for males; however exemptions are given to male officers who suffer from medical conditions such as Scyosis Vulgaris. A request on this ground must be certified by a doctor, and if given, it is normally for a short period (for example, one month) and not indefinite.

➤ **Complaint lodged by Mr Moriba Baker**

The Complainant was a former Senior Instructor at UTT. There are three aspects of his complaint:

- i. UTT advertised a vacant position of Senior Manager, Sports and Recreation. He applied and was interviewed, but UTT hired a prominent former West Indies Cricketer instead. UTT claimed that he (the Complainant) did not have the qualifications for the post, which he has disputed. He has alleged discrimination in not being hired.
- ii. While the position was vacant, he alleged that he effectively performed the duties of same, and alleged discrimination in not being paid extra-duty allowance for acting in the position.

- iii. He was suspended, pending an investigation into allegations of a conflict of interest, and was eventually terminated. UTT claimed that the conflict arose with the registering of the domain site www.learn.tt by the Complainant's brother-in-law. UTT was interested in setting up this website as an online e-learning portal, but found out that it was already registered by the brother-in-law.

Initiating Proceedings before the Equal Opportunity Tribunal

After the Commission has taken the steps listed at section 39 (1), it is for the Complainant to consider whether he/she would like to have his/her matter referred to the Equal Opportunity Tribunal for hearing and adjudication. The Tribunal is created by section 41 of the Act as a Superior Court of Record, and is vested with all powers inherent in such a Court, in addition to the jurisdiction and powers conferred on it by the Act. It consists of a Chairman, who enjoys a status equal to that of a Judge of the High Court. The Chairman may be assisted by two lay-assessors appointed by His Excellency the President. The Tribunal is independent from the Commission. It is charged with hearing and

adjudicating on complaints that are referred to it by the Commission. The Tribunal can make a finding as to whether or not the Complainant was subjected to discrimination and/or victimisation, as would have been alleged.

Based on section 39(2) of the Act, only where a Complainant consents to his/her matter being initiated in the Tribunal, can the Commission then proceed to initiate same. As such, once a Report is published, a matter may either be discontinued or initiated in the Tribunal based on the Complainant's ultimate decision.

In the second and fourth matters published in 2016 (Ocho and Baker) the Complainants have consented, and the Commission has initiated proceedings before the Tribunal on their behalf.

Additionally, the following matters were instituted before the Tribunal, with respect to reports that were prepared and published in calendar year 2015:

- Complaint lodged by Ms Nicole Olivierre against National Gas Company of Trinidad and Tobago Ltd
- Complaint lodged by Mr Andy St Clair against Water and Sewerage Authority of Trinidad and Tobago.

Report from the Conciliation Unit



As part of its mandate, the EOC is required to investigate and conciliate complaints of discrimination. The EOC has an in-house Conciliation Unit, which has been staffed with one (1) Conciliator/Mediator (who is a certified Mediator, registered with the Mediation Board of Trinidad and Tobago).

In the year 2016, eight (8) cases were referred for conciliation, with fourteen (14) cases being brought forward from the previous year. The conciliation sessions for these matters were held at the EOC's office in Trinidad, with the exception of one (1) case which originated in Tobago and was held there.

Of the twenty-two (22) cases referred, ten (10) cases were unresolved and requests were received from the complainants to refer the matter to the Equal Opportunity Tribunal (EOT) for adjudication. In three (3) cases the conciliation process ended without a resolution, however, the complainants did not request that the matter be referred to the EOT. Seven (7) cases were in progress as at the end of the year. In two (2) of the cases received, the conciliation process did not begin as at the end of December 2016.

Also, in the year 2016, the Conciliator/Mediator, with support from the Commission's IT Unit, developed a Work Flow Chart to guide the Conciliation process at the EOC, which was approved by the Commissioners. It is intended that this document would be used for reference by persons who need to understand the Conciliation process at the EOC.

In addition to the Conciliator/Mediator, in terms of the provision of administrative support for the Unit, one (1) temporary Business Operations Assistant (BOA) I was assigned to the Unit for the first half of the year. In August 2016, a BOA II was recruited.

Conciliation Unit Report - 2016

	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	
Details	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	2016
No. of Cases received for the period	2	0	0	6	8
Cases Brought Forward from previous year	14	-	-	-	14
Total					25
Cases Completed with written Agreements	-	0	0	-	0
Cases Completed - Unresolved	6	1	2	1	10
Cases Completed with No Further Action	-		3		3
Cases in Progress	-	-		-	7
Cases not yet started	-	-	-	-	2
Total					22

Table 14

Report from the Communications Unit

Strategic Objective 1 *“Work towards the elimination of Discrimination and the Promotion of Equality of Opportunity generally through Public Education (and Research) Programmes.”*



Public education activities, stakeholder workshops and promotional campaigns to generate knowledge as a basis for assessing the impact of the work of the Commission

Public Awareness and Advocacy Programmes

To broaden and intensify the Commission’s advocacy and awareness programmes, the EOC hosted twenty-two (22) public awareness and education workshop sessions for both the private and public sectors across Trinidad and Tobago. Some of these stakeholders included the Public Service Academy (PSA), Ministry of Public Administration; National Library and Information Services (NALIS); Government Human Resource Services Limited (GHRSL); Point Lisas Industrial Estate Human Resource Managers and Angostura Holdings Limited. These stakeholder sessions engaged a significant number of Human Resource personnel and generated heightened awareness of the work of the Commission among employers and prospective employers. After each session is conducted, a questionnaire is distributed for feedback to determine the effectiveness of the session. The data is then analysed, and the Research Unit generates a report. In 2016, the findings showed that over 94% of participants indicated that the awareness sessions met with their expectations.

Stakeholder workshops are contributing significantly to raising awareness of the EOA in the workplace. Employers are encouraged to create an Equal Opportunity Workplace Policy and in some instances take the added step of introducing such an initiative. In this regard, the workshops have clearly established the Commission as an authoritative source of information

and counsel on workplace policies and procedures. It has been noted that a growing number of employers and managers are engaging the services of the Commission in the preparation of Human Resource manuals and other policies and procedures.

The EOC, in its efforts to support capacity-building among stakeholders, has laid the foundations to encourage heightened levels of cooperation. This has stimulated further initiatives by the Commission to empower stakeholders to implement the principles identified by the EOA.

“I was very ignorant of the EOC, this session provided me with knowledge, and I would do further research to become more informed.” – Anonymous participant.

Major Stakeholder Engagement for 2016

Concerted focus and high visibility helped the Commission to, directly and indirectly, reach vast and diverse audiences to facilitate informed dialogue.

The Commission conducts three (3) major projects per year, subject to the availability of resources.

Under the Chairmanship of suffragette, Mrs. Lynette Seebaran Suite, a litigator with over 35 years’ experience, and an avid supporter of legal reforms to protect against discrimination and promote human rights, the EOC has benefited from her reputation and expertise as an influential advocate for the rights of women and girls. This has influenced the strategic direction of the Commission.

The Commission identifies major strategic priorities for the year, as part of its planning process. These areas also target trending topics of public interest which are currently on the country's agenda for dialogue and policy reform.

The three (3) major stakeholder sessions held for the period 2016 included panel discussions on:

1. Human Rights and Age Discrimination
2. Employment and Human Rights in a Challenging Economy
3. Equal Opportunity and Non-Discrimination in National Budgeting

Human Rights and Age Discrimination, a Televised Panel Discussion

On 4th March, 2016, the Commission hosted a pre-recorded video panel discussion titled “Human Rights and Age Discrimination.” The panel included moderator Dr. Godfrey St. Bernard, Senior Fellow, Sir Arthur Lewis Institute of Social and Economic Studies, The UWI; Mrs. Niala Persad-Poliah, Executive Director, National Insurance Board (NIB) and Mrs. Misty Anne Dorman-Hosein, Board Member of the Employers Consultative Association (ECA). The objective was to continue the dialogue on matters related to the Equal Opportunity Commission (EOC), specifically the inclusion of Age as a status ground, and to push for the recommended amendments to the Equal Opportunity Act by garnering public support.

