







## ANNUAL REPORTING

The Equal Opportunity Commission submits its ninth Annual Report on its activities for the year ended 31st December 2018. 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

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

## CHAIRMAN'S REMARKS

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Over the past year, sexual harassment and sexual assault in the workplace have been a focus of national and international attention largely because of the impact of the Me Too and Time's Up movements. These two events led to a global debate about fairness, equality and the treatment of women in the workplace. The 2018 theme for the International Day of Persons with Disabilities, **"Empowering persons with disabilities and ensuring inclusiveness and equality"**, focused on empowering persons with disabilities for inclusive, equitable and sustainable development. The work undertaken by our Commission in the last year, therefore, reflects the aforementioned human rights issues, which confront national institutions and State parties. These include:

- (a) *The treatment of the disabled, particularly in the working environment;*
- (b) *Workplace sexual harassment;*
- (c) *Identifying appropriate and effective means of providing services and programmes to the public; and*
- (d) *Amendments to existing legislation to ensure that the standards of equality, fairness and human rights of all are upheld.*

A common question raised on those topics is what adjustments need to be made to laws and policies to accommodate the needs and rights of those who are marginalized, vulnerable and subject to discrimination.

Our legal powers are vital for our effectiveness; when we use them, we can tangibly change lives. I am pleased that we have used the full spectrum of our unique legal powers more robustly and more intelligently than ever before. In this regard, the Commission has published two sets of Guidelines, which offer advice, support and protection for both employers and employees. The **'Guidelines for Employers on Disability in Trinidad and Tobago'** is based on the principles supporting national and international instruments and initiatives designed to promote the equal and safe employment of Persons with Disabilities (PWDs). It is part of a broader equality agenda for PWDs to have their rights recognised in the labour market, where they often remain in low status jobs or earn lower than average remuneration.

Following high-profile allegations both locally and internationally of workplace sexual harassment, we have published our **'Guidelines on Sexual Harassment in the Workplace'**, and continue to review, amend and advise on the workplace policy and procedures of several organisations to better protect their staff. It is easy to overlook the vast amount of expert advice we provide to organisations, but this advice can make a huge difference and help determine the success of some life-changing cases.



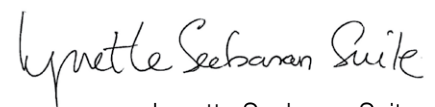
The other Commissioners and I continue to work towards the elimination of discrimination by public advocacy, research and lobbying the Government to keep under review The Equal Opportunity Act, Chapter 22:03. To this end, we have already included sexual harassment as a form of discrimination and the definition of disability in our already existing recommendations for proposed amendments to the Act.

Continuous advocacy activities provided an opportunity to evaluate the knowledge among youth and adult populations on the mandate and powers of the Commission, while delivering targeted messages underscoring the scope of legislation on subjects such as sexual harassment and domestic violence. Gender-based violence has remained an important vocal point for the Commission, emphasised by several public fora in which the Commission was asked to participate.

In delivering these achievements, the Commission relies on the continuing hard work of the Chief Executive and staff. On behalf of the Commissioners, I would like to thank them all for their efforts over the past year. Our business plan for 2018/20 sets out how we will continue to deliver our mandate over the year ahead, working in partnership with organisations across the public and private sectors to play our part in delivering further progress towards achieving our strategic objectives.

I am pleased by how much progress can be made in a year, and while I do not underestimate the challenges ahead, I remain confident and committed to delivering tangible change inspired by all that we have achieved.

On behalf of the Vice-Chairman Dr. Beverly Beckles, Commissioners Mr. James Chin Chuck, Mr. Eric Colin Cowie and Dr. Emanuel Hosein, I wish to thank the management and staff, partners and service providers of the EOC for their tremendous work and support over the reporting period. I pledge our continued best efforts at expanding the work of the Commission based on the ideals of equality of opportunity, fairness and human rights.



Lynette Seebaran Suite  
Chairman  
Equal Opportunity Commission

## REMARKS of the CHIEF EXECUTIVE OFFICER

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It is my distinct pleasure to present another Annual Report, which highlights the yearly work done by the Commission to eliminate discrimination and promote equality of opportunity through advocacy, public education, research, investigation and conciliation of complaints. This statutory mandate makes us who we are and is the guiding force of the Commission's operations.

In keeping with the mandate under Section 27 (1) (f) of the Act **'to prepare and to publish appropriate guidelines for the avoidance of discrimination'**, and in line with this year's theme, **'The Year of Publications and Policies'**, the organisation rose to the challenge and delivered significant pieces of work for the year under review. The research undertaken by the Commission is an invaluable means of informing Government and other key stakeholders on discrimination and human rights, matters that influence the rights and responsibilities of all. The year 2018 presented some challenging and controversial, yet significant societal issues. The Commission's launch of its **'Guidelines on Sexual Harassment in the Workplace'**, following the Me Too movement and local cases of alleged workplace sexual harassment, received wide coverage and support. The EOC's 'Guidelines Handbook' is a guide to both the private and public sectors, by providing information on understanding, preventing and resolving workplace sexual harassment. Employers and employees are encouraged to apply these guidelines in the workplace and to be mindful of the practical guidance that the publication contains, to not only eliminate and prevent sexual harassment but to minimise the risk of liability for unlawful sexual harassment at work.

This publication enabled us to amplify the voices of victims by instructing them on their rights, and gave recommendations to bring about real change.

The Commission also published major research in the area of disability in the form of its **'Guidelines for Employers on Disability in Trinidad and Tobago.'** This publication seeks to guide employers of public and private enterprises to adopt a positive response to manage disability-related issues in their workplace. The 'Guidelines Handbook' is designed to assist with the practical implementation of aspects of the Equal Opportunity Act relating to Persons with Disabilities (PWDs) and the United Nations Convention on the Rights of Persons with Disabilities (UNCRC) in the workplace. Those two publications, in addition to a summary of the National Survey on the Public Perception of Equality and Discrimination in Trinidad and Tobago, alluded to in our Annual Report 2017, are all available on the Commission's website to facilitate public dissemination.

As I write, it is clear that our work to ensure compliance with existing legislation and regulations has put the Commission in a strong position to promote its policies and to work with Government, employers in all sectors and key stakeholders to bring about real and tangible change in the work environment and in society.

During the year under review, the Human Resource Unit continued to focus on delivering consistent and reliable service to the members of staff at the Commission, in accordance with its mandate. There were no significant changes to the organizational structure of the Commission, as existing contract positions approved in November 2014 continued to be filled, and will so continue until the expiration of the six (6)-year staffing plan, which will expire on November 05, 2020. In addition, a Digital Marketing and Social Media Specialist On the Job Trainee was assigned to the Corporate Communications Unit in October 2018.

Training and Development continues to be of high priority to the Commission to guarantee that skills and capacities are developed and to ensure the maintenance of high standards of performance. The Commission, in its commitment to helping facilitate access to decent work based on equality of opportunity and treatment for all men and women, sought the assistance of the International Labour Organisation (ILO) to provide training services on the topic of **'Decent Work Agenda and Equality'**. Members of staff of the Commission, the Secretariats of both the Attorney General and the Permanent Secretary and the Human Rights Unit of the Ministry of the Attorney General and Legal Affairs benefitted directly from the expertise of highly specialised officers from the ILO.

As in the previous two years, the Commission remained challenged by the financial restrictions experienced across the public sector, most notably in its various programmes. This did not deter us but rather it has made our accomplishments even more significant. The Commission continued its commitment to the public, by increasing its advocacy through the promulgation of anti-discriminatory laws and practices by way of its public education sessions and increased social media presence. We managed through our own tenacity to hold twenty-three (23) public education sessions, including partnering with and supporting AMCHAM's Youth Productivity Forum. As stated in the 2017 Annual Report, the youth population will now be a critical target group in disseminating the work of the Commission. At this juncture, I urge you to peruse each Unit's report contained herein, as the collective reports provide a factual account of the organisation's performance even under somewhat demanding circumstances. We have delivered our programme of work through working in partnership with other organisations and by increased efficiencies and continued improvements in the financial management of the organisation.

It is always a privilege to lead the Commission, and this year has been no different. I would like to thank everyone at the Commission, including the Commissioners, the management team and everyone across all the Units. Your hard work and commitment are the reason for our success and a big part of what makes the job rewarding for me. We are committed to investing in all staff to ensure they have the skills and opportunities to grow and develop. As the protector and enforcer of equality and non-discriminatory practices, I am convinced that the Equal Opportunity Commission will continue to make a major contribution towards the development of a more just, tolerant and equitable society for all.



Devanty Dianne Maraj-Ramdeen  
Chief Executive Officer

# 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 an Equal Opportunity Commission and an Equal Opportunity Tribunal and for matters connected therewith.’

## ABOUT the EQUAL OPPORTUNITY COMMISSION

### Legislative Framework

#### 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.’

#### 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 (5) persons were reappointed/ appointed Commissioners for a period of three (3) years (2017 to 2020), as indicated:

*(Reappointed from 26th August 2017)*

**Mrs. Lynette Seebaran Suite – Chairman**

*(Reappointed from 21st August 2017)*

**Dr. Beverly Ann – Marie Beckles – Vice-Chairman**

**Mr. Eric Colin Cowie**

**Mr. James Chin Chuck**

*(New Appointment from 21st November 2017)*

**Dr. Emanuel Hosein.**

**Dr. Hosein was appointed in lieu of Dr. Indira Rampersad (former Commissioner), whose term of office expired on 20th August 2017.**

#### 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.

### Administrative Framework

#### 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.

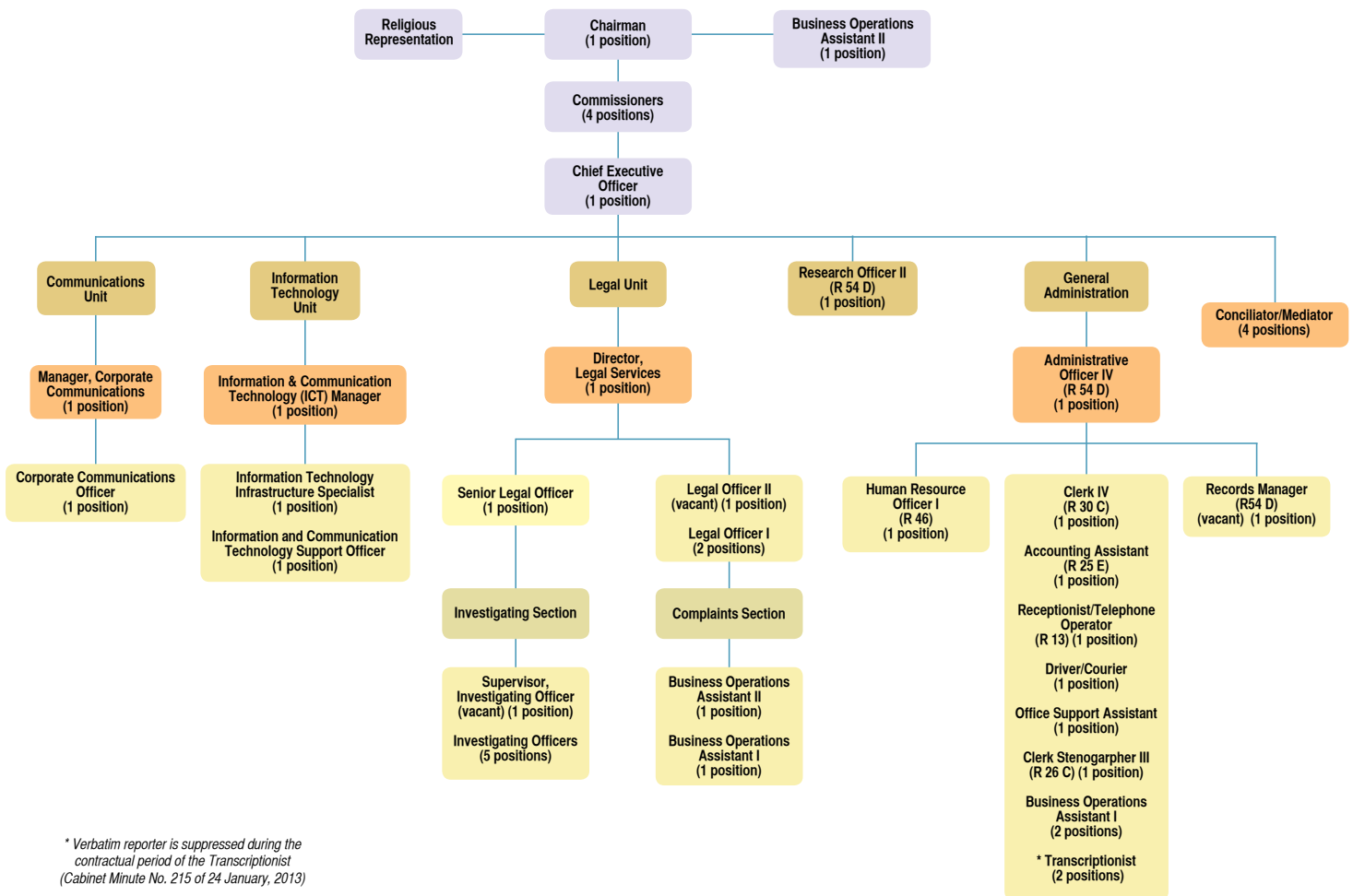
## Organisational Structure

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

- Legal
- General Administration (Including Human Resource)
- Conciliation
- Communications
- Information Technology
- 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 Transcripionist (Cabinet Minute No. 215 of 24 January, 2013)

Figure 01

## Strategic Overview

### 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.

### 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.

### 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.

### 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.

### 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 proactive 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.



## REPORT from the LEGAL UNIT

### Complaints Received by The Commission in 2018

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 take 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 that the party has failed and/or refused to comply.

- **Preparing and publishing Reports:** Pursuant to the provisions of section 29, 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 2018, using the above processes, that is:

- (A) Complaints Received and Investigated in 2018
- (B) Complaints referred to Conciliation in 2018
- (C) Summary Prosecutions for Non - Compliance
- (D) Reports on Matters published for Public Inspection
- (E) Initiating Proceedings before the Equal Opportunity Tribunal.

### A. Complaints Received and Investigated in 2018

In this section, we will present and discuss 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 one hundred and twenty-four (124) complaints in 2018, which is five (05) less than it received in 2017 [one hundred and twenty-nine (129)], but is significantly more than was received in 2016 [ninety-eight (98)].

#### Number of Complaints received by Month January 2016 to December 2018

Month	2018	2017	2016
	No. of Complaints	No. of Complaints	No. of Complaints
January	14	03	09
February	07	12	05
March	09	15	09
April	08	14	10
May	08	16	11
June	13	17	06
July	17	11	05
August	13	05	05
September	07	07	09
October	11	14	08
November	11	13	09
December	06	02	12
<b>Total</b>	<b>124</b>	<b>129</b>	<b>98</b>

Table 01

When disaggregated by quarters and halves, the following was observed over the period 2016 to 2018:

- In 2016 and 2017, more complaints were received in the first half of the year, rather than the second half, but this was not the case in 2018. In 2016, the halves were more-or-less evenly split, with the slight majority of fifty-one percent (51%) being in the first half; in 2017, there was a significant majority of about sixty percent (60%) being received in the first half; in 2018, the halves were more-or-less evenly split, just like they were in 2016, the difference being that the slight majority of fifty-two percent (52%) was in the second half;
- In 2016 and 2017, there was an increase in the number of complaints received from the first quarter into the second quarter, but in 2018, there was a slight decline;
- There is no consistency as to the quarter in which the greatest number of complaints was received: in 2016, the fourth quarter saw the highest amount, in 2017, the second quarter was the main one, and in 2018, it was the third quarter;



- In 2017 and 2018, the peak was around the middle of the year, as more complaints were received in the second and third quarter collectively: the percentage of complaints received during this period in 2017 and 2018 was fifty-five percent (55%) and fifty-three percent (53%), respectively;
- In all three years, virtually the same number of complaints was received in the fourth quarter: twenty-nine (29) in both 2016 and 2017, and twenty-eight (28) in 2018.