Age discrimination has emerged as an issue in many developed countries, and continues to be affected by an increasingly ageing population. According to NIB statistics, this can place a strain on the national pension and social security systems, to which Trinidad and Tobago is not immune.

The panel discussion was broadcast on traditional media and is also available on the EOC's website. The EOC's website remains one of the most significant methods of communicating information on and about the EOC. Notwithstanding word of mouth reference, this remains the second most popular mode of disseminating information to the public. This method of integrating both traditional and contemporary media seeks to

reach the widest segment of the population in Trinidad and Tobago to meet the needs of an increasingly technologically reliant society.

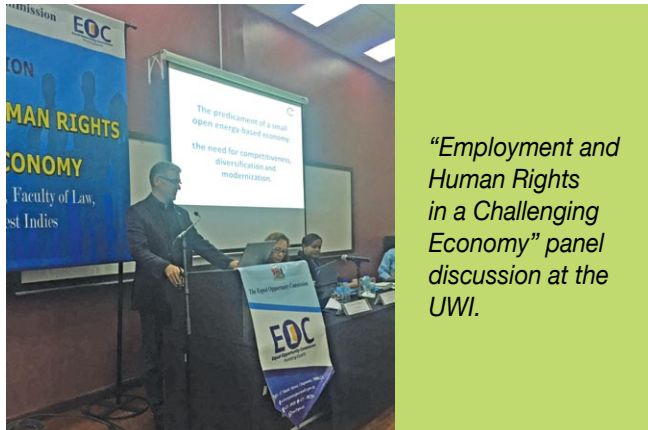


The “Human Rights and Age Discrimination” panel discussion being recorded.

Employment and Human Rights in a Challenging Economy

Approximately 100 persons filled the Noor Hassanali Auditorium, Faculty of Law, The University of the West Indies (UWI), St Augustine on 3rd June, 2016, for a public forum titled “Employment and Human Rights in a Challenging Economy.” The forum featured Panellists Professor Rose-Marie Belle Antoine, Dean, Faculty of Law The UWI, Ms Sangeeta Bondoo, Senior Legal Officer, Ministry of Labor and Small Enterprise Development, Dr. Thackwray Driver, Chief Executive Officer, Energy Chamber and Mr. David Abdullah, former retired Oilfields Workers’ Trade Union (OWTU) Representative.

The panel debated legislation to address the issue of Human Rights in employment against the current backdrop of a receding economy, emphasizing that social and economic rights are justiciable and therefore subject to de jure equality. An intended outcome of this panel discussion was to obtain feedback on priority areas, and recommendations from stakeholders, as well as to educate employees by addressing critical and emerging perspectives on discrimination in employment in Trinidad and Tobago as they relate to the EOA.



Equal Opportunity and Non-Discrimination in National Budgeting

On 23rd September 2016 the EOC partnered with key stakeholder, NIB, for a session titled “Equal Opportunity and Non-Discrimination in National Budgeting.” This activity was aimed at identifying what were the key trends, issues and themes on Equal Opportunity and Non-discrimination in National Budgeting. Moreover, the idea developed from the need to obtain recommendations from stakeholders on this critical subject, as well as to educate the public in this regard. About eighty (80) key stakeholders attended this event.

The panellists included:

Mrs. Niala Persad-Poliah, Executive Director, NIBTT; and Mr. Feyaad Khan, Executive Manager, Policies Planning and Actuarial Services, NIBTT;

Professor Patricia Mohammed, Professor of Gender and Cultural Studies, School of Graduate Studies and Research, The UWI;

Dr. Cheryl Ann Boodram, Assistant Lecturer, Department of Behavioural Sciences, The UWI;

Dr. Jennifer Rouse, Director, Division of Aging, Ministry of Social Development and Family Services; and

Mrs. Folade Mutota, Executive Director, Women’s Institute for Alternative Development (WINAD).

A common theme among the panellists was equality in development and the need to bring about equity for the vulnerable groups within the society.

The highlights from the session echo the need to improve policies and policy-making to facilitate better representation for vulnerable groups in society. In this context, it could be deduced that the State has the duty to develop appropriate assistance strategies to meet its national obligation to protect and to empower its citizens and to ensure equitable distribution of State resources.

The second group of panellists deliberated on the issues surrounding retirement matters facing pension benefits and national demographics. Mrs. Persad - Poliah spoke about “*The Impact of an Aging Population on the National Insurance System.*”

Promotional Campaigns

Social Media

The Commission further intensified its efforts to ‘connect’ with the public by launching an official Facebook Page on 27th July, 2016, using its “Did you Know” campaign, which focused on the area of Offensive Behaviour as outlined in the EOA.

This idea stemmed from the organisation’s understanding of the importance of new media in particular social networking platforms which has the potential not only to market the Commission’s services, but to also serve as an interactive communications tool and feedback instrument.

However, it is quite apparent that the new forms of media, including the internet, have altered the way in which the ‘information society’ conducts business and interacts socially in today’s world. Globalisation, fuelled by commercialism and commodification, through digitalisation and convergence of the media, associated with traditional norms of media, no longer seems to apply. To reiterate, the objective of the campaign is to sensitise and raise awareness that it is prohibited under the Equal Opportunity Act, as per Section 7, to discriminate in all public spaces, inclusive of social media.

The Commission, as per Section 7, was able to respond via a press release to some statements made by a school teacher who called for the shooting and death of atheists and disparaged gays in an audio recording which was circulated on social media. These statements could have amounted to offensive behaviour.

The use of conventional media: Billboards

The “Did You Know?” campaign which formed a critical part of the Commission’s mass public awareness programme in 2015 was expanded in 2016 to include four (04) billboards, which were strategically placed across the country. A radio campaign was also broadcast via the following radio frequencies: Power 102, I 95.5 and Radio Tambrin, Tobago.

The data collected at the EOC’s public education sessions showed that ‘offensive behaviour’ was the least known provision under the Act, and a decision was ultimately taken to have this campaign be the feature for the launch of the Commission’s Facebook Page, which also complemented the billboard campaign and website.

Stakeholder Engagement

Facilitating Dialogue through Engagement with United Nations Development Programme (UNDP) and other Critical Stakeholders

“A community of practice is a group of people who share a concern or a passion for something they do, and learn how to do it better as they interact regularly. This definition reflects the fundamentally social nature of human learning. It is very broad”.

Trayner (2011).

In Commemoration of Human Rights Day, the United Nations Development Programme (UNDP), in partnership with the Office of the Prime Minister (Gender and Child Affairs), hosted a Democratic Dialogue entitled “How to Institutionalise Gender Equity Issues Nationally.” Specifically, the Dialogue was intended to initiate the establishment of a Community of Practice that could

support initiatives to implement the provisions of CEDAW and the recommendations contained in the reports.

Follow-up from previous sessions held:

In 2015, the EOC held a plenary workshop with various stakeholders on Human Rights and Disability on the implementation of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). Leading this workshop was the EOC’s Vice Chairman, Dr. Beverly Beckles, a specialist in the field of disability. The objective of the workshop was to create awareness on the principles of the Convention and to allow stakeholders the opportunity to discuss and make recommendations regarding the implementation of the UNCRPD.

The Need for Continued Strategic Action in achieving Gender Equality through the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)

Trinidad and Tobago has ratified several International Human Rights instruments, including the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). CEDAW is an International Treaty adopted in 1979 by the United Nations General Assembly and has been incorporated in the International Bill of Rights for Women.

Trinidad and Tobago subscribes to the dualist doctrine of international law, whereby international conventions must be incorporated into domestic legislation to become enforced. In the case of CEDAW, there is no one (01) piece of legislation that incorporates this Convention, as the rights and obligations under CEDAW are incorporated and implemented through many pieces of legislation, according to the relevant subject matter.

Since 2015, the EOC has been building relationships with NGOs, Civil Society and Government to raise awareness of the importance of the implementation of the CEDAW.

Invitation to Speak at other Stakeholder Sessions:

Following the Commission’s “Employment and Human Rights in a Challenging Economy,” session at The

UWI's, Faculty of Law, the Commission was asked to present and make contributions at the National Tripartite Consultation on the "Basic Terms and Conditions of Work Code" hosted by the Ministry of Labour and Small Enterprise Development on 29th June 2016. The target audience included employers from both the public and private sectors, employers' associations, the International Labour Organisation and trade unions. In attendance at this session was the Minister of Labour and Small Enterprise Development.

Some of the critical and emerging workplace issues included: an aging workforce, a steady increase of women in the workplace and wage equality, denial of maternity benefits and gender diversity issues. The increased participation by persons with disabilities in the workforce; HIV /AIDS discrimination and the increase in temporary contracts of employment can result in reduced access to benefits such as maternity, sick leave and pension and other social benefits.

The issues identified at the Consultation directly impact the different status grounds covered under the ambit of the EOA.

School Education Resources

Education is a fundamental human right and one of the four categories of discrimination covered under the EOA. In a society where the emphasis is placed on education to develop human capital, the need for equality in education is paramount.

On 9th March 2016, the EOC supported AMCHAM's initiative at its National Youth Productivity Forum for "Diversity ... inclusion ... towards a more productive Trinidad and Tobago", which targeted secondary school students between the ages of 16 and 18 years in a Youth Forum debate. The EOC's presence facilitated a question and answer session, which proved to be worthwhile as young and impressionable minds engaged in the Human Rights dialogue.

To continue the conversation on education, the EOC participated in the Trinidad and Tobago Unified Teachers Association (TTUTA) Caribbean workshop in a session titled "Union Strategies to Promote Non-discrimination in Education and Education Union Meetings" on 18th

June, 2016. This session identified the importance of increasing teachers' awareness of the EOC in Trinidad and Tobago.

In attendance was the Minister of Education, the President and members of the TTUTA, regional educational bodies and the Chairman of the EOC. The dialogue at this workshop focused on the topic: "Legal Development in the Field of Human Rights: Current Debates in the Field of Education and Labour and Initiatives to advance Justice and the rights of LGBTI people in Trinidad and Tobago."

The EOC, in its efforts to promote equality in education, participated in the United Nations Education, Scientific and Cultural Organisation (UNESCO) Associated Schools Project Network (ASPnet) on 18th November, 2016 at the Southern Academy for the Performing Arts, (SAPA). The Chairman facilitated an interview conducted by a member of the youth forum on social inclusion, diversity and gender equity.

The EOC's objective was to participate in the national conversation regarding education.

Office of the Ombudsman Trinidad and Tobago

A meeting was held in May 2016 between the Office of the Ombudsman Trinidad and Tobago and the Equal Opportunity Commission, where it was decided that both organisations should work together discussing non-traditional issues.

Press Interviews and Public Appearances

Sex and Domestic Violence

The Chairman was interviewed by the Trinidad, and Tobago Guardian newspaper, WOW magazine on 17th and 24th January 2016. The first article was titled "Domestic Violence in Trinidad and Tobago – The Numbers are Frightening" and the second "More Needs to be Done About Domestic Violence."

According to the first article, the statistics from the Trinidad and Tobago Police Service (TTPS) Crime and Problem Analysis Unit showed that over 60% of women murdered in Trinidad and Tobago were killed by their

intimate partners. Mrs. Seebaran Suite shared that there was a need for collaboration among agencies which deal with domestic violence. She said there also was a great need for the development of diversion and intervention programmes for perpetrators who would have been shaped by the socialisation process. There was also a need for both administrative and cultural change which can contribute to an enhanced response to domestic violence in Trinidad and Tobago.

Mrs. Seebaran Suite has been advocating the need for collaboration among the relevant stakeholder agencies in tackling the issue of domestic violence. She has been the feature speaker for stakeholders such as The University of the West Indies (UWI) Institute for Gender and Development Studies; Sir Arthur Lewis Institute of Social and Economic Studies, along with the other relevant stakeholders both at Government and at the NGO level.

During the commemoration of the United Nations' 16 Days of Activism for the Elimination of Violence against Women and Girls, the EOC's Chairman, Mrs. Lynette Seebaran Suite appeared on radio and television interviews, as indicated hereunder, to raise awareness of the work of the Commission:

- **Morning Edition CCN TV6** - 28th November, 2016
- **Morning Brew CNC3** - 29th November, 2016
- **Good Morning Trinidad and Tobago CNMG & Talk City 91.1FM** - 1st December, 2016
- **Social media.**

The EOC partnered with the Office of the Prime Minister (Gender and Child Affairs) to commemorate the International Day for the Elimination of Violence Against Women (IDEVAW) at the Brian Lara Promenade on 6th December 2016. This Information Fair was used to raise public awareness on the issue of violence against women and girls and to propel action to eliminate the scourge of gender-based violence through organised activities by governments, international organisations, and non-governmental organisations.

The Information Fair targeted the general public and took the form of an exhibition designed specifically to

provide social services support and practical information to assist women, men, girls and boys in the fight against violence.

In Commemoration of Human Rights Day, the United Nations Development Programme (UNDP), in partnership with the Office of the Prime Minister (Gender and Child Affairs), hosted a Democratic Dialogue entitled "How to Institutionalise Gender Equity Issues Nationally" on 8th December, 2016. Mrs. Seebaran Suite, at the 5th Democratic Dialogue, expressed the need for a national coordinating mechanism and the necessity of the implementation of a National Commission for Human Rights.

The dialogue on, "How to Institutionalise Gender Equity" was chosen with the objective of creating a multi-stakeholder platform for discussion and collaboration. A Community of Practice (COP) was proposed to support initiatives to implement the provisions of CEDAW.

Sex and Sexual Orientation

Response to CNC3's Six Months In - An Interview with the Prime Minister on Discrimination in Trinidad and Tobago

The EOC looks forward to action being taken on the proposal of October 2014 **to include sexual orientation as a status ground for protection against discrimination.**

The Equal Opportunity Commission (EOC) was very pleased to note the statements of the Prime Minister, the Honourable Dr. Keith Rowley that he does not support any aspect of behaviour which discriminates against people and which gives them rights that others do not have. This was in response to a question asked of him by journalist Golda Lee Bruce on whether he was okay with the fact that persons who claim to be discriminated against on the basis of their sexual orientation have no recourse under the Equal Opportunity Act, Chapter 22:03. The Act prohibits discrimination against individuals on seven status grounds (race, ethnicity, religion, sex, marital status, origin, and disability), but sexual orientation is expressly excluded from protection. Although the Act includes sex as a status ground, section 3, the interpretation section, provides that "**sex**

does not include sexual preference or orientation”. The EOC was very encouraged to note that the Prime Minister promised to revisit any laws that undermine the constitutional right of equality of treatment.

Age

The EOC’s Response to the Decision to Discontinue GATE Funding for Persons over the Age of 50 years

Under section 27(1) (c) of the 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.”

Consequently, the EOC responded to the decision taken by Cabinet to discontinue the Government Assistance for Tuition Expenses (GATE) funding for persons over the age of 50.

Although age is not a status under the Equal Opportunity Act (‘the Act’), the Commission was of the view that this decision may have been discriminatory and is hopeful that this decision can be revisited.