**Number of Complaints received by Quarter – 2016 to 2018**

Quarter	2018		2017		2016	
	No. of Complaints	% of Annual Total	No. of Complaints	% of Annual Total	No. of Complaints	% of Annual Total
1st (Jan to March)	30	24	30	23	23	23.5
2nd (Apr to June)	29	23	47	36.5	27	27.5
3rd (Jul to Sept)	37	30	23	18	19	19.5
4th (Oct to Dec)	28	23	29	22.5	29	29.5
<b>Total</b>	<b>124</b>	<b>99</b>	<b>129</b>	<b>100</b>	<b>98</b>	<b>100</b>

Table 02

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

For the three-year period January 2016 to December 2018, a total of three hundred and fifty-one (351) complaints was lodged, of which:

- One hundred and ninety-six (196) were lodged by males, or about fifty-five and eight-tenth percent (55.8%); and
- One hundred and fifty-five (155) were lodged by females, or about forty-four percent (44%).

In each of the three years, more complaints were lodged by males than by females. In 2016, males lodged twenty-four (24) more complaints, which was a margin of twenty-four percent (24%) more; this margin closed significantly in 2017, when only one complaint was lodged by a male; however, the margin continued in 2018, when nineteen percent (19%) more complaints were lodged by males.

**Sex of the Complainants - 2016 to 2018**

Type	2018	2017	2016	Total for all 3 years
<b>Male</b>	70 (56.5%)	65 (50.3%)	61 (62%)	196 (55.8%)
<b>Female</b>	54 (43.5%)	64 (49.6%)	37 (38%)	155 (44%)
<b>Group</b>	0 (0%)	0 (0%)	0 (0%)	0 (0%)
<b>Total by year</b>	<b>124</b> <b>(100%)</b>	<b>129</b> <b>(100%)</b>	<b>98</b> <b>(100%)</b>	<b>351</b>

Table 03

Of the one hundred and twenty-four (124) complaints received in 2018, twenty (20), or about sixteen percent (16%) of complainants, did not give age information. This was the same as the number of complainants who did not give age information in 2016, but was the lowest annual percentage over the three years, and a significant decline from the previous year, 2017, when twenty-four percent (24%) of the complainants did not give age information.

From those who gave information, the following can be noted:

- In all three years, the percentage of complaints lodged by persons under eighteen (18) years old has been relatively small, amounting to less than three percent (03%); in actuality, complaints from this group are normally complaints by students and are lodged by their parents;
- The other small group is the persons aged over sixty-five (65+) years, who accounted for three percent (03%) or less in each year. As noted in the 2017 Annual Report:

***“It may be that these persons 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, he/she has no recourse for relief with the Commission.”;***

- The number and percentage of complaints received from persons aged eighteen to twenty-five (18 – 25) years were relatively small in 2016 [three (03) persons, amounting to three percent (03%)]. It increased in 2017 [eleven (11) persons, amounting to eight-and-half percent (08.5%)], which, in the 2017 Annual Report was attributed to, among other things, the Commission’s increased presence on social media. However, there was a decline in 2018 [six (06) persons, amounting to five percent (05%)];
- Over the three years, the super-cluster of persons aged twenty-six to forty-five (26 to 45) years accounted for the most number of complaints: this group accounted for fifty-one percent (51%) of all complaints in 2016 but dropped to forty-and-half percent (40.5%) in 2017, from which it rose slightly to forty-three percent (43%) in 2018;
- In 2017 there was a drop in the number and percentage of complaints received from persons aged forty-six to fifty-five (46 to 55) years as against the group in the preceding age bracket [thirty-six to forty-five (36 to 45)] years but in both 2016 and 2018 both groups accounted for the same number and percentage of complaints.

Age of the Complainants - 2016 to 2018

Age group (years)	2018		2017		2016	
	No. of Complaints	% of the Annual Total	No. of Complaints	% of the Annual Total	No. of Complaints	% of the Annual Total
Under 18	03	02.5%	02	01.5	0	0
18-25	06	05%	11	08.5	03	03
26-35	27	22%	24	18.5	38	39
36-45	26	21%	28	22	12	12
46-55	26	21%	14	11	12	12
56-65	13	10%	16	12.5	10	10
Over 65	03	2.5%	03	02	03	03
Not Stated	20	16%	31	24	20	20
<b>Total</b>	<b>124</b>		<b>129</b>		<b>98</b>	

Table 04

With respect to the racial background of persons who lodged complaints in 2018:

- Forty-one (41) persons self-identified as being of African origin, which was about thirty-three percent (33%) of complainants. In 2017, this group also accounted for thirty-three percent (33%) of the complainants, and thirty-four percent (34%) in 2016, so that it can be said that this group has been consistent over the three-year period;
- Forty (40) persons self-identified as being of East Indian origin, which was about thirty-two percent (32%) of complainants. This is an increase from 2017, when this group amounted to twenty-six-and-half percent (26.5%), but is less than 2016, when this group accounted for forty-three percent (43%) of all complainants;
- Seventeen (17) persons self-identified as being of mixed origin, which is about fourteen percent (14%). This is slightly off the mid-point from the two previous years: eighteen (18%) percent in 2017 and twelve percent (12%) in 2016;
- Two (02) persons self-identified as being of White/ French Créole, Chinese, Portuguese or Syrian/ Lebanese origin, which is about one-and-half percent (1.5%). In 2017, no person so identified, but in 2016, this group accounted for three percent (03%) of all complainants. Over the three-year period, complaints from this group have been relatively low;
- Twenty-four (24) persons did not provide any data about their origin; this amounted to nineteen percent (19%). This is a decrease from the previous year, 2017, when twenty-two-and-half percent (22.5%) of persons did not provide information, but is still significantly higher than 2016 when only seven percent (07%) of complainants did not provide this.

**Percentage of Complaints Received by Racial Groups – 2016 to 2018**

Racial Group	Percentage of complaints lodged in 2018	Percentage of complaints lodged in 2017	Percentage of complaints lodged in 2016
<b>African</b>	33%	33%	34%
<b>East Indian</b>	32%	26.5%	43%
<b>Mixed</b>	14%	18%	12%
<b>White/ French Créole, Chinese, Portuguese or Syrian/ Lebanese</b>	01.5%	00	03%
<b>No data provided</b>	19%	22.5%	07%

Table 05

**Racial Background of Complainants - 2018**

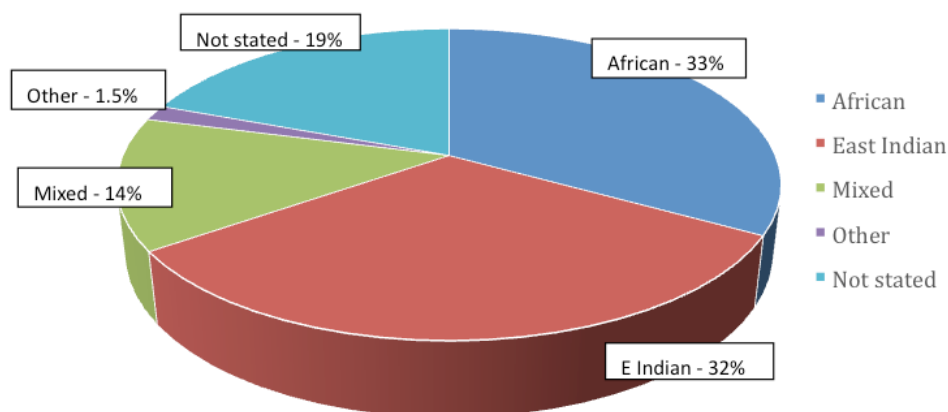


Figure 02

According to the 2011 National Population and Housing Census published by the Central Statistical Office, the undermentioned 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 Créole, Portuguese, Chinese and Syrian/Lebanese – 01%.

Using the data from the 2011 National Census as a baseline, it can be said that, in 2018, there was a lesser tendency for persons of East Indian origin and Mixed origin to lodge complaints, and an almost equivalent tendency for persons of African origin and Other origin to lodge complaints. That is:

- Persons of African origin about equivalently accessed the Commission's complaints services, as this group accounted for thirty-three percent (33%) of complainants, and about thirty-four percent (34%) of the national population;
- Persons of East Indian origin slightly under-utilised the Commission's complaints services, as this group accounted for thirty-five percent (35%) of the national population, but only thirty-two percent (32%) of complainants. This under-utilisation was greater in 2017 when this group accounted for twenty-six-and-half percent (26.5%) of complainants;
- Persons of Mixed origin continued to significantly under-utilise the Commission's services, as this group accounted for about twenty-three percent (23%) of the national population, but eighteen percent (18%) and fourteen percent (14%) of complainants in 2017 and 2018, respectively;
- Persons of White/French Créole, Portuguese, Chinese and Syrian/Lebanese ancestry equivalently accessed the Commission's complaints services, as this group accounted for one percent (01%) of the national population, and about one-and-half percent (01.5%) of complainants.

### 3. Geographical Origin of the Complainants

This data is based on the 'home address' that each Complainant would have provided on his/her complaint form. The collation of this data 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.

- **The North West Region [this comprises Port-of-Spain and Diego Martin]:** About nine-and-half percent [09.5%] of all complaints received in 2018 were lodged by persons who lived in this region. This is slightly down from twelve-and-half percent (12.5%) in 2017, which in turn is slightly down from about thirteen percent (13%) in 2016. Despite this steady decline, the percentage of complaints coming from this region has been fairly consistent – between nine and thirteen percent (09% to 13%) – and is somewhat consistent with the national baseline, as derived from the 2011 National Population and Housing Census published by the Central Statistical Office. According to the 2011 National Census, this area accounts for 10.6% of the total population of Trinidad and Tobago; consequently, it can be said that in 2016 and 2017, there was a somewhat higher tendency for persons from this region to lodge complaints, though not by a significant amount, and in 2018, there was a slightly lower tendency for persons from this region to lodge complaints, though not by a significant amount.
- **The North East Region [this comprises San Juan/Laventille, Tunapuna/Piarco, Arima and Sangre Grande]:** The percentage of complaints coming from this cluster has been consistent in all three years: thirty-three percent (33%) in 2018, thirty-three-and-half percent (33.5%) in 2017, and about thirty-three percent (33%) in 2016. However, in all three years, it was lower than the national baseline; per the 2011 National Census, this area accounts for 36.3% of the total population of Trinidad and Tobago, so that it can be said that in all three years, there was a lesser tendency for persons from this region to lodge complaints, but the differential is not large (less than four percent points).

- **The Central Region [Chaguanas and Couva/Tabaquite /Talparo]:** In 2018, twenty percent (20%) of all complaints came from this region; this was down from about twenty-five-and-half percent (25.5%) in 2017, which in turn was down from thirty-and- half percent (30.5%) in 2016. Over the period 2016 to 2018, there has been a steady decrease of complaints coming from this region, of about five percent points each year. Despite this decrease, this region is still above the national baseline; according to 2011 National Census Data, this area accounts for 19.7% of the total population of Trinidad and Tobago; consequently, it can be said that in 2016 and 2017, there was a significantly greater tendency for persons from this region to lodge complaints, but by 2018, there was an almost equivalent tendency.
- **The Southern Region [San Fernando, Point Fortin, Penal/ Debe, Princes Town, Siparia and Mayaro/ Rio Claro]:** In 2018, about twenty-nine percent (29%) of all complaints came from this area; this is a significant increase of about ten percent points over

2017 [about nineteen and half percent (19.5%)], which in turn was a slight increase over 2016 [eighteen-and-half percent (18.5%)]. Per the 2011 National Census, this area accounts for 28.8% of the total population of Trinidad and Tobago. Using this as a baseline, it can be said that in both 2016 and 2017, this region was significantly below the national baseline, but in 2018, it was consistent with it.

- **Tobago:** In 2018, seven percent (07%) of all complaints came from Tobago; this is fairly consistent with the 2017 amount, which was seven-and-half percent (07.5%), and both years are significantly higher than the 2016 amount, which was three percent (03%). According to the 2011 National Census, the island of Tobago accounts for 4.6% of the total population, so that it can be said that in 2017 and 2018, there was a greater tendency for persons from Tobago to lodge complaints, but the margin is not significant (less than three percent points).

**Geographical Origin of Complainants – 2016 to 2018  
(By Regional and Municipal Corporations)**

Area	2018		2017		2016	
	No. of Complaints	% of Annual Total	No. of Complaints	% of Annual Total	No. of Complaints	% of Annual Total
Port-of-Spain	09	07	08	06	07	07
Diego Martin	03	02.5	08	06	06	06
San Juan/ Laventille	10	08	10	07.5	08	08
Tunupuna/Piarco	21	17	20	15.5	13	13
Arima	06	05	09	07	10	10
Toco/Sangre Grande	04	03	04	03	01	01
Chaguanas	15	12	22	17	26	26
Couva/Tabaquite/Talparo	10	08	11	08.5	04	04
San Fernando	20	16	11	08.5	10	10
Penal / Debe	06	05	05	04	02	02
Siparia	03	02.5	0	0	02	02
Point Fortin	02	01.5	01	<01	02	02
Princes Town	04	03	05	04	01	01
Mayaro/Rio Claro	01	<01	03	02.5	01	01
Tobago	09	07	10	07.5	03	03
Not stated/ Other	01	<01	02	01.5	02	01
<b>Total</b>	<b>124</b>		<b>129</b>		<b>98</b>	

Table 06

In both 2016 and 2017, the Chaguanas Borough accounted for the single highest number of complaints lodged, with the Tunapuna/ Piarco region placing second; but it was noted that between 2016 and 2017, the numbers received from Chaguanas decreased, and the numbers received from Tunapuna/Piarco increased. This decrease and increase, respectively, continued into 2018, and the Tunapuna/Piarco region had overtaken into the top spot [twenty-one percent (21%) of complaints received] and Chaguanas had fallen into third spot [fifteen percent (15%)]. The number of complaints received from San Fernando, which was the third highest in 2016 and 2017, was now the second highest in 2018 [sixteen percent (16%)]; and the number doubled from 2016 to 2018 [ten (10) to twenty (20)].

In previous Annual Reports, it was noted that the number and percentage of complaints received from persons in the extreme tips of Trinidad continued to be low, and this trend continued in 2018:

- Complaints from Toco/ Sangre Grande accounted for three percent (03%) in both 2018 and 2017;
- Complaints from Mayaro/Rio Claro were consistently below three percent (03%) in all three years, and was less than one percent (<01%) in 2018; and
- Complaints from the Regions of Siparia and Point Fortin were consistently at four percent (04%) or less, and in 2017, it was at its lowest, at less than one percent (<01%).

#### 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 that 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.

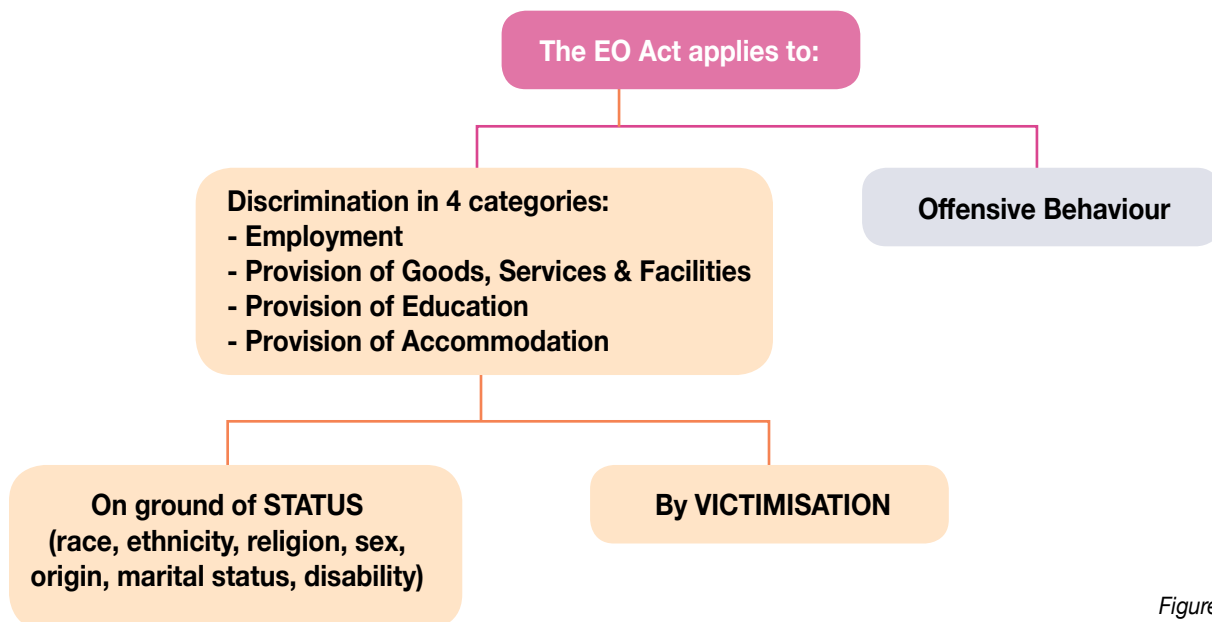


Figure 03



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

**Category of Discrimination:**

In all three years, complaints of discrimination in employment significantly outweighed the complaints in the other categories, accounting for over eighty percent (80%) in both 2017 and 2018. In all three years, the second highest number of complaints was lodged in the category of goods and services, but the percentage share has steadily declined from twenty-five percent (25%) in 2016 to eight percent (08%) in 2018. Over the period, the number of complaints of discrimination in education has remained small, though there has been a steady, albeit marginal, increase, from five (05) in 2016 to eight (08) in 2018. In each of the three years, only one (01) complaint was received of discrimination in accommodation, so that the number has been consistent.