To this end, proposals have been submitted to the Office of the Attorney General for the Act to be amended to include age, inter alia, as a status ground. The Commission trusts that the relevant action will be taken to include age as a status ground for protection against discrimination.

Facilitating the General Public

Tobago Outreach

The Commission continues to deepen its relationship with the public by becoming more geographically and physically accessible. This has assisted in enhancing relations with its various stakeholders.

The EOC has a monthly presence in Tobago to facilitate the receipt of complaints from the public, as well as engaging in and responding to inquiries related to the Equal Opportunity Act and the work of the Commission.

The Office Day in Tobago is held every fourth Friday of each month at the Office of the Ombudsman, Ground Floor, Caribana Building, Bacolet Street, Scarborough from 10:00 a.m. to 3:00 p.m. The objective is to heighten awareness of the Commission and its work in Tobago, not only through its presence, but also through media interviews on updates of equal opportunity matters. In so doing, the Manager of Corporate Communications and the Director of Legal Services were both interviewed by Radio Tambrin and Tobago Channel 5 on Friday, 29th April 2016 to promote the EOC’s Office Day. There were other appearances on the 25th November 2016 in Tobago on the following media networks:

- Tobago Channel 5
- Radio Tambrin.

On **25th and 26th October 2016**, the EOC facilitated both members of the public and patients in the **Eye Clinics at the Port of Spain General Hospital**, and the **Eric Williams Medical Sciences Complex Mt Hope**.

Press Releases

Courtesy Calls and Meetings

Visiting members of Parliamentarians for Global Action meet with the Equal Opportunity Commission. The Commission continues to maintain positive relationships and engagement with international affiliates:

The Chairman and Commissioners of the EOC received a courtesy call from visiting members of Parliamentarians for Global Action (PGA) on 23rd June 2016, at the EOC’s office in Chaguanas. The visiting members of PGA comprised Dip. Minou Tavárez Mirabel, President, Dr. David Donat Cattin, Secretary General and Mónica Adame, Programme Director, Gender Equality.

The courtesy call stemmed from the PGA campaign against discrimination based on sexual orientation and gender identity to sensitise Members of Parliament (MPs) about equality and non-discrimination in international human rights law. The aim was to discuss among peer Parliamentarians actions and best practices to address the challenges and needs of lesbian, gay, bisexual, transgender and intersex (LGBTI) persons in their countries, and foster dialogue between MPs and representatives from the LGBTI community.

The gathering discussed working together in the promotion of equality of opportunity and human rights in Trinidad and Tobago and the region. The Chairman of the EOC, Mrs. Lynette Seebaran Suite shared that the Commission is working towards the elimination of all forms of discrimination in Trinidad and Tobago. Mrs. Seebaran Suite also noted that the first act by the current Commission was to recommend to the Attorney General and Minister of Legal Affairs that sexual orientation be included as a prohibited ground of discrimination under the Equal Opportunity Act.

NGC’s Bocas Lit Fest 2016 Panel Discussion “The 21st Century: The Frontiers of Human Rights.”

The NGC Bocas Lit Fest is Trinidad and Tobago’s premier annual literary festival. A lively celebration of books, writers, writing, and ideas, with a Caribbean focus and international scope. The Festival brings together readers and writers from Trinidad and Tobago, the Caribbean, and the wider world for readings, performances, workshops, discussions, film screenings, and more. Mrs. Seebaran Suite sat as a panellist on the NGC’s Bocas Lit Fest 2016 Panel discussion titled “The 21st Century: The Frontiers of Human Rights in Trinidad and Tobago” on 30th April 2016.

Digital Engagement

Website and Publications:

The website is the most viable communication tool for obtaining knowledge on the EOC. An analysis of 2016 statistics showed that the number of visitors doubled from the year 2014 to 2016. Internal data for 2016 indicated approximately 43 percent of persons obtained their knowledge of the EOC via the EOC’s website.

The preceding data is supported by GISL 2016 findings, which also illustrate the following:

The EOC’s website was built by GISL, which provides for search engine optimisation. This search engine optimisation allows for an organic traffic to the website by typing keywords such as the EOC in Google. As a result, this has made the EOC TT one of the highest-ranking equal opportunity websites on the Google search engine.

Some of the analytical findings show that there have been 42,226 page views for the year 2016. With 65% new visitors and 35% returning visitors. The results also show that visitors from countries such as the United States of America, United Kingdom, Australia, Mauritius, Hong Kong and Canada have made regular visits to the EOC TT website.

All significant milestones and events were communicated to the media and website via a number of press releases, press publications and printed publications such as the Annual Reports, Legal Notices, and Freedom of Information Statement.

Internal Communications

In an effort to facilitate knowledge transfer, as well as organisational growth and development, focus was also placed on implementing internal strategies and programmes designed to promote teamwork, build capacity and promote a workplace culture of diversity and tolerance, to support organisational transformation as outlined in the Strategic Plan of the EOC. Throughout the year, staff members were sensitised on:

1. The Inter-American Commission on Human Rights facilitated by Professor Rose-Marie Belle Antoine, former Commissioner of the Inter-American Commission on Human Rights, (IACHR).
2. The United Nations Convention on the Rights of Persons with Disabilities and the accepted protocol for interacting with persons with disabilities, facilitated by the National Centre for Persons with Disabilities (NCPD). NCPD recommended that the members of staff become familiar with sign language and braille.
3. The current protocols in response to HIV/AIDS in the workplace, facilitated by the Ministry of Labour and Small Enterprise Development, HASC Unit. The HASC team encouraged the signing of a Memorandum of Understanding between the EOC and HASC as well as the implementation of a workplace policy on HIV/AIDS.
4. Members of staff were also exposed to continued training in Customer Service -Telephone Etiquette to maintain quality service delivery to the public.

Communications Research, Monitoring and Evaluation

The Unit continues to monitor and archive third party information about the Equal Opportunity Act or Commission which mentions any member of the Commission, using the daily newspapers, along with broadcast and new media mentions. Overall, the media reports were favourable, with a high level of accuracy.

The Research Unit conducted a content analysis of 92 newspaper articles collected for 2016. The findings showed that the majority of the articles were related to the indicators of the Equal Opportunity Services and the Equal Opportunity Act, Employment related matters, Sexual Orientation, and Gender.

Approximately twenty-two (22) stakeholder sessions were held for both the private and public sectors throughout 2016. Data collected from each stakeholder awareness workshop session was used to gauge public perception, knowledge, and attitudes on the Act and the Commission. The feedback provided on evaluation forms was also used to assess the effectiveness and efficiency of public education sessions conducted throughout the year along with client service delivery. It is hoped that the data collected would form the stimulus by which recommendations can be made to develop and intensify a more comprehensive and integrated marketing and communications action plan. This will assist the EOC in providing greater levels of stakeholder satisfaction and increase the awareness levels of the Commission to the public, thereby promoting a culture of inclusiveness, tolerance, and non-discrimination. An analysis of the data collected reflects a high percentage of persons having what can be described as a median level of knowledge of the work of the EOC.

In August 2016 a proposal to conduct a “Customer Service Satisfaction Survey,” was submitted to the Commission and approval was granted to commence execution in the first quarter of 2017. The objective of the survey is to target existing complainants and respondents in an attempt to measure perceptions of the quality of service provided by the EOC.

Challenges

In the past, the EOC benefited from a study on public perception regarding the work of the Commission, through a broader State-supported Market and Opinion Research International (MORI) Opinion Leaders Panel Survey Service in 2011.

The Survey, termed Wave 19, was implemented during the months of May and July 2011, and assessed public opinion on the EOC through a series of interviews conducted on a representative sample of the adult population of Trinidad and Tobago; to understand the reasons behind certain attitudes and to establish a baseline of public opinion towards human rights. Though this provides the basis for determination of some baselines, it is clear that a discrete mechanism needs to be applied for more precise direction in the form of a national survey.

The continued fiscal cuts and staffing deficiencies owing to the economic downturn have posed challenges, resulting in the discontinuation of this service. However, the Unit was able to accomplish its targets.

Budgeting

The Corporate Communications Unit prepared budgetary estimates and budgets to justify the use of funds allocated under votes 62 (Promotion, Publicity, and Printing) and 66 (the hosting of Conferences, Seminars, and other functions).

Though faced with the challenge of funding cuts and staffing deficiencies, owing to the current economic downturn, the Unit was able to accomplish its targets. In 2017, the Unit hopes to expand its reach using new media. It is also hoped that the Commission can connect with more stakeholders especially professional organisations, union representatives, human resource professionals and tertiary level students via public education sessions and outreach. These stakeholder segments can acquire a deeper understanding of the Equal Opportunity Act and the work of the Commission.

Recommendations

It is recommended that:

1. the “Customer Service Satisfaction Survey,” target complainants and respondents from past case files for feedback, so as to establish a reliable baseline for the conduct of future survey activity; the findings to be used for enhancing the customer experience;
2. moreover, a national survey be conducted to gauge the public’s perception of Human Rights in Trinidad and Tobago;
3. the findings be referenced wherever they relate to the survey findings among the first cohort of survey respondents with that of the findings of the 2011 MORI Opinion Leaders Panel Survey.

It is expected that the analysis of all findings would empirically support the strategic objectives of the EOC of becoming an autonomous institution, moreover, a premier Human Rights Organisation in Trinidad and Tobago, in the pursuit of working towards the elimination of discrimination in Trinidad and Tobago through maximising on the efficiency and effectiveness of the Commission.

Public Education

By the provisions of section 27 (1) (b) of the EOA, the Commission is mandated **“to promote equality of opportunity and good relations between persons of different status.”** Further, section 27(1) (e) of the Act 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.”**

Public Education/Awareness Sessions

JANUARY 2016



National Library and Information Services (NALIS)

Date: 15th January 2016

Venue: NALIS, Port of Spain

Stakeholders: Heads of Departments and Human Resource personnel



The Public Service Academy (PSA), Ministry of Public Administration

Date: Friday, 22nd January 2016

Venue: Old Fire Station Building, Corner Hart and Abercromby Streets, Port of Spain

Stakeholders: Human Resource Leaders Forum (Senior HR practitioners in the Public Service, i.e., HR Managers and Directors representing the various Ministries and Departments)

FEBRUARY 2016



Ministry of Public Administration

Date: 19th February 2016
 Type of Event: Workshop
 Venue: NALIS Building, St Vincent Street, Port of Spain
 Stakeholders: Heads of Departments and Human Resource personnel.

MARCH 2016



Panel Discussion - Human Rights and Age Discrimination

Date: 4th March 2016
 Venue: GISL, Morvant
 Stakeholders: Public



AMCHAM T&T National Youth Productivity Forum (NYPF) - 'Diversity...Inclusion ... towards a more productive Trinidad and Tobago.'

Date: 9th March 2016
 Venue: UTT Pt. Lisas Campus (South Round)
 Stakeholders: Secondary School Students and Teachers



Chaguanas Borough Corporation

Date: Wednesday, 17th March 2016
 Venue: Chaguanas Borough Corporation, Corner Taitt and Cumberbatch Streets, Chaguanas
 Stakeholders: Corporation Staff

APRIL 2016



NODES Symposium 2016

Date: Saturday, 23rd April 2016
 Venue: The Noor Hassanali Auditorium,
 Faculty of Law, The University of the
 West Indies, St Augustine
 Stakeholder: Public



NGC's Bocas Lit Fest 2016 Panel Discussion - The 21st Century: The Frontiers of Human Rights in Trinidad and Tobago

Date: Saturday, 30th April 2016
 Venue: NALIS Building
 Stakeholder: Public

JUNE 2016



EOC's Panel Discussion on Employment and Human Rights in a Challenging Economy

Date: Friday, 3rd June 2016
 Venue: The Noor Hassanali Auditorium, Faculty of
 Law, The University of the West Indies
 Stakeholders: The Public



TTUTA Union Strategies to Promote Non-Discrimination in Education and Education Unions Meeting

Date: 18th June 2016
 Venue: The Regent Star Hotel, Piarco
 Stakeholders: TTUTA Representatives

JUNE 2016 *(continued)*



Parliamentarians for Global Action (PGA)

Date: Thursday, 23rd June 2016

Venue:

Stakeholders: Commissioners of the EOC and Senior Management



**Ministry of Labour and Small Enterprise Development
National Tripartite Consultation**

Date: Wednesday, 29th June 2016

Venue: NESC Auditorium, Couva

Stakeholders: Employers (Government and Private Sector), Employers' Associations, International Labour Organisation and Unions



Government Human Resource Services Limited (GHRS)

Date: Thursday, 30th June 2016

Venue: UTT Chaguanas Campus, Lot No.1, Off Munroe Road Exit, Uriah Butler Highway, Charlieville

Stakeholders: Human Resource Officials (Government and Private Sector)

AUGUST 2016



Innovative Security Technologies Limited

Date: Friday, 19th August 2016

Venue: 126, Ciperio Road, San Fernando

Stakeholders: Senior Management

SEPTEMBER 2016



Point Lisas Industrial Estate Human Resource Managers Meeting

Theme: The EOC and You

Date: Thursday, 15th September 2016

Venue: BP Trinidad and Tobago 5 & 5A Queens Park West Plaza, Port of Spain

Stakeholders: Human Resource personnel



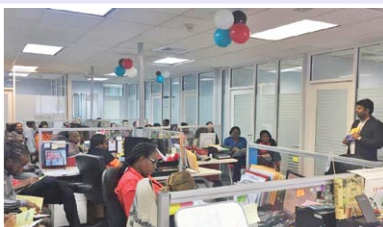
Seminar on Equal Opportunity and Non-Discrimination in National Budgeting

Date: Friday, 23rd September 2016

Venue: Regency V, HYATT Regency Trinidad, #1 Wrightson Road, Port of Spain

Stakeholder: Public

OCTOBER 2016



Government Human Resource Services Limited (GHRS)

Date: Friday, 21st October, 2016

Venue: 16 Mulchan Seuchan Road, Chaguanas

Stakeholders: All GHRS Staff



Port of Spain Eye Clinic

Date: Tuesday, 25th October 2016

Venue: Upper Charlotte Street, Charlotte Street, Port of Spain

Stakeholder: POS General Hospital Eye Clinic Patients/General Public



Mount Hope Eye Clinic

Date: Wednesday, 26th October 2016

Venue: Eric Williams Medical Sciences Complex, UriaH Butler Highway, Champ Fleurs

Stakeholder: Mt Hope Eye Clinic Patients/General Public

NOVEMBER 2016



Angostura Holdings Limited

Date: Thursday, 17th November 2016

Venue: Eastern Main Road and Angostura Street, Laventille

Stakeholders: Executive Management



UNESCO Associated Schools Project Network (ASPnet)

Date: Friday, 18th November 2016

Venue: National Academy for the Performing Arts - South

Stakeholders: Students and Teachers



SALISES Panel Discussion on the Elimination of Violence Against Women

Date: Wednesday, 23rd November 2016

Venue: SALISES, The UWI, St Augustine Campus

Stakeholders: The Public

DECEMBER 2016



Office of the Prime Minister (Gender and Child Affairs). Information Fair for the Commemoration of International Day for the Elimination of Violence Against Women (IDEVAW)

Date: Tuesday, 6th December 2016

Venue: The Brian Lara Promenade, Port of Spain

Stakeholders: The Public

Report from the Research Unit



The Equal Opportunity Commission (EOC) has a legal duty to monitor and evaluate progress towards equality and human rights, taking into account age, disability, ethnicity and employment 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.