**4. Category of Discrimination Alleged – 2016 to 2018**

Category	2018		2017		2016	
	No. of Complaints	% of Annual Total	No. of Complaints	% of Annual Total	No. of Complaints	% of Annual Total
Employment	100	80.5	107	83	67	67
Goods, Services and Facilities	08	06.5	14	11	25	25
Education	08	06.5	06	04.5	05	05
Accommodation	01	<01	01	<01	01	01
Offensive Behaviour	06	05	0	0	03*	02
Other/ not stated	01	<01	01	<01	0	0
<b>Total</b>	<b>124</b>		<b>129</b>		<b>101*</b>	

Table 07

\* In 2016, the three persons who alleged Offensive Behaviour also alleged discrimination in other categories with respect to the same incident.

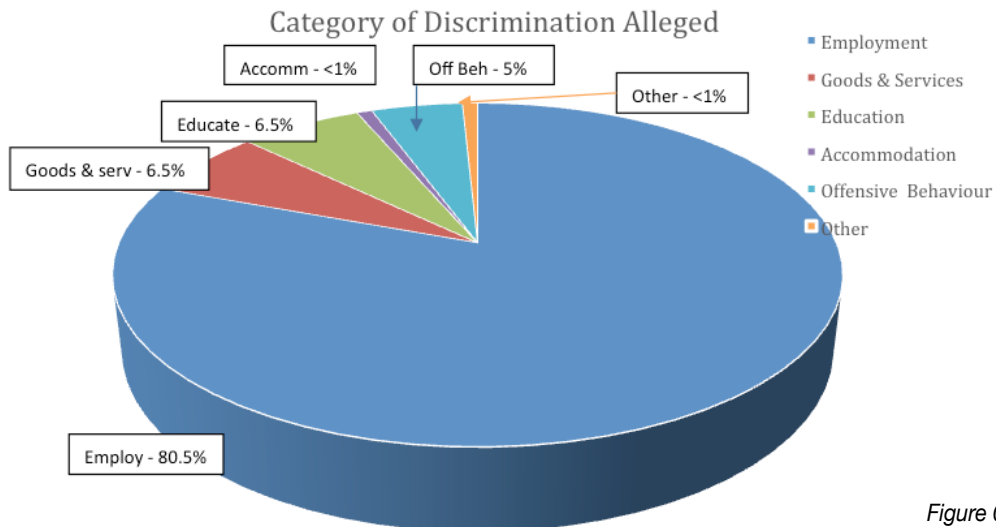


Figure 04

**Status/ Victimisation Alleged**

Of the one hundred and twenty-four (124) complaints lodged in 2018:

- Twenty-one (21) complaints identified no ground under the Equal Opportunity Act (that is, (i) one or more of the seven grounds under status, (ii) victimisation or (iii) offensive behaviour). Of this number, one (01) identified age, which is not a status ground covered by the Act. This is a decrease from thirty-three (33) in 2017, and possibly indicates that the public is becoming more aware of the Commission’s mandate;
- One hundred and three (103) complaints identified one or more ground (status, victimisation or offensive behaviour). This amounts to about eighty-three percent (83%) of all complaints lodged. This is both an increase

in number and percentage from 2017 [ninety-six (96) complaints, or about seventy-four-and-half percent (74.5%) for that year]. Details of the one hundred and three (103) complaints, where persons alleged a recognised ground, are as indicated:

- Seventy-three (73) complaints, or about fifty-nine percent (59%), were taken to have been based on one ground alone. (As explained below, race and ethnicity are treated as one ground.) Although this number is lower than the 2017 number, the percentage is almost the same: the 2017 figures were seventy-seven (77) complaints, or about fifty-nine-and-half percent (59.5%);
- The remaining thirty (30) persons alleged two (2) or more grounds.

**Total Number of Complaints that Alleged a Recognised Ground – 2016 to 2018**

	2018	2017	2016
<b>Total Number of complaints received</b>	124	129	98
<b>Of which, total number that alleged one or more ground</b>	103 (83%)	96 (74.5%)	87 (89%)

Table 08

**The one hundred and three (103) complaints where persons alleged one or more recognised ground can be dissected as follows:**

STATUS	DETAILS OF COMPLAINTS
Race and/or Ethnicity	<p>Although the study of anthropology recognises a difference between race and ethnicity, the ordinary Trinidadian or Tobagonian sees these two words as interchangeable, and oftentimes complainants tick both categories when their complaint may really be in respect of one, and in instances, may tick one of the categories, when their complaint is really about the other. For this reason, race and ethnicity are treated as one ground for the purposes of analysis. In 2018, forty (40) complaints, or about thirty-two percent (32%) of all complaints received, involved an allegation of racial and/or ethnic discrimination. This was an increase from twenty-eight and half percent (28.5%) in 2017, which in turn was an increase from twenty-two and half percent (22.5%) in 2016. In all three years, this combined ground was the single largest status alleged. Of the forty (40) complaints received in 2018:</p> <ul style="list-style-type: none"> <li>• Eleven (11) persons alleged race alone;</li> <li>• Two (02) persons alleged ethnicity alone;</li> <li>• Seven (07) persons alleged race and ethnicity together;</li> <li>• The remaining twenty (20) persons alleged race and/or ethnicity along with other status grounds. For example: <ul style="list-style-type: none"> <li>◦ Five (05) persons alleged race and/or ethnicity along with sex;</li> <li>◦ Two (02) persons alleged race and/or ethnicity along with sex and origin and religion;</li> <li>◦ Four (04) persons alleged race and/or ethnicity along with origin;</li> <li>◦ Two (02) persons alleged race and/or ethnicity along with origin and offensive behaviour;</li> <li>◦ One (01) person alleged race and/or ethnicity along with disability whereas another one (01) person alleged both disability and religion;</li> <li>◦ Two (02) persons alleged race and victimisation.</li> </ul> </li> </ul>



STATUS	DETAILS OF COMPLAINTS
Sex	<p>Twenty-seven (27) complaints, which is about twenty-two percent (22%) of all complaints received in 2018, involved an allegation of discrimination on the ground of sex (either by itself, or in conjunction with other grounds). This is a noted increase from 2017 [seventeen (17) complaints, or about thirteen percent (13%)], which itself was an increase from 2016 [thirteen (13) complaints, or about thirteen percent (13%)]. Unlike the previous two years, in 2018, sex was the second highest ground of complaint. Of the twenty-seven (27) complaints received in 2018:</p> <ul style="list-style-type: none"> <li>• Thirteen (13) persons alleged sex alone;</li> <li>• Four (04) persons alleged sex along with race and/or ethnicity, and a further two (02) persons went on to add origin and religion;</li> <li>• Three (03) persons alleged sex along with grounds that are not recognised by the Equal Opportunity Act, one of which was sexual orientation;</li> <li>• One (01) person alleged sex along with offensive behaviour, and a further two (02) persons alleged both of these grounds (sex and offensive behaviour), along with other grounds, such as disability and victimisation;</li> <li>• Two (02) persons alleged sex along with victimisation.</li> </ul>
Religion	<p>Thirteen (13) complaints, or about ten-and-half percent (10.5%) of all complaints received in 2018, involved an allegation of discrimination on the ground of religion (either by itself, or in conjunction with other grounds). This is less than what was received in 2017 [twenty (20) complaints, or about fifteen and half percent (15.5%)], but more than 2016 [six (06) complaints or about six percent (06%)]. Of the thirteen (13) complaints received in 2018:</p> <ul style="list-style-type: none"> <li>• Six (06) persons alleged religion on its own;</li> <li>• Of the remaining seven (07) persons, six (06) went on to allege race and ethnicity, and of these, four (04) went on to allege other grounds such as sex, origin and disability. The remaining one (01) person alleged religion and origin.</li> </ul>
Origin	<p>Twelve (12) complaints, or about ten percent (10%) of all complaints received in 2018, involved an allegation of discrimination on the ground of origin (either by itself, or in conjunction with other grounds). This was less than what was received in 2017 [fifteen (15) complaints, which is about eleven-and-half percent (11.5%)], but more than what was received in 2016 [eight (08) complaints, which is about eight percent (08%)]. Of the twelve (12) complaints received in 2018:</p> <ul style="list-style-type: none"> <li>• Three (03) persons alleged origin alone;</li> <li>• Four (04) persons alleged origin along with race and/or ethnicity, and a further four (04) persons alleged origin along with race and/or ethnicity as well as other grounds, such as sex, religion, victimisation and offensive behaviour;</li> <li>• One (01) person alleged origin along with religion.</li> </ul>
Disability	<p>Eleven (11) complaints, or about nine percent (09%) of all complaints received in 2018, involved an allegation of discrimination on the ground of disability (either by itself, or in conjunction with other grounds). This is a very slight increase from 2017 [ten (10) complaints, or about eight percent (08%)], but is still much less than 2016, when it was the second highest status ground of complaints [twenty (20) complaints, or about twenty-and-half percent (20.5%)]. Of the eleven (11) complaints received in 2018:</p> <ul style="list-style-type: none"> <li>• Six (06) complainants alleged disability on its own;</li> <li>• One (01) person alleged disability along with race and/or ethnicity, and one (01) further alleged these grounds along with religion;</li> <li>• Two (02) persons alleged disability along with offensive behaviour and one other ground (sex and victimisation);</li> <li>• One (01) person alleged disability and victimisation.</li> </ul>

STATUS	DETAILS OF COMPLAINTS
Marital Status	<p>Only two (02) persons, or about one-and-half percent (01.5%) of all complaints received in 2018, alleged discrimination on the ground of marital status. A similar but slightly higher number of persons alleged this in 2017; three (03) complaints, which was about two percent (02%) of all complaints received. No one alleged this in 2016, so that complaints on this ground have been consistently low. The two (02) persons who alleged this in 2018 alleged no other ground.</p>
Victimisation	<p>Twenty-six (26) complaints, which is about twenty-one percent (21%) of all complaints received in 2018, involved an allegation of discrimination by way of victimisation (either by itself, or in conjunction with other grounds). This was an increase from 2017 [twenty-two (22) complaints, or about seventeen percent (17%)], which itself was a much larger increase from 2016 [ten (10) complaints, or about ten percent (10%)] of all complaints received that year. Of the twenty-six (26) complaints received in 2018:</p> <ul style="list-style-type: none"> <li>• Seventeen (17) complaints alleged victimisation on its own;</li> <li>• The other nine (09) complaints alleged victimisation along with another status ground: <ul style="list-style-type: none"> <li>◦ Two (02) persons alleged victimisation along with sex, and a third person alleged these two grounds along with sexual orientation, which is not a ground recognised by the Equal Opportunity Act (so the complaint was treated as one of victimisation and sex only);</li> <li>◦ Two (02) persons alleged victimisation along with race and/or ethnicity and a third person alleged these grounds along with origin;</li> <li>◦ Of the remaining three (03) complaints, additional to victimisation, one alleged offensive behaviour, one alleged disability, and the third alleged both disability and offensive behaviour.</li> </ul> </li> </ul>
Offensive Behaviour	<p>Eleven (11) complaints, or about nine percent (09%) of all complaints received in 2018 involved an allegation of discrimination on the ground of offensive behaviour (either by itself, or in conjunction with other grounds). This is a significant increase from 2017, when there were no such complaints, and is higher than 2016, when there were three (03) complaints [amounting to two percent (02%) for that year]. Of the eleven (11) complaints received in 2018:</p> <ul style="list-style-type: none"> <li>• Six (06) complaints related to offensive behaviour on its own, and could be considered as true complaints for reasons explained below;</li> <li>• Five (05) complaints were mixed with other status grounds, such as sex, disability and victimisation, and these complaints fell within one of the broad categories of discrimination.</li> </ul> <p>Offensive behaviour, as created by section 7 of the Equal Opportunity Act, is intended to provide a remedy for what, in the colloquial sense, can be termed 'hate speech', that is, words, action or conduct said or done in the public domain, with the intention of inciting hatred based on race, gender or religion. The action giving rise to offensive behaviour does not have to bear any connection to the four broad areas of discrimination (employment, goods and services, etc.) that the Act is concerned about. However, some of the persons who complained about offensive behaviour did so in the context of employment (or in one case, the provision of goods and services), and mistook it to mean behaviour that was offensive to them because they felt insulted (for example, they felt that their supervisor talked down to them, or in one case, a public officer spoke harshly to him/her) as opposed to behaviour that was done with the intention of inciting hatred, ridicule and scorn, based on race, gender or religion.</p>

Table 09

## 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 one hundred and twenty-four (124) complaints lodged in 2018:

- Eighty-two (82), which is about sixty-six percent (66%), were against State/ Public Sector entities. This is a drop of more than ten percent points from 2017. [2017 figures: one hundred and two (102) complaints or about seventy-nine percent (79%)], and
- Forty-two (42), which is about thirty-four percent (34%), were against Private Sector entities. This is an increase of more than ten percent points from 2017. [2017 figures: twenty-seven (27) complaints, or about twenty-one percent (21%)].

By State/ Public Sector we 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);
- Public Authorities, that is, bodies that exist by or under any Statute or Law and/or exercise public and/or regulatory powers, for example, the Central Bank of Trinidad and Tobago, the Chaguaramas Development Authority;
- Educational and Vocational Institutions that are funded by the public purse, for example, The University of the West Indies, The University of Trinidad and Tobago;
- 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 Limited, Petroleum Company of Trinidad and Tobago Limited;
- Special Purpose Entities that are set up, wholly owned and financed by the State, and perform functions on behalf of the State (typically project-management, property-management or procurement), for example, Urban Development Corporation of Trinidad and Tobago Limited, Education Facilities Company Limited.

**Types of Respondents - 2016 to 2018**

CATEGORY	2018		2017		2016	
	No. of Complaints	% of Annual Total	No. of Complaints	% of Annual Total	No. of Complaints	% of Annual Total
<b>State/ Public Sector</b>	82	66	102	79	75	76.5
<b>Private (including NGOs and Individuals)</b>	42	34	27	21	23	23.5
<b>Total</b>	<b>124</b>		<b>129</b>		<b>98</b>	

Table 10

In 2016 and 2017, complaints against State / Public entities consistently accounted for more than seventy-five percent (75%) of complaints lodged in each year. In 2018, this was not the case, as there was an increase in private sector complaints. Over the period 2016 to 2018, the number of private sector complaints increased in each year, from twenty-three (23) in 2016 up to twenty-seven (27) in 2017 and up further to forty-two (42) in 2018.