Section 27 (1) (e) of the Equal Opportunity Act lists one of the functions of the Commission which is relevant to research, as follows, ***“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.”***

More specifically, the Research Unit has the responsibility to:

- Review patterns and trends in complaint cases with a view to identifying discriminatory practices and make recommendations to combat such practices.
- Assess the inequalities experienced by vulnerable groups in Trinidad and Tobago and research and present suggestions to combat.
- Conduct research on issues relevant to discrimination and equal opportunities to guide the operations of the EOC in terms of policies and priorities.
- Keep abreast of public policy issues and international developments affecting equal opportunities, examining these issues and recommending solutions or way forward.
- Maintain effective relationships with relevant stakeholders on policy and research issues.
- Build and strengthen relationships with local and international organisations and bodies advocating human rights.

Research Agenda

The EOC’s Strategic Plan informs the Research Agenda that includes four (4) priority areas as follows:

- Public Awareness - An assessment of public awareness programmes;

- Formative research which includes data collection and statistical analysis of data;
- The conduct of investigative reports and surveys and
- The monitoring and evaluation of on-going and completed projects and programmes.

The Research Unit, and by extension the EOC, was affected severely by the protracted delay in obtaining a replacement for the Research Officer II who left to assume another appointment in January 2016. The replacement Officer joined the Unit in November 2016. For the period November to December 2016, the following were the main outcomes of the Unit:-

- Assisted the Corporate Communications Unit with the EOC’s Freedom of Information Act (FOIA) Statement 2016.
- Assisted the ICT Unit with the RFI document rental of printer.
- Completed data entry and data evaluation on eight (8) stakeholder consultations that were held in 2016.
- Assisted in the formulation of the Employment Application Form.

Proposed Activities for the period January 2017 to December 2017

- Formulation of the EOC’s evaluation form to conduct specific evaluations
- Compilation of the EOC’s Statistical Data Report on Complaints 2016
- Compilation of the Research Unit’s Annual Report submission for the EOC’s Annual Report 2017

- A Research Paper/Report on Contract Employment in the Trinidad and Tobago Public Service
- Trinidad and Tobago Budget Allocation and Expenditure to Vulnerable Groups 2014-2017
- Equality and Public Perception Survey on Discrimination in Trinidad and Tobago
- Organisation of the EOC's resource library
- Analysis of Newspaper Articles 2016
- Preparation of Research Unit's Draft Estimates
- Assisting the Corporate Communications Unit with the Customer Satisfaction Service Survey.

Report from the General Administration Unit



This report provides details of the work of the General Administration Unit of the Equal Opportunity Commission in 2016.

The General Administration Unit is currently staffed by the following officers:

- Administrative Officer IV (Acting)
- Clerk IV
- Accounting Assistant (Acting)
- Receptionist/Telephone Operator
- Driver/Messenger
- Office Support Assistant and
- Hospitality Attendant.

The purpose of the Unit is to provide daily support for all members of the Equal Opportunity Commission, Commissioners and staff, and by extension, the external clients, the public.

The activities of the Unit involve administrative and accounting support to the Chairman and other Commissioners, Chief Executive Officer, internal Managers and support staff of the Legal, Corporate Communications, Information Technology, Human Resource, Research and Conciliation/Mediation Units.

Accounts Section

Financial Expenditure

During the period January 2016 to December 2016, the Equal Opportunity Commission obtained releases in the sum of six million, nine hundred and eighty-four thousand, one hundred and ninety-one dollars (\$6,984,191.00) from the Budgets 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 six million, five hundred and sixty-five thousand, seven hundred and fifty-three dollars (\$ 6,565,753.00) was spent under 02/003 – Goods and Services (this consisted of Fixed Costs \$2,042,573.00 and Variable Costs \$4,523,181.00) and the sum of one hundred and eighty-one thousand and sixty-four dollars (\$181,064.00) was spent under 03/003 –Minor Equipment.

A total of six million, seven hundred and forty-six thousand, eight hundred and eighteen dollars (\$6,746,818.00) was utilised by the Equal Opportunity Commission for 2016.

EQUAL OPPORTUNITY COMMISSION STATEMENT OF EXPENSES FOR FINANCIAL YEAR ENDED 31st DECEMBER 2016	
Goods and Services (02/003)	
Fixed Costs	TT \$
Rent/Lease of Office Accommodation	1,860,000.00
Janitorial Services	182,573.00
Total Fixed Cost	2,042,573.00
Variable Costs	
Travelling & Subsistence	55,297.00
Electricity	127,048.00
Telephone	184,580.00
Rent /Lease of Vehicles	325.00
Stationery & Supplies	62,198.00
Books & Periodicals	28,710.00
Maintenance of Vehicle	37,035.00
Maintenance of Equipment	50,087.00
Contract Employment	2,850,941.00
Training	91,437.00
Official Entertainment	1,000.00
Repair and Maintenance of Building	27,626.00
Other Contracted Services	30,605.00
Security Services	407,324.00
Medical Expenses	52,411.00
Travelling -Direct Charges	116,640.00
Promotion/Publicity/Printing	299,014.00
Hosting of Conference	98,142.00
Fuel & Lubricants	2,761.00
Total Variable Cost	4,523,181.00
Minor Equipment (03/003)	
Office Equipment	162,075.00
Furniture & Furnishings	18,989.00
Total Minor Equipment	181,064.00
Total Expenditure	6,746,818.00

Table 15

Report from the Human Resource Unit



This report provides details of the work of the Human Resource Unit (within the General Administration Unit) of the Equal Opportunity Commission in 2016.

During the year 2016, the Human Resource Unit focused on delivering consistent and reliable service to the members of staff at the Commission, in accordance with the mandate outlined in the 2015/2018 Strategic Plan of the EOC. In May 2016, a new Human Resource Officer I was assigned to the Human Resource Unit and continues to carry out the core functions of the Unit, under the leadership of the Chief Executive Officer, and with the assistance of a newly recruited Business Operations Assistant I.

Functions of the Human Resource Unit

The core functions of the Human Resource Unit are:

- **Recruitment and Selection;**
- **Leave Management;**
- **Training and Development;**
- **Performance Management;**
- **Human Resource Planning**
- **Employee Relations;**
- **Strategic Human Resource Management; and**
- **Development and Implementation of Policies and Procedures.**

Staffing at the Commission in 2016

The organisational structure of the Commission that was approved by Cabinet in 2008 consists of contract and establishment staff. During the year under review, the staff of the Commission also included On-the-Job Trainees and persons on short-term engagement.

In keeping with the mandate of the Ministry of Public Administration and Information in 2013 for all Ministries and Departments to establish a Six (6)-Year Contract Plan, a Plan for thirty (30) existing contract positions was

submitted and approved in November 2014. Further, the second part of the Six (6)-Year Contract Plan in respect of ten (10) New Contract positions was submitted to the Ministry of the Attorney General and Legal Affairs in June 2016 and has been put on hold, pending further instructions from the Permanent Secretary.

The Staff of the Commission comprises ten (10) establishment positions, as well as thirty (30) persons employed, on contract. During the year 2016, there were four (4) resignations, one (1) expired fixed-term contract, two (2) short-term engagements and eight (8) renewals of fixed-term contracts. Among the ten (10) positions on the staff establishment, six (6) positions were filled with permanent and acting staff, two (2) positions remained suppressed, two (2) positions remained vacant and there was one (1) retirement. In total, at the end of 2016, there were twenty-four (24) members of staff, inclusive of staff on the establishment, staff employed, on contract, two (2) short-term engagements, and one (1) On-the-Job Trainee.