Of the eighty-two (82) complaints that are considered State/ Public Sector:

- Eighteen (18) complaints were lodged against a Government Ministry or a Department, Office or Division of a Ministry. This is a decrease from twenty-six (26) in 2017;
- Seven (07) complaints named the Trinidad and Tobago Police Service as a Respondent. This was an increase from (05) in 2017;
- A further four (04) complaints were lodged against a protective service, that is, the Trinidad and Tobago Defence Force, Fire Service or Prison Service;
- Four (04) complaints were lodged against a Service Commission. This is a decrease from six (06) in 2017;
- Three (03) complaints were lodged against a public body that regulates the telecommunications sector, and two (02) complaints were lodged against a State Enterprise that operates in the telecommunications sector;
- Two (02) complaints were lodged against public bodies that operate in the aviation sector;
- Two (02) complaints were lodged against Regional Health Authorities based in Trinidad. This is a significant decrease from the fourteen (14) that were lodged in 2017;
- Five (05) complaints were lodged against Municipal Corporations based in Trinidad (that is, regional corporations, city corporations and borough corporations);
- Four (04) complaints were lodged against regional and administrative bodies that operate in Tobago;
- Seventeen (17) complaints were lodged against Public Sector educational institutions, and a further one (01) complaint was lodged against an institution run by a Charity/ NGO which receives a subvention from the State. This is an increase from eleven

(11) in 2017. Of the seventeen (17) Public Sector institutions:

- Three (03) complaints were lodged against primary or secondary schools that fall under the purview of the Ministry of Education;
- Eight (08) complaints were lodged against tertiary level institutions, including a regional University that has a campus in Trinidad, and a University wholly based in Trinidad and Tobago;
- Five (05) complaints were lodged against institutions that provide specialised and/or vocational training;
- Seventeen (17) complaints were filed against corporations and enterprises owned by the State, apart from those that would fall into one of the categories above. This is a decline from twenty-one (21) in 2017. Of the seventeen (17) complaints:
  - Four (04) were against a utility that provides water;
  - Eight (08) were against State companies that operate in the oil and gas sector;

Of the forty-two (42) complaints that were lodged against Private Sector entities:

- Five (05) complaints were lodged against named individuals, three (03) of which complaints related to things the individuals allegedly posted on social media;
- Three (03) complaints were lodged against Associations, one (01) of which was against a trade union, and one (01) of which was against a political party;
- Two (02) complaints were lodged against entities in the Transport – Aviation Sector;
- One (01) complaint was lodged against an entity in the Telecommunications Sector
- Five (05) complaints were lodged against entities in the Financial Sector: one (01) against a bank, three (03) against insurance companies, and one (01) against a credit union;
- With respect to the Oil and Gas Sector, three (03) complaints were lodged against producers/ manufacturers with revenues in excess of One

Billion Dollars, and six (06) complaints were lodged against smaller companies that provide supplies and services in this Sector;

- With respect to the Manufacturing Sector, two (02) complaints were lodged against mid-sized manufacturers;
- With respect to the Retail - goods and merchandise-Sector, one (01) complaint was lodged against a mid-sized distributor;
- The rest of the complaints were lodged against entities involved in the Services Sector, for example:
  - With respect to the Restaurant, Nightclub and Entertainment sub-sector, two (02) complaints were lodged against restaurants;
  - With respect to Professional Services, one (01) complaint was lodged against a dental practice;
  - Five (05) complaints were lodged against private security companies;

- Three (03) complaints were lodged against private schools;
- One (01) complaint was lodged against a gym.

Thirty-nine (39) of the forty-two (42) Private Sector entities were from Trinidad; three (03) were from Tobago.

It is important to emphasise that the information presented above serves to illustrate the nature and range of complaints that are lodged with the Commission; this does not 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 – 2017 and 2018  
(By Economic/ Commercial Cluster Zones)**

		2018		2017	
Cluster Zone	Brief Explanation of Zone	No. of Respondents	Percentage of Annual Total	No. of Respondents	Percentage of Annual Total
<b>Port-of-Spain</b>	This comprises the City of Port-of-Spain and environs (for example, Sea Lots, East Dry River, St Ann's, Maraval, St James)	51	38	69	53.5
<b>North West</b>	This comprises areas west of Port-of-Spain, such as Diego Martin, Diamond Vale, Carenage, Chaguaramas	03	2.25	02	01.5
<b>San Juan</b>	This comprises San Juan, El Socorro, Aranjuez	09	7	05	04
<b>St Joseph/ St Augustine</b>	This comprises areas from St Joseph to Curepe	13	10	11	08.5
<b>Macoya/Trincity</b>	This comprises areas from Tunapuna to Piarco	12	9	05	04

Geographical Origin of Respondents – 2017 and 2018 (continued)

Cluster Zone	Brief Explanation of Zone	2018		2017	
		No. of Respondents	Percentage of Annual Total	No. of Respondents	Percentage of Annual Total
<b>Arima</b>	This comprises the Borough of Arima and environs (O'Meara)	09	6.75%	03	02.5
<b>North-East</b>	This comprises areas east of Arima, such as Valencia, Toco and Sangre Grande	01	0.75%	02	01.5
<b>Caroni/ Chaguanas</b>	This comprises areas from Frederick Settlement in Caroni to Munroe Road to Charlieville to Chaguanas and environs (such as Lange Park, Edinburgh, Felicity)	05	3.75%	07	05.5
<b>Couva/ Point Lisas</b>	This comprises Couva and environs (for example, Balmain, McBean, Freeport) and the Point Lisas Industrial Estate	03	2.25%	03	02.5
<b>Claxton Bay/ Pointe-à-Pierre</b>	This comprises areas such as Plaisance Park, Forres Park, and the industrial centres around Claxton Bay and Pointe-à-Pierre	06	4.5%	03	02.5
<b>San Fernando</b>	This comprises the City of San Fernando and environs (for example, Marabella, Union Park, La Romain)	04	03%	07	05.5
<b>La Brea/ Point Fortin</b>	This comprises areas from Otaheite to the industrial centres at La Brea and Point Fortin	0	0%	01	0.77%
<b>South West</b>	This comprises areas south and west of the La Brea/Point Fortin cluster, and includes Icacos, Cedros, Chatham, Erin, Palo Seco and Santa Flora	04	03	01	0.77
<b>Penal/ Debe/ Princes Town</b>	This comprises areas east of the San Fernando, La Brea and South West clusters, and includes places like Fyzabad, Penal, Debe, Princes Town and Moruga	01	0.75%	01	0.77
<b>Manzanilla/ Mayaro</b>	This comprises areas of East Trinidad south of Sangre Grande	01	0.75%	01	0.77
<b>Tobago</b>	This comprises the island of Tobago	08	06 %	08	06
<b>Not stated</b>		02	2.25%		
<b>TOTAL</b>		<b>132</b>			

Table 11



Although there were one hundred and twenty-four (124) complaints, there are one hundred and thirty-two (132) respondents, as in a few cases, complainants identified two entities as respondents; more often than not, these were public sector complainants who lodged a complaint against the Ministry or entity of the Central Government where they worked, and against the Service Commission, which, under the Constitution, is responsible for things like promotions and transfers in employment.

In 2017, more than fifty percent (50%) of the respondents were based in Port-of-Spain, and this was also the case in 2016. However, in 2018, the city of Port-of-Spain accounted for thirty-eight percent (38%) of respondents. Nineteen percent (19%) of the respondents were from the St Joseph to Trincity area, which was an increase from twelve-and-half percent (12.5%) in 2017. In both years, this cluster was the second highest source area for respondents, after Port-of-Spain. If one were to add the outlying regions of San Juan and Arima, this stretch accounted for about thirty-two-and-half percent (32.5%) of the respondents in 2018, which is a significant increase from eighteen-and-half percent (18.5%) in 2017. The Central stretch from Caroni to Pointe-à-Pierre accounted for ten-and-half percent (10.5%) of the respondents in 2018, as it did in 2017. What is noteworthy is that the percentage of respondents from Caroni/ Chaguanas fell between 2017 and 2018, whereas over the same period, the percentage of respondents from Claxton Bay/ Pointe-à-Pierre increased.

In both years, the percentage of respondents from San Fernando has been relatively small, under six percent (06%). In both years, the percentage of respondents from the area south of San Fernando, that is, the stretch from Icacos to Mayaro, has been relatively small; it was three percent (03%) in 2017, but this increased slightly to four-and-half percent (4.5%) in 2018.

In 2018, about thirteen percent (13%) of respondents were based in the energy belt from Pt Lisas to Pt Fortin; this is fairly consistent with 2017 [twelve-and-half percent (12.5%)].

If one were to compare the geographical location of the respondents with the geographical location of the complainants, presented earlier, one may observe the following:

- Twelve percent (12%) of the complainants reside in the Chaguanas region, but only six percent (06%) of the respondents are based in the area stretching from Caroni to Point Lisas;
- Only seven percent (07%) of the complainants live in Port-of-Spain, but thirty-eight percent (38%) of the respondents are based there;
- Thirteen percent (13%) of the complainants live in the area south of San Fernando, along the stretch from Icacos to Mayaro, [Siparia, Penal/Debe, Pt Fortin, Princes Town and Rio Claro], but only four-and-half percent (04.5%) of the respondents are 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. Perhaps the only exception may be the Tunapuna/Piarco region: seventeen percent (17%) of the complainants live there, and nineteen percent (19%) of the respondents are based there, so that it can be said that there is some relative consistency.

## B. Complaints Referred to Conciliation In 2018

*The Equal Opportunity Act, Chap. 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.

Six (06) matters were referred for Conciliation in calendar year 2018. A summary of the complaints is as follows:

No. and Code	Brief Description of Matter	Status as at 31st December 2018
1. (CL)	The Complainant claimed discrimination in <u>employment</u> on the ground of her <u>sex</u> when upon being appointed to act as Chief Executive Officer/ General Manager, she was (allegedly) paid a lower salary when compared to what was paid to the males who acted or were appointed into the position before her.	Matter is with the Conciliation Unit
2. (SR)	The Complainant claimed discrimination in <u>employment</u> by way of <u>victimisation</u> when, after reporting an (alleged) incident of indecent assault by her supervisor to the Police, her appointment on probation was brought to an end.	Matter was not resolved, and Complainant has indicated an interest in pursuing it before the Equal Opportunity Tribunal. The Commission's report has been prepared and published.
3. (SW)	The Complainant claimed discrimination in <u>employment</u> by way of <u>victimisation</u> when he was not considered/shortlisted for the position of Chief Operating Officer, which was advertised and for which he applied, (allegedly) because when he was previously employed with the Respondent, he had brought proceedings against them in the Industrial Court, and also because at the time of the advertisement, he had lodged a complaint of discrimination with the Commission, which was being investigated.	Matter was not resolved, and Complainant has indicated an interest in pursuing it before the Equal Opportunity Tribunal. The Commission's report is being prepared.
4. (HS)	The parent of a child claimed discrimination in <u>education</u> based on <u>race</u> , when, according to him, he had applied to a prestigious private primary school, and after two years, was told that his son would not be admitted, but the children of persons of a different race are regularly admitted into the school.	Matter is with the Conciliation Unit
5. (PJ)	The Complainant claimed discrimination in <u>employment</u> on the ground of her <u>religion</u> , when her employers, the owners and/or managers of a Casual Family Dining Restaurant told her that in order to perform her duties as House Manager she was required to wear trousers, but she has refused to do so as she believes that this was contrary to the doctrines or practices of her faith.	Matter is with the Conciliation Unit
6. (JB)	The Complainant claimed discrimination in <u>employment</u> firstly on the ground of <u>sex</u> , through sexual harassment, by way of (allegedly) inappropriate and disparaging comments from her superior officer, and secondly by way of <u>victimisation</u> when she was re-assigned/ transferred after reporting the incident of sexual harassment.	Matter is with the Conciliation Unit

Table 12



Five (05) out of the six (06) matters were based on the **category of employment**. One (01) related to non-employment, in that the person was not hired into a post. One (01) related to the termination of employment, in that the person's probation was brought to an end and he/she was not confirmed. Two (02) related to terms and conditions of employment; one (01) with respect to differential pay, and another with respect to a requirement of performing the job. The fifth matter concerned sexual harassment, which is recognised as a form of sex-based discrimination in employment.

Three (03) of the above-mentioned matters were against State/Public Sector respondents; one (01) was against an organisation in the protective services, one (01) was against an organisation in the health sector, and one (01) was against a public authority charged with (among other things) operation and management of facilities.

### C. Summary Prosecutions for Non-Compliance

The Commission is authorised to lay complaints before the Magistrates Courts 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.

In 2018, the Commission laid a summary complaint in the Couva Magistrates Court against Trinidad Cement Ltd. As at December 31, 2018, the matter was ongoing.

### 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 section 39(1) of the EOA, the Commission prepared and published ten (10) Reports in calendar year 2018, in the following matters:

	File No.	Complainant	Respondent	Category/ Status	Date of Report	Further Status of Matter as at 31st December 2018
1	EOC 077/2014	Andy M Short	Strategic Services Agency, ('SSA') a Division of Ministry of National Security	Employment/ Race and/or Ethnicity	05th March 2018	Complainant has to provide consent for matter to be referred to the EOT.
2	EOC 105/2014	Donna Patterson	Water and Sewerage Authority of Trinidad and Tobago ('WASA')	Employment/ Sex, Origin and Victimisation	05th March 2018	Matter was referred to EOT. No date has been set for hearing

3	EOC 047/2015	Samnarine Singh	Petroleum Company of Trinidad and Tobago Ltd ('Petrotrin')	Employment/ Race	05th March 2018	Complainant and Respondent have entered into further discussions with a view to seeing if they can find a resolution
4	EOC 061/2017	Randell Davidson	Kestra Lawrence	Employment/ Race	20th May 2018	Matter was referred to EOT. No date has been set for hearing
5	EOC 049/2016	Dr Peter Hanoomansingh	The University of the West Indies, St Augustine ('UWI')	Employment/ Victimisation	20th May 2018	Matter was referred to EOT. No date has been set for hearing
6	EOC 003/2017	Melissa Messiah	Guardian Media Ltd	Employment/ Disability	30th November 2018	Complainant has to provide consent for matter to be referred to the EOT.
7	EOC 026/2017	Makesi Soanes	South West Regional Health Authority ('SWRHA')	Employment/ Victimisation	30th November 2018	Complainant has to provide consent for matter to be referred to the EOT.
8	EOC 051A/2017	RT	Probation Services Division of the Ministry of National Security	Employment/ Sex (sexual harassment)	30th November 2018	Complainant has provided consent to go before the EOT. Commission to refer matter accordingly.
9	EOC 058/2017	Sangita Ramsewak	D Rampersad & Co Ltd	Employment/ Victimisation	30th November 2018	Complainant has to provide consent for matter to be referred to the EOT.
10	EOC 082/2016 and 100/2017	Dr Raymond Ramcharitar	The University of the West Indies, St Augustine ('UWI')	Employment/ Race, Ethnicity and Origin and Victimisation	30th November 2018	Complainant has provided consent to go before the EOT. Commission to refer matter accordingly.

Table 13

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 the allegations made by the Complainants in these matters:

**1. Complaint lodged by Andy M Short against SSA**

The Complainant began employment with the SSA in 2008 and was an Analyst III. He said that between 2013 to 2015, persons of a different race were promoted ahead of him, despite his being more qualified and experienced, and were exposed to training opportunities abroad, but none was afforded to him.

**2. Complaint lodged by Donna Patterson against WASA**

The Complainant, who is from Tobago and who joined WASA as a Graduate Management Trainee

in 2007, complained that she was eventually (in 2011) placed into a substantive position that was at a lower salary range than a Graduate Management Trainee, whereas other persons from her batch, who were male and who were from Trinidad, were placed into higher positions and have since been promoted.

**3. Complaint lodged by Samnarine Singh against Petrotrin**

The Complainant has been employed with Petrotrin since 1974 and in 1981 was appointed as a Custody Transfer Agent. He was able to act as Custody Transfer Supervisor on several occasions between 1991 and 2013. In 2014, a vacancy arose in this position. He was offered an acting appointment for a period of time, following which other persons would be allowed to act. He refused on the ground that he was the most senior. Eventually another person of a different race was appointed into the position. The Respondent said that after the Complainant refused the acting appointment, another person was appointed to act, and was assessed as suitable to fill the vacancy.

**4. Complaint lodged by Randell Davidson against Kestra Lawrence**

The Respondent advertised for a CXC Maths tutor for classes conducted at her house. The Complainant applied and was invited to conduct a trial session, which he did. He received no feedback, and inquired from the Respondent, who indicated that the session went well, but given that the majority of the students in the class were of a particular race different from the Complainant, she would prefer to hire someone of that race. The Respondent has not denied telling this to the Complainant.

**5. Complaint lodged by Dr Peter Hanoomansingh against The UWI**

The Complainant was previously contracted to teach Political Sociology I and II at The UWI. He was contacted by a lecturer who was proceeding on sabbatical about replacing the lecturer during the sabbatical, and they had extensive discussion. When the lecturer went to the Dean of the Faculty of Social Sciences to propose the Complainant as the temporary replacement, the Dean rejected him on the basis that, according to her recollection, years before he had allegedly threatened legal action against The UWI. The UWI said that part of the reason for the Dean's refusal was issues that they had with the Complainant's performance when he was contracted to teach in the past.

**6. Complaint lodged by Melissa Messiah against Guardian Media Ltd**

The Complainant suffers from spina bifida, which requires her to use a wheelchair and elbow crutches. Assisted by her husband, she assumed duties as a Driver/ Distributor for the Respondent's newspaper for a period of one year commencing 01st February 2016. When it came to an end, the contract was not renewed. She said that during the contract period, the Respondent's staff was difficult and abusive towards her. The Respondent has said that the decision not to renew the contract had nothing to do with her disability, but was based on a number of challenges encountered with her during the course of her engagement.

**7. Complaint lodged by Makesi Soanes against SWRHA**

The Complainant, who has been employed with SWRHA since 2004, through his trade union, reported a trade dispute to the Ministry of Labour, and which was referred to the Industrial Court, concerning his not being interviewed for the position of Database Administrator, despite having acted in it for a number of months. He said that thereafter, in November 2016 and January 2017, there were vacancies for acting appointments in the position of Systems Administrator LAN, and

Technical Support Administrator, respectively, but other persons, who were either less senior or less qualified than he, were allowed to act instead of him. The Respondent has said that with respect to the Systems Administrator LAN acting appointment, the other person was allowed to act, as part of a rotation of acting opportunities. With respect to Technical Support Administrator, the Complainant was not appointed to act because he was not familiar with certain requirements of the position.

**8. Complaint lodged by RT against Probation Services Division of Ministry of National Security**

The Complainant, a Probation Officer I, said that he was sexually harassed by a female co-worker, when on 24th December 2012, she gave him an unwanted kiss on his forehead when presenting him with a Christmas present, which made him feel offended or intimidated. He complained to his employers who failed to launch a formal investigation, or to take any disciplinary or corrective action. The Respondent has denied that the conduct complained of was of a sexual nature; it was a gesture of goodwill in keeping with the Yuletide season.

**9. Complaint lodged by Sangita Ramsewak against D Rampersad & Co Ltd**

The Complainant was hired in December 2016 on probation. In April 2017, she reported to the Police an alleged indecent assault by one of her Supervisors. Thereafter, her employment on probation was brought to an end in May 2017. The Respondent has said that the reason for her termination was solely poor performance.

**10. Complaint lodged by Dr Raymond Ramcharitar against The UWI**

The Complainant, who holds a PhD in Cultural History, and is a Journalist, Author and Cultural Critic, lodged two complaints. The first related to him not being shortlisted or interviewed for the position of Lecturer, Creative Writing in the Department of Literary, Cultural and Communication Studies, which The UWI advertised in 2015, and for which he applied. He believes that this was because they wanted someone whose work was more Afro-centric. The second related to him not being short-listed for the post of Lecturer, Literatures in English, which The UWI advertised in July 2017, and for which he applied. This took place when the Commission was investigating the first complaint, so he believes that The UWI victimized him for bringing that complaint. The UWI said that in both situations, the Complainant was not short-listed as he did not hold the required qualifications for the positions. The first required a PhD in Creative Writing, or a Master's level degree in Creative Writing and a PhD in Literature, which the Complainant did not have. The second required a PhD in Literatures in English or a closely related discipline, and while his PhD in History can be seen as a related discipline, there was a sufficient number of other candidates who met the primary criteria of a PhD in Literatures in English.

It must be emphasised that the foregoing are merely summaries of the allegations made by the respective Complainants. They are not to be taken as statements of facts. In many of the cases, the Respondents have denied what has been asserted, and in some cases, they have offered a different version of the events. In many of the preceding matters, there are disputes of facts which are ideally best resolved in a hearing before a Court or Tribunal.

To get a more complete understanding of each of the preceding matters, it is advised that persons read the reports, which are available for inspection by members of the public at the Commission's office.

## E. 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 the President of the Republic of Trinidad and Tobago. 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 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 matters Nos. 2, 4 and 5 listed above, the Complainants have consented, and the Commission has initiated proceedings before the Tribunal on their behalf.

Additionally, the following matter was instituted before the Tribunal in respect of a report that was prepared and published in calendar year 2017:

- Complaint lodged by Mrs Ingrid C García-Quintero against the Public Service Commission and Director of Personnel Administration.

In total, four (04) matters were instituted before the Tribunal in 2018.

## REPORT from the COMMUNICATIONS UNIT

This report provides details of the Commission's activities in 2018 with respect to its mandate to ***“Work towards the elimination of Discrimination, Promotion of Equality of Opportunity generally and Public Education and Research Programmes.”***



### EOC Visibility

The EOC has become more visible to the public and key stakeholders and is seen as a leader in Human Rights. This is evident by the increased requests from other human rights defenders to collaborate on projects and public events to raise awareness and educate the public on their human rights, as well as policies and laws in place to protect against the violations of such rights. The Commission also received requests for public education sessions from key stakeholders from State agencies, businesses, education institutions and NGOs.

### Public Awareness and Advocacy Programmes

In the continuation of broadening and intensifying the Commission's advocacy and awareness programmes in 2018, the EOC hosted approximately twenty-three (23) public awareness and education workshop sessions across Trinidad and Tobago for both the private and public sectors.

The beneficiaries of these sessions included:

Trinidad and Tobago Defence Force (TTDF), UNICOMER, SM Jaleel, Phoenix Park Gas Processors Limited, The UWI Faculty of Law (Gender and the law class) and the Consortium of Disability Organisations (CODO).

Along with these sessions, the EOC was also invited to participate in the following:

- The Employers Consultative Association of Trinidad and Tobago (ECA) – Harassment in the Workplace

- The Law Association of Trinidad and Tobago (LATT) and Coalition Against Domestic Violence (CADV) – “Strengthening the Legal Response to Domestic Violence”
- Cultural Rights to promote Development and Health (DECIDES TT) – Workshop for CSOs to contribute to reduce Gender-Based Violence and LGBTI discrimination in Trinidad and Tobago
- CEDAW Committee of Trinidad and Tobago (CCoTT) on “16 – 365 Collaborate for Impact... From recommendations to Action”
- Office of the Prime Minister (Gender and Child Affairs) - “16 Days of Activism against Gender-Based Violence Nov 25th – Dec 10th, 2018.”

The Commission offers advice on issues relating to discrimination and human rights in Trinidad and Tobago.

Employers are encouraged to create an Equal Opportunity Workplace Policy and, in some instances, have taken 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.

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 was conducted, a questionnaire was distributed for feedback to determine the effectiveness of the session.



The data was analysed and the findings showed that over 94% of participants indicated that, in the year under review, the awareness sessions met with their expectations. This signifies that stakeholder workshops are contributing significantly to raising awareness of the EOA in the workplace.

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.

## Youth Education

Furthermore, the EOC has been working with the Faculty of Law and the Department of Careers, Co-curricular and Community Engagement (The UWI) and The American Chamber of Commerce (AMCHAM) to facilitate informational sessions and participate in exhibitions related to human rights and non-discrimination. These included:

- The UWI Executive Transition Programme (ETP), Career Workshop Series
- The UWI Faculty of Law Career Day
- The American Chamber of Commerce (AMCHAM), National Youth Productivity Forum (NYPF).

## Major Stakeholder Engagement Projects for 2018

The Commission identified major strategic priorities for the year 2018 as part of its planning process. These also targeted areas of public interest that were on the agenda for dialogue and policy reform.

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 benefitted from her reputation and expertise as an influential advocate for the

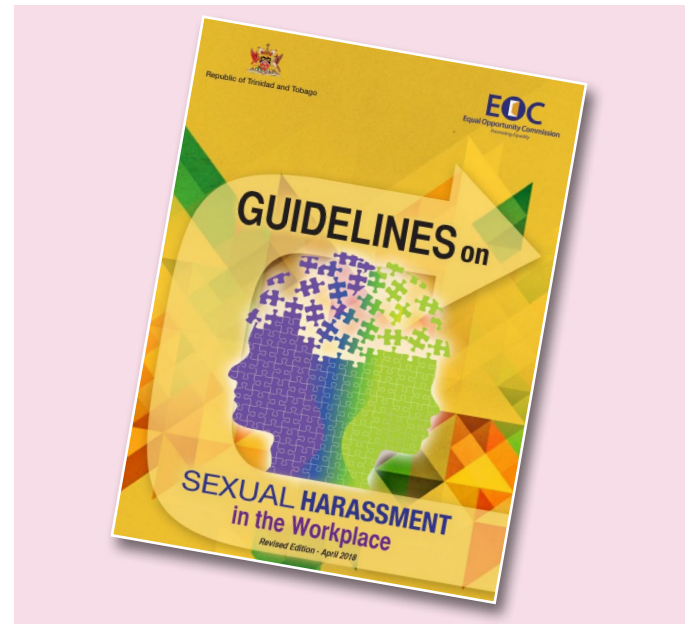
rights of women and girls. This has influenced the strategic direction of the EOC.

Concerted focus and high visibility helped the Commission to reach, directly and indirectly, vast and diverse audiences to facilitate informed dialogue. The Commission conducts three (3) major projects per year, subject to the availability of resources.

The three (3) major stakeholder sessions held during the year 2018, and which included panel discussions, were:

1. Launch of the EOC's Guidelines on Sexual Harassment in the Workplace Handbook
2. Launch of the EOC's Guidelines on Disability Handbook
3. Democracy Dialogue "Reimagining Democracy" on the theme of sexual harassment in Trinidad and Tobago.

## EOC's Guidelines on Sexual Harassment in the Workplace Handbook

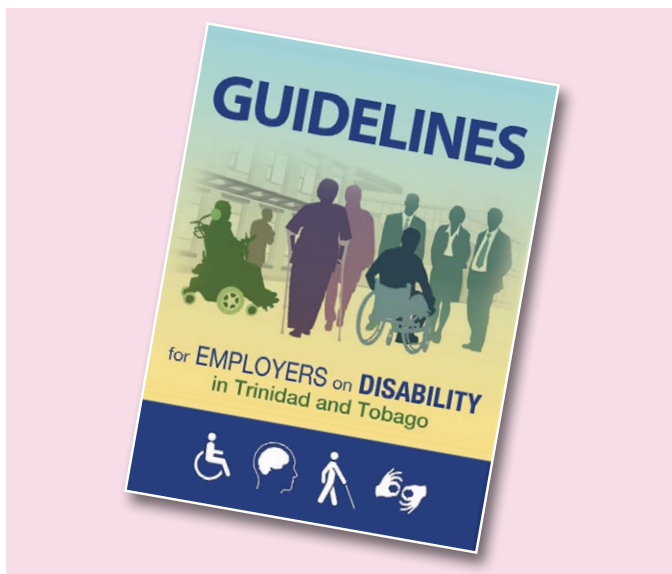


In 1991, the European Commission noted that 'sexual harassment pollutes the working environment and can have a devastating effect upon the health, confidence, morale and performance of those affected by it'. Sexual harassment has been acknowledged as a serious problem in the workplace and has been condemned as sex discrimination

and a violation of human rights internationally. The Equal Opportunity Commission (EOC) views workplace sexual harassment as a significant hurdle in achieving its primary goal of eliminating all forms of discrimination, while promoting equality of opportunity and good relations between persons of different status at different levels in an organisation.

The Australian Human Rights Commission defines sexual harassment as an unwelcome sexual advance, an unwelcome request for sexual favours or other unwelcome conduct of a sexual nature that makes a person feel offended, humiliated and/or intimidated, where a reasonable person would anticipate that reaction in the circumstances. The EOC, in publishing the document 'Guidelines on Sexual Harassment in the Workplace' Handbook, hopes to raise awareness on the issue of sexual harassment and provide information on understanding, preventing and resolving workplace sexual harassment.

### EOC's Guidelines on Disability Handbook



The 2011 Trinidad and Tobago Population and Housing Census indicated that there are approximately 52,244 persons living with a disability, which is equivalent to 4% of the total population of 1,328,019. The most common types of disabilities identified through the Census were disabilities related to walking (32%), sight (28%) and speaking (14%).

The Constitution of the Republic of Trinidad and Tobago protects the rights of persons with disabilities (PWDs) and provides the foundation for the Equal Opportunity Act,

Chapter 22:03 ('EOA'). The EOA protects persons from unfair treatment in many areas of public life, and disability is specifically identified as one of the seven status grounds on which a person can rely to lodge a complaint of discrimination.

The EOA promotes equal rights, equal opportunity and equal access for PWDs. The United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), ratified by Trinidad and Tobago in 2015, sets out its purpose to promote, protect and enable the full and equal enjoyment of all human rights and fundamental freedoms by all PWDs, and to promote respect for their inherent dignity.

The 'Guidelines for Employers on Disability in Trinidad and Tobago' Handbook, has been developed to guide employers of large, medium and small enterprises, public or private, to adopt a positive strategy in managing disability-related issues in the workplace.

### Democracy Dialogue "Reimagining Democracy" on the theme of Sexual Harassment in Trinidad and Tobago

Sexual harassment is considered a matter of power relations to be addressed in the context of democratic rights and freedoms. That is why it was chosen as the topic for discussion at the Democracy Dialogue hosted by the Network of Non Governmental Organisations of Trinidad and Tobago supported by the EOC. The fact that there is no one specific piece of legislation speaks volumes with respect to democracy as it relates to sexual harassment.

There are mechanisms via the Equal Opportunity Act (EOA), which mirror the CARICOM Model Bill that speaks specifically to sexual harassment. The CARICOM Model Sexual Harassment Bill, like the EOA, seeks to prohibit sexual harassment in the workplace, as well as in the provision of goods and services, in accommodation and in education.

Subsequent to the Democracy Dialogue, the Network of NGOs and the Equal Opportunity Commission (EOC) were invited by More 104.7 F.M. Radio Station to host a series of media appearances on their "Sense & Sensibility" programme during the months of September to November, for addressing the issue of sexual harassment in the workplace.



The media series on sexual harassment in the workplace was conducted during the months leading up to the 16 Days of Activism against Gender-Based Violence. The sessions were facilitated by the EOC's Communications and Legal teams.

## Press Releases, Interviews and Public Engagements

**Media Monitoring** – in the period under review, the EOC and Commissioners were featured and/ or mentioned in over one hundred and fifty-seven newspaper articles.

**Media Interviews** – the Chairman and senior members of staff, including the Manager, Corporate Communications and the Director, Legal Services, were featured on several local television and radio programmes, as well as in the newspapers. The topics discussed included:

- The Equal Opportunity Act and the Commission
- Sexual harassment and other forms of gender-based violence
- Amendments to the Equal Opportunity Act and other legislation, including the Domestic Violence Act and the Sexual Offences Act.

**Committees/Other Interests** - The EOC has membership or representation on several Committees, as well as plays an advisory role in/contributes to other interests, as discussed hereunder:

### ***CEDAW Committee of Trinidad and Tobago***

The Convention for the Elimination of all forms of Discrimination Against Women (CEDAW) is a United Nations Treaty of which the Republic of Trinidad and Tobago is a signatory.

The CEDAW Committee of Trinidad and Tobago (CCoTT) is a volunteer non-governmental organisation focused on advocacy and public awareness on and for CEDAW, committed to ensuring that the Convention mandates are upheld, and the Concluding Recommendations of the United Nations Committee are implemented. CCoTT is committed to partnering with all stakeholders – State and civil society - with transparency and accountability in fulfillment of its mission.

The Commission's membership assures input in an advisory capacity in influencing human rights development in Trinidad and Tobago. Members of the Commission's staff, inclusive of members of the Communications team, are active members of CCoTT.

### ***United Nations Communities of Practice (CoP) -Committee on the Adoption of the National Gender Policy in Trinidad and Tobago***

The EOC is an active stakeholder on this UN-convened Committee in discussions to facilitate the implementation of a comprehensive National Policy on Gender and Development in Trinidad and Tobago.