Figure 01 (on page 12) depicts the Organisational Structure of the EOC.

Recruitment And Selection

The recruitment exercise to fill the four (4) positions of Business Operations Assistant I and II, which was placed on hold in 2015, pending the rationalisation exercise in the Public Service, was completed in 2016 and approval was sought and granted for the interviewed candidates to be recruited. The new members of staff assumed duties during the months of July and August, 2016.

For many reasons, the positions of Legal Officer II; Investigating Officer; Supervisor; Investigating Officer; and Transcriptionist, which were advertised in 2015,

were also placed on hold and recruitment did not resume.

However, in August and September 2016, it was recognised that the following positions needed to be filled and these positions were advertised in the daily newspapers, the EOC's Webpage and Facebook page:

- Driver/Courier**
- Business Operations Assistant I**
- Legal Officer I**
- Senior Legal Officer, and**
- Investigating Officer.**

Applications for the positions were received and shortlisted. Recruitment for the positions of Senior Legal Officer and Legal Officer I was in progress at the end of 2016. Competency exercises were conducted for the positions of Senior Legal Officer and Legal Officer I. The top scoring applicants were interviewed in December 2016 to fill the positions and Ministerial Notes were forwarded to the Ministry of the Attorney General and Legal Affairs for approval.

Renewal of Contracts

Contract agreements for several staff members expired in 2016 and, owing to the rationalisation exercise in the Public Service, some members of staff were employed on a month-to-month basis until contracts were renewed. The Ministry of the Attorney General

and Legal Affairs conveyed approval to proceed with the renewal of contracts in March 2016. This exercise was completed in October 2016.

Training and Development

Training and development continue to be of high priority for members of staff at the Commission, to enable a higher standard of performance. Funds in the sum of seventy thousand dollars (\$70,000.00) were allocated to the Commission in the 2015/2016 Budget for this purpose. This amount was fully utilised and an additional sum of twenty-one thousand, four hundred and thirty-eight dollars (\$21,438.00) was transferred from another vote to meet training needs.

Training and development are provided to members of staff both internally and externally. The Information Technology Unit, the Legal Unit and the Communications Unit provided internal training for members of staff. Training and development were also sourced from external providers such as the Employers Solution Centre, iGovTT, School of Business and Computer Science (SBCS), the Public Service Academy of the Ministry of Public Administration and Information, the Arthur Lok Jack Graduate School of Business, the University of the West Indies, et cetera.

Internal and external training and development provided to members of staff during 2016 were as follows:-

INTERNAL TRAINING:			
Area of Training	Unit	Participants (Position)	No. of persons trained
Customer Service-Telephone Etiquette	Communications Unit	Business Operations Assistants I & II	4
Overview of Outlook 2013 and Using Outlook 2013 Template	Information and Communication Technology Unit	Receptionist/Telephone Operator and Business Operations Assistants I & II	1
Microsoft Excel: - Basics - Formulas and Functions - Working with Data		Members of staff of the Legal Unit, Communications Unit, General Administration Unit, Conciliation/Mediation Unit and Human Resource Unit	10
Complaints and Investigation of the Equal Opportunity Commission	Legal Unit	Members of staff of the Communications Unit, General Administration Unit, Conciliation/Mediation Unit and Human Resource Unit	

EXTERNAL TRAINING:			
Area of Training	Institution/ Facilitator	Participants (Position)	No. of persons trained
Critical Thinking Skills	Public Service Academy, Ministry of Public Administration and Information	Investigating Officers	2
Effective Speech Writing		Manager, Corporate Communications	1
Mediation Skills		Human Resource Specialist	1
Developing Leadership Skills for Middle Level Officers		Mediator/Conciliator	1
Labour Laws in Trinidad & Tobago	Employers Solution Centre	Chief Executive Officer and Human Resource Officer I (Ag.)	2
iGovTT in Window Server 2012/2012 R2: Active Directory Domain Services	Microsoft (Head Office)	Network and Security Administrator	1
Advanced Writing Skills for Professionals	School of Business and Computer Science	Manager, Information Technology and Mediator/Conciliator	2
Executive Coaching and Team Building Services	DRA Consulting	Chairman Vice-Chairman Commissioners and all members of staff.	
Inter-American Commission on Human Rights (IACHR)	Professor Rose-Marie Belle Antoine	Members of staff of the Office of the Ombudsman, Research Officer (NCPD), Lay-Assessor (EOT), Vice Chairman, CEO of EOC and members of staff.	21

CONFERENCES/SEMINARS			
Name of Event	Institution/ Facilitator	Participants (Position)	No. of persons trained
In Commemoration of International Women's Day 2016: For Women Only Forum	Ministry of the Attorney General and Legal Affairs	Manager, Corporate Communications, Legal Officer I and Hospitality Attendant	3
Bocas Lit Festival, Welcome to the 21st Century: The Frontiers of Human Rights in Trinidad and Tobago	NALIS	Chief Executive Officer and Corporate Communications Officer	2
CARICOM Ombudspersons, Citizen Security and the Inter-American Human Rights System	The University of the West Indies - Mona, Jamaica	Vice-Chairman	1

Table 16

Developing and Implementing Policies and Procedures at the Equal Opportunity Commission

The Policy Review Committee, which was formed in February 2015 with the responsibility of drafting, reviewing and implementing policies and procedures at the EOC, continued its responsibility in 2016. The Committee implemented the Breast Pumping Policy to facilitate mothers in the pumping and storing of breast milk at the office, on their return to work after maternity leave. At the close of the year, the Committee was also working on a Recruitment, Selection and Resignation Procedure.

Performance Management

A Performance Management and Appraisal System was implemented in 2015 and Performance Appraisal Reports have been completed up until December 2016. The next set of appraisals will be due in 2017.

The year 2016 has been a productive year for the Human Resource Unit, despite the challenges faced with the constant change of Human Resource Officers and the resignation of the Human Resource Specialist. The Unit will continue to serve the staff of the EOC as effectively and efficiently as possible, going forward in 2017.

Staff Social Events Committee

The Staff Social Events Committee for 2016 comprised the Director, Legal Services, the Human Resource Specialist, the Corporate Communications Officer and the System Support Technician. The Committee arranged several events during the year, which were successful. The staff contributed to and participated wholeheartedly in these events and camaraderie was evident. The intention of the Staff Social Events Committee was to increase cohesiveness and to encourage socialisation among the staff. The events for 2016 included the following:

- **January** – New Year’s Brunch
- **February** – Staff Baby Shower
- **March** – Indian Arrival Day Presentation
- **April** – Administrative Professionals Day Appreciation
- **May** – Mother’s Day Function
- **June** – Father’s Day Function
- **June** – Staff Baby Shower
- **July** – Eid-ul-Fitr Presentation and Luncheon
- **July** – Retirement Function
- **October** – Divali Presentation and Luncheon
- **November** – Christmas Tree Trimming
- **December** – Commissioners’ Christmas Luncheon
- **December** – Secret Santa Gift Exchange and Staff Get-together.

Report from the Information Technology Unit



This report provides details on the work of the Information Technology Unit (ITU) for the Equal Opportunity Commission in 2016.

Overview

In keeping with strategic objectives of The Equal Opportunity Commission to improve its levels of service to the public, the ITU continues to search for ways to improve its service delivery to the Commission, while keeping the operational costs and capital expenses low.

Given the state of the economy and Government's directive for all Ministries and State Corporations to reduce expenditure by 7% (Trinidad Express, Published 11th September 2016), the Commission has further utilised the already existing Microsoft Office 365 cloud platform to provide solutions that would otherwise cost hundreds of thousands of dollars for an on-premise system consisting of expensive hardware equipment and software licence renewals.