The purpose of this Committee is to:

- Receive advice from groups with expertise in a particular field
- Participate in discussions, contribute ideas or discuss challenges



The Equal Opportunity Commission and the Network of NGOs media appearances leading up to the 16 Days of Activism against Gender-Based Violence



Venue: <i>Bolan Amar Complex 177 Tragarete Road, Woodbrook</i>	Radio Programme: <i>More 104.7 F.M. – “Sense &amp; Sensibility” Initiative: Metoott Movement Project</i>	September – November 2018	Ria Mohammed – Pollard <i>(Equal Opportunity Commission, EOC)</i> Jackie Burgess <i>(Network of NGOs)</i>
Title	Sexual Harassment in the Workplace	Dates	Attendees
<b>Topic: (Part 1 of 6) Defining Sexual Harassment</b>	<ul style="list-style-type: none"> <li>• What is Sexual Harassment?</li> <li>• Forms of Sexual Harassment.</li> <li>• What is the Workplace?</li> </ul>	Wednesday 19th September	Ria Mohammed - Pollard (EOC) Yolande Agard Simmons (President of AFETT)
<b>Topic: (Part 2 of 6) Defining Sexual Harassment</b>	<ul style="list-style-type: none"> <li>• What constitutes Sexual Harassment?</li> <li>• What DOES NOT constitute Sexual Harassment?</li> <li>• The Potential Consequences of Workplace Harassment.</li> </ul>	Wednesday 26th September	Ria Mohammed - Pollard (EOC) Ida Le Blanc (National Union of Domestic Employees)
<b>Topic: (Part 3 of 6) Mechanism of Redress</b>	<ul style="list-style-type: none"> <li>• The Current Legal Framework on Sexual Harassment.</li> <li>• Making a Complaint to the EOC.</li> <li>• The Complaints and Investigation Process at the EOC.</li> <li>• Tips to Prepare for your Complaints.</li> </ul>	Monday 15th October	Ria Mohammed - Pollard (EOC) Jillian Joy Bartlett- Alleyne (NUGFW- Union’s Voice)





The Equal Opportunity Commission and the Network of NGOs media appearances leading up to the 16 Days of Activism against Gender-Based Violence (*continued*)



Venue: <i>Bolan Amar Complex 177 Tragarete Road, Woodbrook</i>	Radio Programme: <i>More 104.7 F.M. – “Sense &amp; Sensibility”</i> Initiative: <i>MetooTT Movement Project</i>	September – November 2018	Ria Mohammed – Pollard <i>(Equal Opportunity Commission, EOC)</i> Jackie Burgess <i>(Network of NGOs)</i>
Title	Sexual Harassment in the Workplace	Dates	Attendees
<b>Topic: (Part 4 of 6) Mechanism of Redress</b>	<ul style="list-style-type: none"> <li>• Responding to Sexual Harassment.</li> <li>• Preventing Sexual Harassment.</li> </ul>	Wednesday 24th October	Ria Mohammed - Pollard <i>(EOC)</i> Hazel Brown <i>(Network of NGOs)</i>
<b>Topic: (Part 5 of 6) Recommendations for Governments and Social Partners in Tackling Sexual Harassment</b>	<ul style="list-style-type: none"> <li>• Code of Conduct</li> <li>• Policies</li> </ul>	Wednesday 14th November	Ria Mohammed - Pollard <i>(EOC)</i> Cheryl Ann Peters <i>(EOC)</i> Jackie Burgess <i>(Network of NGOs)</i>
<b>Topic: (Part 6 of 6) Public Education</b>	<ul style="list-style-type: none"> <li>• Raising Awareness</li> <li>• Training</li> <li>• Research/Statistics</li> </ul>	Monday 26th November	Ria Mohammed - Pollard <i>(EOC)</i> Cheryl Ann Peters <i>(EOC)</i> Cavelle Joseph <i>(AFETT)</i>



Table 14

- Find key documents and updates in one's area of expertise and share with others in the community
- Consult and comment on text documents, without having to send them by email.

**Committee on Amendments to the EOA**

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 proposed amendments to the Equal Opportunity Act and prepare a report containing recommendations for his consideration.

**HASC Committee – Ministry of Labour and Small Enterprise Development**

In December 2016, the HIV/AIDS Workplace Advocacy and Sustainability Centre (HASC) Committee facilitated internal training for the staff of the EOC, who committed to working with the Committee to end HIV/AIDS - related discrimination in Trinidad and Tobago.

In March 2017, the CEO of the EOC signed a Memorandum of Understanding with the Ministry of Labour and Small Enterprise Development to formalise the Commission's commitment to addressing HIV and AIDS as a workplace issue, and provide a clear structure for continued engagement and collaboration.

The EOC currently works with the HASC Committee, receiving advice, participating in discussions and consulting with the Ministry on issues related to HIV and AIDS in the workplace.

**Police Training Academy Course Committee**

The EOC is currently represented on the Police Training Academy Course Committee, working to develop training modules for the following courses at the Academy:

- Domestic Violence and Gender-based Violence
- Special Interest Groups In Society.

**Ministry of Foreign and CARICOM Affairs Committee on the Draft CARICOM Bill on Sexual Harassment**

The EOC was invited by the Ministry of Foreign and CARICOM Affairs to participate in discussions with senior

officials of the Legal Affairs Committee (SOLAC) on the draft CARICOM Sexual Harassment Bill. The Ministry of Foreign and CARICOM Affairs noted that no local legislation existed to address sexual harassment, and it was suggested that the draft CARICOM Sexual Harassment Bill could act as a model for Member States in drafting similar legislation.

**'A Sexual Culture of Justice' Project: Strengthening LGBTQI and GBV Partnerships, Capacity and Efficacy to Promote and Protect Rights in Trinidad and Tobago**



The EOC acts as an advisory stakeholder on this project. 'A Sexual Culture of Justice' Project is a project of The University of the West Indies – Institute of Gender and Development Studies (IGDS), in collaboration with several local LGBTQI and human rights advocacy groups, to reduce the violence, legal discrimination, bullying and homelessness related to pervasive attitudes in society about sexuality, gender norms and stereotypes in Trinidad and Tobago. The projected activities are intended to educate several groups, with the aim of changing attitudes and beliefs about gender norms, enacting human rights legislation and improving the capacity for advocacy/lobbying among human rights groups.

In 2017, the Commission collaborated with the project team on the following:

- Boardroom Bullies? What to do to end Sexual Harassment?
- 10 Necessary Changes to the Domestic Violence Act: Recommendations for Ending Violence Against Women.

The EOC also works with the stakeholders mentioned hereunder and contributes to working groups on the

following:

- Committee on the Montevideo Consensus on Population and Development
- National Policy on Persons with Disabilities Committee
- Office of the Prime Minister – Gender and Child Affairs on International Women’s Day
- Commemoration of International Day for the Elimination of Violence Against Women (IDEVAW)
- CEDAW Review and Implementing CEDAW Concluding Recommendations
- National Policy on Gender and Development.

## Human Rights Advocacy

### **Claim No. CV2017- 00720 Jason Jones -v- Attorney General of Trinidad and Tobago**

The Commission has been advocating for and actively pursuing amendments to the Equal Opportunity Act and other relevant laws and policy reform in the areas of sexual harassment, domestic violence, disability and sexual orientation.

On becoming aware of the claim filed by Mr. Jason Jones, the Commission sought and received permission to support the matter as an interested party in Claim No. CV2017-00720 Jason Jones -v- Attorney General of Trinidad and Tobago.

In the year 2014, the Equal Opportunity Commission (the Commission) recommended to the Honourable Attorney General that the definition of sex in the Equal Opportunity Act, Chapter 22:03 (the Act), be amended to include sexual orientation as a status ground. The Commission has advocated for this amendment to enable the LGBTI community to seek redress for complaints of discrimination under the four broad categories as stated in the Equal Opportunity Act.

The Commission hopes that the decriminalisation of sections 13 and 16 of the Sexual Offences Act would clear the way for positive remedies and avenues for combating discrimination, such as access to the complaints procedure at the EOC.

The Commission stands ready to work alongside policy makers at every level to appropriately address this issue

of equality of persons of different status. We applaud the Honourable Attorney General for the support he has always given to the work of the Commission and look forward to collaborating with him on the legislative amendments needed to address this issue in pursuing the next steps to afford the LGBTI community equal opportunities in Trinidad and Tobago.

## 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 maintains a monthly presence in Tobago to facilitate the receipt of complaints from the public, as well as engage in and respond 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.

## Research and Assessment

### **Evaluations from Public Education Sessions**

The Unit relied on and continues to rely on the data collected from public education sessions. This data is compiled into a report completed by the Research Officer II.

Overall, the data collected from 2018 has shown that the EOC has become more prominent in the discussions on equality and human rights; however, more work is needed to increase and promote its role and functions as a sector leader in the human rights arena across Trinidad and Tobago.

## Social Media

The Commission intensified its efforts to ‘connect’ with the public, using its “Did You Know” campaign (launched in 2016) which focused on the area of Offensive Behaviour as outlined in the EOA. This was done via the EOC’s Facebook Page.



The data collected at the EOC's public education sessions showed with respect to its first "Did you Know" campaign that there was an improvement in the public's knowledge of 'offensive behaviour' being a provision under the Act, as opposed to the data collected in 2016. This influenced the Commission's decision to launch its second, "Did You Know" campaign via the EOC's Facebook Page, which focused on Sexual Harassment as a form of 'sex-based discrimination'.

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.

In this context, the objectives of the campaigns were to sensitise and raise awareness that, under the provisions of section 7 of the Equal Opportunity Act, it is prohibited to discriminate in all public spaces, inclusive of social media.



## Digital Engagement

### Website

The website is the most viable communication tool for obtaining knowledge on the EOC. An analysis of 2017 statistics showed that the number of visitors doubled from the year 2014 to 2017. Internal data for 2017 indicated approximately 43 percent of persons obtained their knowledge of the EOC via the EOC's website.

The Communications Unit hopes to increase its digital presence in 2018 by engaging stakeholders across other social media platforms other than Facebook and the corporate website. The use of social media is an integral part of informing and engaging with all stakeholders, especially the public.

A tally of public visitors to the EOC's website revealed a total of 14,601 users, each averaging approximately 2 minutes

and 3 seconds of time spent on the website, with a total page view count reaching 45,039. June 2018 showed the highest page view at a total count of 4,508.

It is hoped that funds would become available for the rebranding and restructuring of the website to allow for information on the website to be pushed through Facebook and other social media platforms, enabling and increasing direct digital engagement. An updated website would provide more interactive methods for all our target audiences to receive information about categories and status grounds of discrimination covered by the Equal Opportunity Commission.

### Facebook

The EOC's Facebook page has received a total of 1,060 page-likes, with the highest peak observed on 1st June, 2018 and 1,100 page-followers up until the end of December 2018.



Figure 05





Figure 06

## Internal Communications

The Unit disseminated relevant information from the Ministry of the Attorney General and Legal Affairs and details on United Nations Days and national celebrations to staff through email. The Communications Officer also worked with the members of the Staff Initiatives Committee to host staff events in celebration of staff achievements and to commemorate national holidays.

From a communications perspective, the work of the Committee is expected to foster teamwork, facilitate camaraderie and educate staff on the historical significance and context of commemorating United Nations Days and national holidays in Trinidad and Tobago.

## Budgeting

The Unit, as with all Government entities, has had to operate with a significant decrease in finances. As such, the Unit has been relying on collaborations and partnerships to carry out the Commission’s functions and fulfil the strategic goals set by the Commissioners. It is hoped that, in 2019, the Unit would be able to access releases under the appropriate votes of the Estimates of Expenditure (Items 62 and 66, respectively), to produce materials needed to facilitate public education and host seminars and workshops targeted to specific stakeholders in 2019 and beyond.

## Recommendations

### Increased Engagement on Social Media

As stated by the consulting firm hired to conduct the National Survey, the EOC needs to target specific marketing to the

18 to 25 years age group. Other research has shown that this group is very active on several social media platforms. It is hoped that with an upgraded and rebranded website, together with the requisite training and technical expertise, the Unit could capitalise on and use these relatively cheap-to-access channels to engage this demographic, along with other stakeholders, to heighten awareness of the Commission and the services offered.

### Staffing

A Manager, Corporate Communications and a Corporate Communications Officer staffed the Communications Unit for the period under review. The Unit was assigned an On-the-Job-Trainee, who performed in the capacity of a Digital Marketing and Social Media Specialist, almost to the end of the period under review. It is hoped that the Unit could become fully functional with the addition of technical and / or administrative team members with the requisite technical skills in graphic design, social media management and / or film/video editing.

### Training and Capacity-Building

The aim of the Unit is to facilitate access to training and other capacity-building tools for its members, to strengthen their skills base in areas such as:

- Social Media Management
- Graphic Design
- Human Rights
- Industrial and Labour Law.

## The EOC External Events - Public Education/Awareness Sessions

	DATE	EOC PUBLIC EDUCATION	LOCATION
	Tuesday 30th January, 2018	T&T Chamber of Industry and Commerce	Port of Spain
	Monday 19th February, 2018	NIPDEC  UWI Gender & the Law Class	56-60 St. Vincent Street St. Augustine
	February, 2018	AMCHAM Youth Productivity FORUM	Tobago
	Wednesday 7th March, 2018	MCD, Victoria West Community Development Division	Mon Repos Regional Complex 1-3 Tyler Smith Street, Mon Repos, San Fernando
	Monday 26th March, 2018	National Union of Government and Federated Workers (NUGFW)	145-147 Henry Street, Port of Spain
	Wednesday 25th April, 2018	Request from Network of Rural Women for a workshop	Police Training Academy, St James
	Thursday 26th April, 2018	Parliament's Sensitisation Session	Level G-8, Tower D, Port of Spain International Waterfront Centre
	Saturday 27th April, 2018	Consortium of Disability Organisation (CODO)	2A St. Ann's Gardens, St. Ann's

The EOC External Events - Public Education/Awareness Sessions

	DATE	EOC PUBLIC EDUCATION	LOCATION
	Tuesday 15th May, 2018	CAFRAT&T	UWI, St. Augustine
	Wednesday 16th May, 2018	Notice of 2nd Voluntary Steering Committee on the National Policy on Gender and Development (NPGD)	OPM Conference Room 1, Level 21 Tower D, International Waterfront Complex, 1A Wrightson Road, Port of Spain
	Friday 18th May, 2018	TTR Welfare Department	Teteron Barracks, Chaguaramas Queens Park Oval, 94 Tragarete Road, Port of Spain
	Wednesday 23rd May, 2018	National Union of Government and Federated Workers (NUGFW)	Cascadia Hotel
	Monday 28th May, 2018	TTR Welfare Department	Teteron Barracks, Chaguaramas
	Monday 25th June, 2018	Phoenix Park Gas Processors Limited PPGPL  OPM Sexual and Reproductive Health and Rights (SRHR)	Rivulet Road, Couva.  Level 21, Tower D, International Waterfront Complex, 1A Wrightson Road, Port of Spain.
	Wednesday 27th June, 2018	ECA Protecting Your Organisation from Workplace Discrimination	17 Samaroo Road Aranguez Roundabout North Aranguez
	Friday 29th June, 2018	Air Guard, Trinidad and Tobago Defence Force (TTDF)	Piarco



## The EOC External Events - Public Education/Awareness Sessions

	DATE	EOC PUBLIC EDUCATION	LOCATION
	Monday 2nd July, 2018	TTDF Regiment 1st Infantry Battalion	Ogden St James
	Wednesday 4th July, 2018	SM Jaleel request for sensitisation session	Otaheite Industrial Estate, South Oropouche
	Wednesday 11th July, 2018	EOA and its impact on First Citizens as an employer	9 Queens Park East Port of Spain
	Tuesday 17th July, 2018	UNICOMER "Open Talk" session on "Sexual Harassment in the Workplace"	Megastore Corner Don Miguel Road and Churchill Roosevelt Highway
	Thursday 19th July, 2018	UNICOMER "Open Talk" session on "Sexual Harassment in the Workplace"	#1 Courts Way, Calcutta Settlement #1, Freeport.
	Friday 20th July, 2018	Public Services Association of Trinidad and Tobago	89 Abercromby Street Port of Spain
	Tuesday 24th July, 2018	Trinidad and Tobago Regiment 1st Engineering Battalion PE workshop	Cumuto
	Tuesday 31st July, 2018	UNICOMER "Open Talk" session on "Sexual Harassment in the Workplace"	High Street, San Fernando

The EOC External Events - Public Education/Awareness Sessions

	DATE	EOC PUBLIC EDUCATION	LOCATION
	Monday 6th August, 2018  Friday 17th August, 2018	TTR 2nd Infantry Battalion  Trinidad and Tobago Regiment	La Romain  Tobago (Signal Hill)
	Thursday 20th September, 2018	Ministry of Labour Workshop Session	Port of Spain
	Friday 12th October, 2018	PSA Request for Public Education Session	89 Abercromby Street Port of Spain
	Friday 9th November, 2018	TTDF Developing Cohesion & Self Esteem for Men and Women of the TTDF	Mausica Road, Arima
	Friday 16th November, 2018	Military-Led Academic Training Programme (MiLAT) - Trinidad and Tobago Defence Force	#1 CCC Street, Beetham Gardens.
	Friday 23rd November, 2018	Interacting with Special Interest Groups in Society- Sensitisation training for TTPS Police Officers	Police Academy- 1 Samaan Street, St James
	3rd December 2018	Launch of the Guidelines in collaboration with SALISES UWI, coinciding with the International Day for Persons with Disabilities	UWI Campus, St. Augustine
	10th December 2018	Law Association of Trinidad & Tobago, "Strengthening the Legal Response to Domestic Violence"	Law Association Offices, Frederick St. POS

## REPORT from the CONCILIATION UNIT

### January – December 2018

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 is staffed with one (1) Conciliator/Mediator who is a certified Mediator, registered with the Mediation Board of Trinidad and Tobago and one (1) Business Operations Assistant II to provide administrative support.



In the year 2018, six (6) cases were referred for conciliation, with ten (10) cases being brought forward from the previous year. The conciliation sessions for these matters were held at the EOC's office at 55-57 Manic Street, Chaguanas.

Of the sixteen (16) cases at the Conciliation Unit for 2018, seven (7) cases were referred to the Equal Opportunity Tribunal for adjudication at the request of the complainants and two (2) cases were withdrawn at the request of the complainants. Seven (7) cases were in progress as at the end of December 2018.

Conciliation Unit Report					
January - December 2018					
	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	
Details	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	2018
No. of Cases received for the period	3	0	1	2	6
Case Brought Forward from previous year	10	-	-	-	10
<b>Total</b>					<b>16</b>

Cases Completed with written Agreements	0	0	0	0	0
Cases Completed – Unresolved. Referred to the Equal Opportunity Tribunal	1	3	1	2	7
Cases Completed with No Further Action – Withdrawn by the Complainant	0	0	0	2	2
Cases in Progress	-	-	-	-	7
Cases not yet started as at 31-12-2018	-	-	-	-	0
<b>Total</b>					<b>16</b>

Table 15



## 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 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 the country and research and present suggestions to combat such inequalities;
- 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;
- The monitoring and evaluation of on-going and completed programmes and projects.

For the year 2018, the Research Unit’s work consisted of:

#### 1. Reports (including Reviews and Comments)

- Report on Statistical Data of Complaints for 2018
- Report on the Youth Productivity Forum (YPF)
- Report on Summary of EOC Complaint Matters for the period January 2 to September 28, 2018
- Report on Laws and Treaty obligations of Trinidad and Tobago governing refugees, deportees and illegal migrants:
  - The National Legal Framework
  - The International Legal Framework
  - Statistics including from the UNHCR
  - In the absence of legislation - National Policy to Address Refugee and Asylum Matters

- Report on the gender proportion as relates to:
  - The Judiciary
  - Permanent Secretaries
  - Local Government
  - The Tobago House of Assembly (THA)
  - Statutory Authorities and State Boards
- Report on the Review of the Domestic Violence Act, 1999 and the EOC's proposed amendments relating to domestic violence in Trinidad and Tobago:
  - Summarised the main proposed amendments from both documents in order to assess with a view to preparing a short report on the policy recommendations contained in those documents, as compared to the EOC's recommendations as contained in its Position Paper and the ten (10)-point list of recommendations.
- Review of the National Gender Policy of Trinidad and Tobago - 2009, 2012, 2018:
  - Commented and made recommendations on the 2018 version
- Prepared comments on the National Policy on Persons with Disabilities
- Prepared comments for the 2019 Report of Trinidad and Tobago on Unratified Conventions and Recommendations of the International Labour Organisation (ILO) - Request for Input on Report for Unratified ILO Conventions and Recommendations Related to the Strategic Objective of Employment
- Compiled listing of Disability Organisations in Trinidad and Tobago

## 2. Research Papers

- Developed the 'Guidelines for Employers on Disability in Trinidad and Tobago':
  - The 'Guidelines' Handbook was officially launched on December 3, 2018 on International Day for Persons with Disabilities (IDPD)

- It is aimed to guide employers of large, medium or small enterprises, public or private, to adopt a positive strategy in managing disability-related issues in the workplace
- Assisted with the practical implementation of aspects of the Equal Opportunity Act relating to PWDs in the workplace
- The contents of the Guidelines are based on the principles supporting national and international instruments and initiatives designed to promote the equal and safe employment of PWDs
- Assisted the Senior Legal Officer with the contents and preparation of the 'Sexual Harassment in the Workplace' Handbook
  - Assisted the Senior Legal Officer with the final proofreading and editing of the Guidelines
  - Prepared the Opening Remarks for the Chairman of the Launch's Proceedings, Dr. Beverly Beckles
  - Attended the Launch of the Guidelines

## 3. National Survey on Public Perception of Discrimination in Trinidad and Tobago

- Developed a Summary of the 'National Survey on Equality and Public Perception of Discrimination in Trinidad and Tobago', to be placed on the Commission's website.

## 4. Reports for Publication

- Reviewed four (4) Reports for publication

## 5. Evaluation of Stakeholder Consultations

- Input data and evaluated twenty-three (23) stakeholder consultations for 2018

## 6. Strategic Plan Review

- Compiled the 'Foreword', 'Introduction' and 'Strategic Planning Process' for the EOC's Strategic Plan 2018-2020

## 7. Internal Tenders Committee

- The CEO established an internal Tenders Committee to evaluate the tenders for janitorial and security services. The Committee was comprised of Ms Christine Cole (Conciliator), Mr Navindra Narine (IT Infrastructure Specialist) and Ms Ann Marie Seenarine (Research Officer II)
- Development of the evaluation criteria instrument

## 8. Training and Recruitment

- Assisted in the logistical planning for the training of Commissioners and staff of the Equal Opportunity Commission by the International Labour Organisation (ILO) on September 13 and 14, 2018 at the MOAGLA. The training was on the topic, 'Decent Work Agenda and Equality'
- Assisted in the shortlisting of twenty (20) applicants from a total of four hundred and sixty-nine (469) for the position of Business Operations Assistant I (Communications Unit). Provided the duties of Supervisor for the competence test administered to applicants, and second-marked the examination
- Assisted in the shortlisting of seventeen (17) applicants from a total of twenty-five (25) for the position of Investigating Officer (Legal Unit). Provided the duties of Supervisor for the competency test administered to applicants, and second-marked the examination.

## Other Activities

- Concept Note on Research on Young People's Access to Sexual and Reproductive Health (SRH):
  - Provided comments on the Concept Note on Research on Young People's Access to Sexual and Reproductive Health (SRH), as requested by the UNFPA

- Attended, along with the Senior Legal Officer and the Communications Officer, an online meeting convened by the UNFPA, on Minors' Access to SRH. The meeting was held on October 3, 2018.
- '16-365 Collaborate for Impact – From Recommendations to Action':
  - Attended and provided rapporteur services for Table C, which was designated with arriving at recommendations as per CEDAW Recommendation 21 (c), 'As a matter of priority, adopt regulations for the Sexual Offences Act to introduce a sex offender registry, with a view to combating gender-based violence against women by tracking repeat offenders.'
- Sir Arthur Lewis Institute of Social and Economic Studies, UWI (SALISES) hosted a Forum in observance of International Day for Persons with Disabilities, which had as its theme, 'Empowering PWDs - Actions for Sustainable Development in Trinidad and Tobago':
  - Prepared remarks for the Vice Chair at the Forum
  - Prepared presentation and remarks for the Vice Chair on the launch of the 'Guidelines for Employers on Disability in Trinidad and Tobago' Handbook which took place at the Forum
- UNFPA Service Mapping:
  - Assisted with the completion of the UNFPA's Service Provider Mapping Form – a tool for use during interviews with service providers.
- Prepared the CEO's Remarks for the Annual Report 2018.
- Prepared the Chairman's Remarks for the Annual Report 2018.

## REPORT from the **GENERAL ADMINISTRATION UNIT**

This report provides details of the work of the General Administration Unit of the Equal Opportunity Commission in 2018.



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

- Administrative Officer IV (acting)
- Clerk IV (acting)
- Accounting Assistant (acting)
- Driver/Messenger
- Office Support Assistant
- Telephone Operator/Receptionist.

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 of the Legal, Corporate Communications, Information Technology, Human Resources, Research and Conciliation/Mediation Units.

### Accounts Section

#### Financial Expenditure

During the period January to December 2018, the Equal Opportunity Commission obtained Releases in the sum of six million, eight hundred and ninety-eight thousand, nine

hundred and sixty dollars (TTD \$6,898,960.00) from the Budgets Division, Ministry of Finance. This sum was in relation to Goods and Services (02/003) only.

Out of these Releases, the sum of seven million, one hundred and ninety-eight thousand, four hundred and two dollars (\$7,198,402.00) was spent under 02/003 – Goods and Services (this consisted of Fixed Cost \$2,310,521.00 and Variable Cost \$4,887,881.00) and sixty-four thousand, six hundred and ninety-four dollars (\$64,694.00) was spent under 03/003 – Minor Equipment.

A total of seven million, two hundred and sixty-three thousand and ninety-six dollars (\$7,263,096.00) was utilized by the Equal Opportunity Commission for 2018.

It is to be noted that Releases for the Financial Year 2018 represented \$6,898,960.00; however, the actual Expenditure incurred was (\$7,263,096.00). This excess in Expenditure is due to the financial year (October – September) being different from the calendar year (January – December), which the Annual Report covers.

Expenditure from October – December of the previous year was paid in the calendar year of the Annual Report, which resulted in the financial report showing an excess in Expenditure when compared to Releases.

## REPORT from the HUMAN RESOURCE UNIT

This report provides a summary of the work of the Human Resource Unit within the General Administration Unit of the Equal Opportunity Commission (EOC) during the year 2018.



During the year 2018, the Human Resource Unit continued to focus on delivering consistent and reliable service to the members of staff of the Commission, in accordance with the mandate outlined in the 2015/2018 Strategic Plan of the EOC.

### 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 2018

There were no changes to the organisational structure of the Commission during 2018. The thirty (30) existing contract positions approved in November 2014 continued to be filled until the expiration of the six (6) - year Contract Plan, which will expire on November 5, 2020.

The second part of the six (6) - year Contract Plan in respect of ten (10) new contract positions continues to be on hold, pending further instructions from the Permanent Secretary, Ministry of the Attorney General and Legal Affairs.

There was no short-term contract employment at the Commission at the end of December 2018. Among the ten (10) staff establishment positions, six (6) positions were filled with permanent and acting staff, two (2) positions remained suppressed, two (2) positions remained vacant and there were no retirements. The Accounting Assistant resigned with effect from November 8, 2018 and the position was filled by the Ministry of the Attorney General and Legal Affairs (The Ministry). A Digital Marketing and Social Media Specialist, On-the-Job Trainee assigned to the Corporate Communications Unit assumed duty on October 18, 2018. A total of six (6) employee contracts was renewed in 2018. In total, at the end of 2018, there were twenty-six (26) members of staff, inclusive of nineteen (19) contract staff, six (6) staff establishment and one (1) On-the-Job Trainee (OJT).

### Recruitment and Selection

The recruitment and selection process, which commenced in 2017 to fill one (1) vacant contract position of Business Operations Assistant I (BOA I), was completed in June 2018. The officer subsequently resigned in December 2018. The recruitment of a new BOA I commenced in December 2018 using the merit list.



A request for a Digital Marketing and Social Media Specialist, OJT Trainee was placed in January 2018 and a placement was made in October 2018.

The Ministry partnered with the Hugh Wooding Law School during the period June to August to fulfil the requirements of the In-Service Training Programme for law students for the year 2018.

A total of four (4) law students was assigned to the Commission for the period.

*Figure 01 under the heading 'Administrative Framework' (page 11) depicts the Organisational Structure of the EOC.*

## Training and Development

Training and development continue to be of high priority for members of staff at the Commission. The sum of twenty thousand dollars (\$20,000.00) was allocated to the Commission in 2018 for training and development. However, only an amount of eleven thousand, six hundred and twenty-two dollars and eleven cents (\$11, 622.11) was released for training and development in 2018.

This sum was utilized to conduct three (3) events; the Global Equality and Diversity (GED) Conference 2018, the International Labour Organization (ILO) training and a team-building event in the form of a cook-out.

The Commission was invited by Neil Stewart Associates to join the live stream of the 5th Annual Global Equality

and Diversity Conference and Awards, which took place on November 22, 2018 at the Crowne Plaza London, Docklands, UK, where approximately one hundred and fifty (150) Equality and Diversity professionals from the UK and beyond participated. This initiative cost a sum of six thousand, nine hundred and twenty-two dollars and eleven cents (\$6, 922.11).

The Commission, in collaboration with the (ILO), in September 2018, conducted training in areas covering the Decent Work Agenda and various aspects of equality, including gender-based violence, non-discrimination, disability, equal pay, non-standard forms of employment, HIV/AIDS and family responsibility. The Seminar was facilitated by the Commission and was held at the Ministry's training room.

Additionally, the Chief Executive Officer (CEO) recommended a team-building event for members of staff to provide an opportunity to build staff cohesion and improve team dynamics. The cook-out was held in the car-park of the Commission in October 2018. Staff of the Commission were divided into three (3) teams and each prepared a one-pot dish. The winning team was presented with a challenge trophy and medals. Overall, the event was enthusiastically attended and successful.

Owing to the limited release of funds, training was mainly sourced from the Public Service Academy, Ministry of Public Administration and Communications in the form of Conferences/Seminars. The Commission also relied on in-house training provided by the Information Technology Unit to further improve employees' performance.



Training and development provided to members of staff during 2018 were as follows:-

**INTERNAL TRAINING**

Area /Name of Training	Institution/Facilitator	Participants (Positions)	No. of Persons Trained
Office 365	Information and Communication Technology Unit	Administrative Officer IV (Ag.) Human Resource Officer I (Ag.); Business Operations Assistant I	3

Table 16

**EXTERNAL TRAINING**

Area /Name of Training	Institution/Facilitator	Participants (Positions)	No. of Persons Trained
Global Equality & Diversity Conference (online)	Neil Stewart Associates	Chief Executive Officer; Business Operations Assistant II; Director, Legal Services; Senior Legal Officer; Legal Officers I; Investigating Officers; Manager, Corporate Communications; Corporate Communications Officer; Digital Marketing and Social Media Specialist; Research Officer II; Conciliator/Mediator; Administrative Officer IV (Ag.); Human Resource Officer I (Ag.); Information and Communications Technology Manager; Information Technology Infrastructure Specialist; Information and Communications Technology Support Officer	18
Freedom of Information	Public Service Academy, Ministry of Public Administration and Communications	Manager, Corporate Communications; Legal Officers I; Senior Legal Officer	4
Human Interaction – Modules I & II – Senior Executive Development Programme	Public Service Academy, Ministry of Public Administration and Communications	Chief Executive Officer	1

Office Etiquette for Administrative Support	Public Service Academy, Ministry of Public Administration and Communications	Driver/Courier	1
Preparation of Estimates	Public Service Academy, Ministry of Public Administration and Communications	Clerk IV (Ag.)	1
Training of Trainers	Public Service Academy, Ministry of Public Administration and Communications	Corporate Communications Officer	1
Cabinet Note Writing	Public Service Academy, Ministry of Public Administration and Communications	Corporate Communications Officer	1
Supervisory Management	Public Service Academy, Ministry of Public Administration and Communications	Clerk IV (Ag.)	1
SharePoint 2016 Administration	iGovTT, in conjunction with Microsoft	Information and Communications Technology Support Officer	1

Table 17

## CONFERENCES / SEMINARS

Area/Name of Training	Institution/Facilitator	Participants (Positions)	No. of Persons Trained
Advocacy Planning and Legal Literacy for Civil Society Organizations in Trinidad and Tobago	Caribbean Med Labs Foundation (CMLF) and Caribbean Vulnerable Communities Coalition (CVC)	Legal Officer I	1
Workplace Discrimination	Employers Consultative Association	Chief Executive Officer; Human Resource Officer I (Ag.); Business Operations Assistant II	3
Microsoft Workshop	Microsoft	Senior Legal Officer; Legal Officer I	2

Workshop – Civil Society Collaborating on Human Rights: Strengthening Domestic Machinery and International Accountability	Institute for Gender and Development Studies	Chief Executive Officer; Director, Legal Services; Senior Legal Officer; Legal Officers I; Manager, Corporate Communications	6
Internet Week Trinidad and Tobago	Ministry of Public Administration and Communications	Information and Communications Technology Manager	1
ICT Symposium 2018	iGovTT	Information and Communications Technology Manager	1
Introduction to Human Rights and the ILO Decent Work Agenda and Various Aspects of Equality	International Labour Organization	Commissioner; Chief Executive Officer; Director, Legal Services; Senior Legal Officer; Manager, Corporate Communications; Corporate Communications Officer; ICT Manager; Conciliator/Mediator; Human Resource Officer I (Ag.); Legal Officers I; Investigating Officer; IT Infrastructure Specialist; Business Operations Assistants II	15

Table 18

## Developing and Implementing Policies and Procedures at the Equal Opportunity Commission

The Policy Review Committee completed the review of the Training and Development Policy, which was approved by the Chairman in November 2018.