This Office 365 cloud platform (implemented since June 2015) has worked well for the IT Unit and has allowed the Commission:

- to dynamically scale its operations on a year by year basis to meet the demands of its staff;
- to remove under-utilised licences that would otherwise have resulted in financial wastage;
- to avoid high capital expenses for on-premise equipment to provide similar services; and
- to encourage the different Units or Departments to use technology to improve their productivity by leveraging functions and services already offered from these cloud services.

During the year 2016, the IT Unit maintained its staff of an IT Manager (joined February 2015) and its technical staff, whose positions were re-designated "Information

and Communication Technology Support Officer" and "Information Technology Infrastructure Specialist". The technical staff was employed, on contract, for a further period of three (3) years with effect from October 2016 and September 2016, respectively.

Project Achievements for 2016

In the last Annual Report of 2015, a list of five (5) projects was targeted to improve the EOC operations. The achievements of those projects identified hereunder, are as follows::

- **Improve the Surveillance Systems of the Building including the Parking Lot**

As of June 2016, a Surveillance System was put in place throughout the common areas of the organisation, including viewing stations for round-the-clock monitoring. The solution has worked quite well and the IT Unit continues to provide support for this surveillance system.

- **Update the organisation's software with the latest versions to take advantage of the new and improved features**

With the release of Office 2016 and Windows 10 from Microsoft, only some of the computers had been upgraded during the course of the year. This strategy allowed the ITU to test existing systems with the new upgrades and limit any negative impacts on day to day operations. The goal is to transition all the remaining machines during the 2017 calendar year.

- **Implement a Legal and Case Management System for tracking complaints of the Commission**

Owing to the budgetary constraints, the acquisition of a Legal and Case Management System has been put on hold. The ITU continues to look for a cost-effective solution that would not only scale to the needs of the organisation, but also provide the features and functions that are in line with the Commission's processes.

- **Improving the Website making it more interactive with the Public**

The Commission recognised the use of Social Media as an effective way to disseminate information and to make its interaction with the public more effective. Instead of spending constrained financial resources on adding features to the EOC's website to be more interactive, the Commission has utilised a hybrid approach of posting all the Commission's final information to the EOC's website and leveraging social media sites, such as Facebook, to publicise to the wider public. This strategy (a joint operation between the Communications Unit and the IT Unit) benefits the organisation by bringing to the public more awareness of the operations of the

Commission, its process of receiving complaints and a better understanding of the Equal Opportunity Act (EOA).

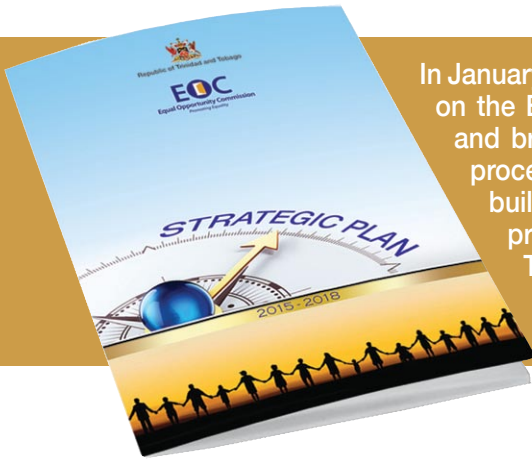
- **Integrate all solutions on a common collaborative portal for all Departments to access securely**

As mentioned before, the IT Unit implemented a Microsoft cloud solution since June 2015, called Office 365, and has utilised this platform as the main collaborative portal for all its Units and staff members. This solution has been in operation for over a year and has proven to be a useful tool for communication, collaboration and optimising performance of staff operations within the organisation.

Outstanding Projects, Challenges and Direction for 2017

Despite the challenges in the economy, budget cuts across all Ministries and difficulties in obtaining releases of funds, the ITU of the Equal Opportunity Commission will maintain its strategic direction of leveraging technology to help improve the operations of all Units within the Commission and seek ways to optimise these services to ensure that the technological demands of the Equal Opportunity Commission are met.

Strategic Objectives



In January 2015, the Commissioners and the Management Team began work on the EOC's Strategic Plan 2015-2018. There was a series of meetings and brainstorming sessions in coming up with the strategic plan. This process, with a Re-Visioning Retreat, was intended to ensure consensus building and ownership of the plan in its design and implementation process. During the period March to April 2015, the Management Team developed a first draft of the main goals and objectives to be implemented during the stated period. This was subsequently reviewed and approved by the Commissioners.

The strategic objectives are as follows:

To work towards the elimination of discrimination in Trinidad and Tobago, in keeping with our statutory mandate as set out in the Equal Opportunity Act, Chapter 22:03.

- The Equal Opportunity Commission in fulfilling its mandate will focus on building a compelling brand through public awareness of the work of the Commission among local, regional and international stakeholders.
- The Commission, through dialogue with human rights actors in Trinidad and Tobago and abroad, will seek to build strategic relationships which will facilitate a deeper understanding of the impact of regional and international developments on the Commission, and on anti-discrimination law in Trinidad and Tobago.
- The Commission will continue its efforts in pursuing the passage of legislation to amend the Equal Opportunity Act which will enable the Commission to take action against discrimination on the basis of age and gender.
- The Commission will continue its advocacy and outreach activities in order to further its mandate to work towards the elimination of discrimination and the promotion of equality of opportunity.

To become an autonomous institution.

- The Commission aims to transition into an operationally and financially independent organisation in order to be truly effective in the elimination of discrimination and the promotion of equality of opportunity. The Commission has to be a stand-alone body, accountable to the people of Trinidad and Tobago, through the Parliament.
- In order for this transition to be seamless, the Commission has identified a process for the said transition which would include benchmarking similar Public Service transitions; the development of an approved accounting unit and the implementation of organisational changes which may become necessary in the wake of a transition.
- It is hoped that once the necessary mechanisms are put in place, the Commission will be able to complete the transition by 2018.

To maximise the efficiency and effectiveness of the Commission.

- The Commission believes that we are obligated to deliver excellent and consistent service through a competent and diverse team of dedicated professionals.

- The Commission, through its re-visioning retreat held at the end of January, 2015, has begun the work necessary in order to create an organisational culture that supports and reflects the core values of the Commission.
- The Commission will initiate change management activities to bolster confidence in its leadership team and will work towards the refining of policies and procedures that reflect best practice.
- The Commission will also focus on the training and development of its human resources to ensure that it nurtures a cadre of professionals who are able to deliver exceptional service to the people of Trinidad and Tobago.
- The Commission continues to strive towards developing the organisation into a technology-driven entity. Through the new and evolving technologies, the Commission will be able to intensify its outreach and advocacy and to liaise with regional and international organisations through video-conferencing and other enhanced technologies.
- The Commission will continue to develop and strengthen its research and monitoring roles and function through the use of public perception polling, some of which may be done through the use of the new technologies being considered.
- The Commission reiterates its commitment to its critical function of handling public complaints. The Commission will drive the creation of customer-centric complaints handling procedures which will ensure excellent and consistent levels of service to all persons who have come to the Commission seeking redress.

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.”

Under the guidance of the Commissioners and the Chief Executive Officer, the Legal Unit and the Communications Unit will work together to create and publish appropriate guidelines for dissemination to all stakeholders in 2017.

Submission of Report

This Report is submitted to the Attorney General and Minister of Legal Affairs, pursuant to the provisions of Section 53 of the Equal Opportunity Act, Chapter 22:03 [Act No. 69 of 2000, as amended].



Members of the EOC's staff at an Executive Coaching and Team Building Exercise.



Observations of Eid-UL-Fitr and Divali at the EOC.



The EOC's Christmas decorating and Christmas Luncheon.

Notes



Equal Opportunity Commission
Promoting Equality

ANNUAL Report

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