A revision to the Recruitment, Selection and Resignation Procedures commenced in November 2018.

Furthermore, two (2) new policies were proposed in December 2018, which were the Presence of Staff at the Office after Working Hours and a Flexible Work Arrangement Policy.

## Performance Management

All Performance Appraisal Reports were completed up until December 2018. The next set of appraisals will be due in 2019.

The year 2018 was a productive year for the Human Resource Unit, despite a number of staff changes within the Unit. The Unit will continue to serve the staff of the EOC as effectively and efficiently as possible, as we strive for excellence going forward in 2019.

## 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 2018.



### Overview

During the year 2018, the IT Unit (ITU) started its new work plans according to the Commission's three-year Strategic Plan (2018 to 2020). Despite the continued economic hardships, the ITU was fortunate to maintain its existing technical staff of Information and Communication Technology Support Officer (ICTSO) and Information Technology Infrastructure Specialist (ITIS). The contractual term for the ICT Manager ended on February 1, 2018 and was renewed for another two (2) years to keep within the Cabinet approval period of November 2020 for all positions of the Commission.

### ICT Project Achievements for 2018

The following lists some of the achievements of the ITU during the said period:

#### Consolidation of Mobile/Internet Services to eliminate the Cost of Mobile Handsets

Many mobile handsets within the organization have outlived their usefulness where, in some cases, the age of equipment has crossed over four (4) years and has resulted in major operational deterioration. The contract terms for both the Internet Fibre and Mobile services were up for renewal, and after much dialogue and negotiations with the provider, the Commission received complimentary handsets for all its mobile-users, in the amount of TT\$25,000 in credit. This credit can be drawn down throughout the three (3)-year

period to replace older phones with newer ones, based on purpose and fitness for use. This type of agreement has saved the organization TT\$25,000 in capital expenditures and any future time overheads for obtaining fund releases and purchase orders.

#### Cost-Effective Consolidation of Licences with Office 365

The organization was given the option of renewing its Office 365 licences from the National Information and Communication Technology Company Limited (iGovTT) at a cost of TT\$160,382.85 or from an external vendor at a cost of TT\$55,895.97 per year. Given that the licences from iGovTT would only last until the end of the Microsoft Agreement, that is, June 2019, it was recognized that **the organisation would save a total of TT\$48,590.31 over two years, with the purchase of the licences from an external vendor.**

#### In-House Training of Microsoft Office

Our Information and Communication Technology Support Officer (ICTSO), Mr. Zameer Hosein, has continued to champion the hands-on training sessions in the use of Microsoft Office and Office 365 for the Commission's staff. The staff's comfort with the technological tools continues to be critical to the success of the organisation; and the IT Unit has embarked on repeated training for existing staff and introductory training for new staff, to help integrate the use of these tools with their day-to-day duties. Although funding

is limited for certifiable training, the in-house training certainly continues to bring good business value to the Commission, by lowering training costs and boosting productivity.

**Development and Implementation of Company Policies**

The IT Unit has invested time in researching, developing and finalizing the following policies to serve as guidelines for the Commission:

- Research and Development of Flextime and Work-from-Home Policy
- Research, Development and Implementation of ICT Asset Management and Purchase Policy
- Research, Development and Implementation of Mobile Device and Usage Policy
- Research, Development and Implementation of Internet, Email and New Media Policy
- Research, Development and Implementation of Computer Literacy Policy
- Research, Development and Implementation of Business Continuity Policy.

**Outstanding Projects, Challenges and Direction for 2019**

In the last annual report of 2017, specific mention was made of the financial challenges of receiving releases to support the ITU’s day-to-day operational activities. Despite requests each year for reasonable budgetary allocations to cover the required equipment purchases, the IT Unit has noted a reduction year after year in allocations and releases, as shown hereunder:

03/003/02 – Office Equipment	Oct 2015 - Sep 2016	Oct 2016 - Sep 2017	Oct 2017 - Sep 2018	Oct 2018 - Sep 2019
Budget Allocations:	\$260K	\$100K	\$50K	\$30K
Actual Releases:	\$162K	\$0K	\$32K	-

Table 19

These reductions limit the Commission’s ICT operations and limit the feasibility of implementing projects. The following projects for the Commission remain outstanding:

**Migration of the Commission’s Website to a newer platform**

Closer to the end of the 2017/2018 financial year, the Commission experienced a website failure whereby our online complaint forms were no longer being received from our existing website. Further investigation revealed that security protocols had been changed, and the existing website platform was no longer compatible to carry out this function. As a result, the Commission’s existing website has been earmarked to be migrated to a newer platform in 2019, for which newer features of the site can be leveraged for better overall interaction with the public;

**Implementation of a Legal, Workflow Case Management System for tracking complaints**

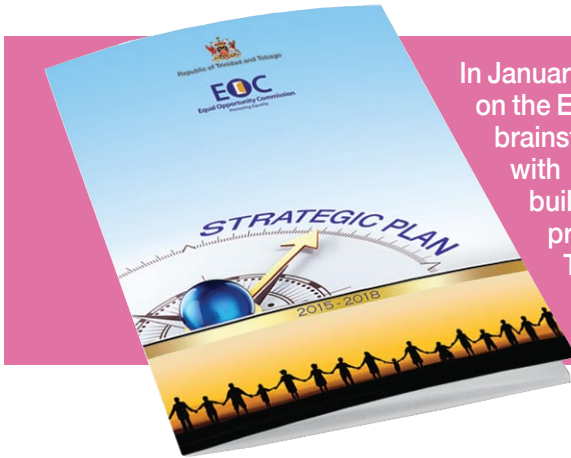
In 2018, the IT Unit, on the directive of the Commissioners, started looking into an effective Legal Workflow and Case Management System that would help support the Legal Unit. Information regarding costs, existing systems used by other Governmental bodies and local vendors was researched. However, the search for a cost-effective solution that would not only address the needs of the organization, but also provide the features and functions that are compatible with the Commission’s processes and budget will continue in 2019.

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

The Commission has leveraged social media to effectively disseminate information to the public, with much success. The Commission will continue its “Hybrid” approach of integrating the Commission’s new website, in 2019, with our social media platforms, such as Facebook, YouTube, Instagram and Twitter, to reach the wider public, as part of our mandate to bring more awareness to the functions of the Commission.

Despite financial limitations, the ITU will continue to chart the way forward towards cost reduction and improving service levels to the public, and will maintain its strategic direction of leveraging technology to help improve the operations of all Units within the Commission.

## 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 developing 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 2019.

#### 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 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 continue to work together to create and publish additional appropriate guidelines for dissemination to all stakeholders. In 2018 the EOC’s “Guidelines on Sexual Harassment in the Workplace” and the “Guidelines for Employers on Disability” was published.

## 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].

## 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 (7) 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, and 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. Emanuel Hosein is a medical practitioner with over 40 years of experience in the State sector. He is also a former Member of Parliament and Government Minister.

An experienced advocate on behalf of persons with disabilities, Dr. Hosein's record of achievements is highly acclaimed. On numerous occasions, he successfully campaigned for improved conditions at State, quasi-governmental and private institutions for persons who are disabled.

Despite being afflicted with polio at the tender age of eight years, he became a doctor and a good table tennis player and was the President of the Tunapuna Tigers Tennis Club (5 times National Champions). He was the first President of the Trinidad and Tobago Chapter of Disabled Peoples International (DPI), where he worked. He also served as a Member of the Panel of World Experts on Disability Advisory Board to the United Nations .

Dr. Hosein is the holder of a Bachelor of Medicine, Bachelor of Surgery (MBBS) degree from the University of the West Indies (UWI), Mona, Jamaica and was the first medical student to be elected President of the Guild of Undergraduates. During his tenure, he represented the entire student body in selecting the Vice-Chancellor of the University.

In the professional sphere, he was employed as a Medical Intern at the Port of Spain General Hospital, Trinidad, and subsequently assumed the position of House Officer in the Physical Medicine and Rehabilitation Unit. He later functioned as District Medical Officer at Caroni (1975) Limited. He was also an Acting District Prison Medical Officer at the Ministry of Health.

Dr. Hosein served as Member of Parliament for the constituencies of Naparima and Tunapuna, respectively. He also served as a Member of the Cabinet, having been appointed Minister of Health, Welfare and Women's Affairs and Minister of Social Development, respectively, during the period 1986 to 1991. As the then Minister with responsibility for Health, he oversaw the commissioning of the Eric Williams Medical Sciences Complex (Mt. Hope Hospital). Also, in Parliament, he piloted the Domestic Violence Bill.

For his work in support of community-building, and his advocacy and other efforts on behalf of persons with disabilities and the disadvantaged in society, Dr. Hosein has been the recipient of numerous awards. These include a United Nations Award for Service to the Disabled; Super Lion Award from Chancellor Hall, UWI Jamaica; Paul Harris Fellow Award from the Rotary Club of St. Augustine West and an Award from the Tunapuna Hindu Primary School for service to the Community.



The positions held by Dr. Hosein in the public and private sectors include Chairman of the North American and Caribbean Region of DPI; Medical Officers Delegate to the Public Services Association (1977); Chairman of the Hospital Doctors Committee, Port of Spain General Hospital (1976 to 1978); and Chartered Member of the Rotary Club of St. Augustine West (for over 33 years), where he was responsible for the induction of the first female member of the Club.

From 1970 to 1975, Dr. Hosein served as Coach of the Jamaican Paraplegic Table Tennis Team (including Commonwealth and Pan American Champions). His passion for table tennis led to his selection as Captain of the UWI Table Tennis Team and Chairman of the East Zone of the Trinidad and Tobago Table Tennis Association..

Dr. Hosein has provided medical advice and assistance to the National Women's Hockey Team and the National Volleyball Teams in local and international tournaments; and served on the Medical Officers Panel of the Trinidad and Tobago Cricket Board for over 25 years. He has also provided medical support at numerous local karate and judo tournaments.

Dr. Hosein has been married to Claudette Marcia Riley-Hosein for 41 years, and they have four children and five grandchildren.





## 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 was also appointed by the Tobago House of Assembly as 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 also holds a Master of Business Administration degree from the Australian Institute of Business.

# INTERNAL EVENTS

## FEBRUARY



Carnival Cook Out



Carnival Cook Out



Carnival Cook Out



Carnival Cook Out

## MARCH



Easter Cook Out



World Down Syndrome Day - Lots of Socks



World Down Syndrome Day - Lots of Socks



Yoga Sessions

## APRIL



Admin Professional Week



Admin Professional Week



Admin Professional Week



World Autism Awareness Day



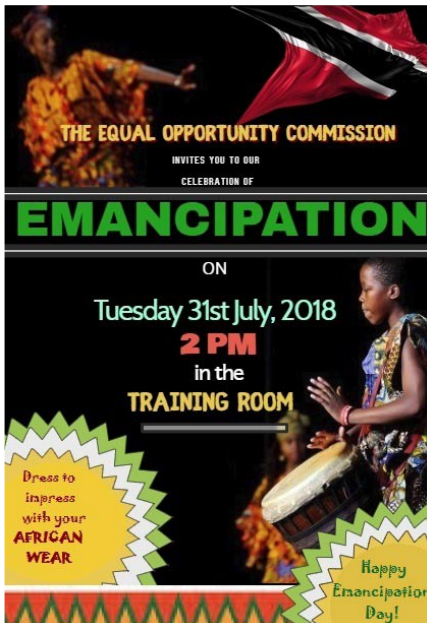
# INTERNAL EVENTS

JUNE



Eid, Fathers Day & Labour Day

JULY / AUGUST



Celebrating Emancipation at the EOC



OCTOBER



Team Building Staff Cookout



Team Building Staff Cookout



Team Building Staff Cookout



Team Building Staff Cookout

NOVEMBER



Divali 2018



Divali 2018

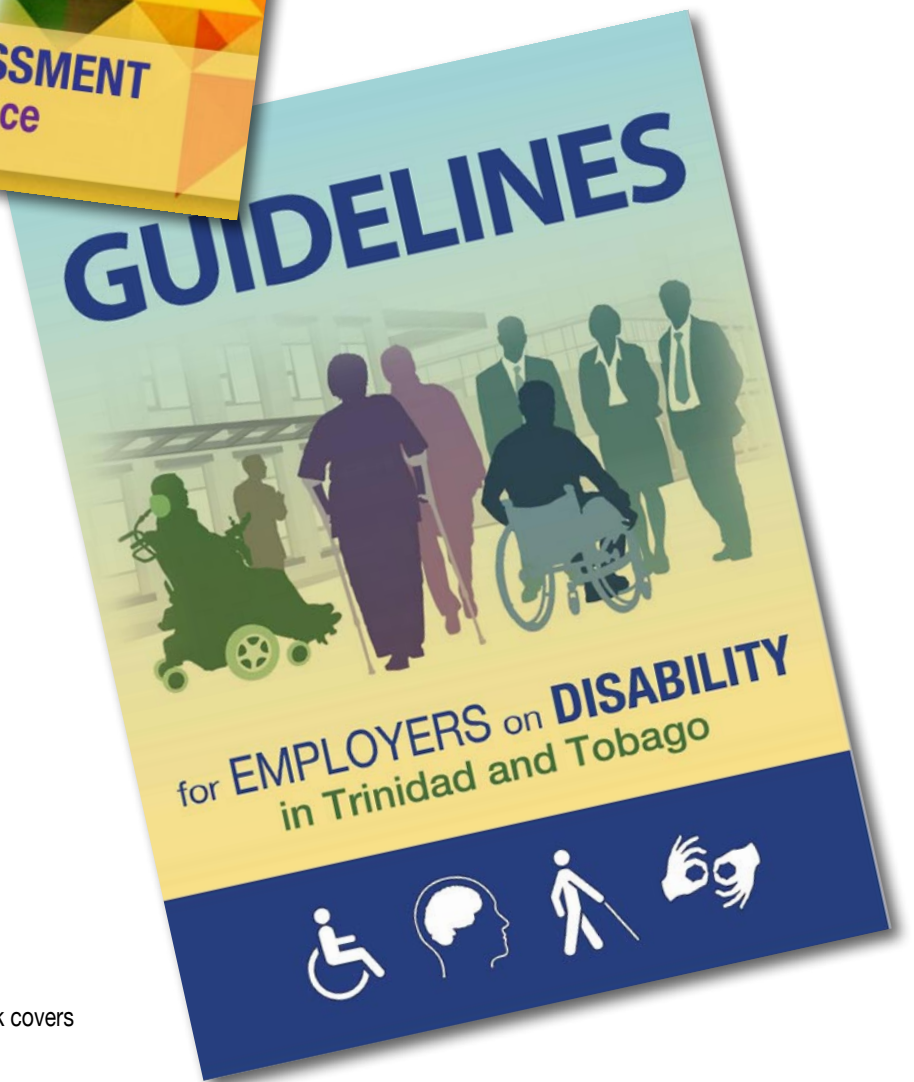
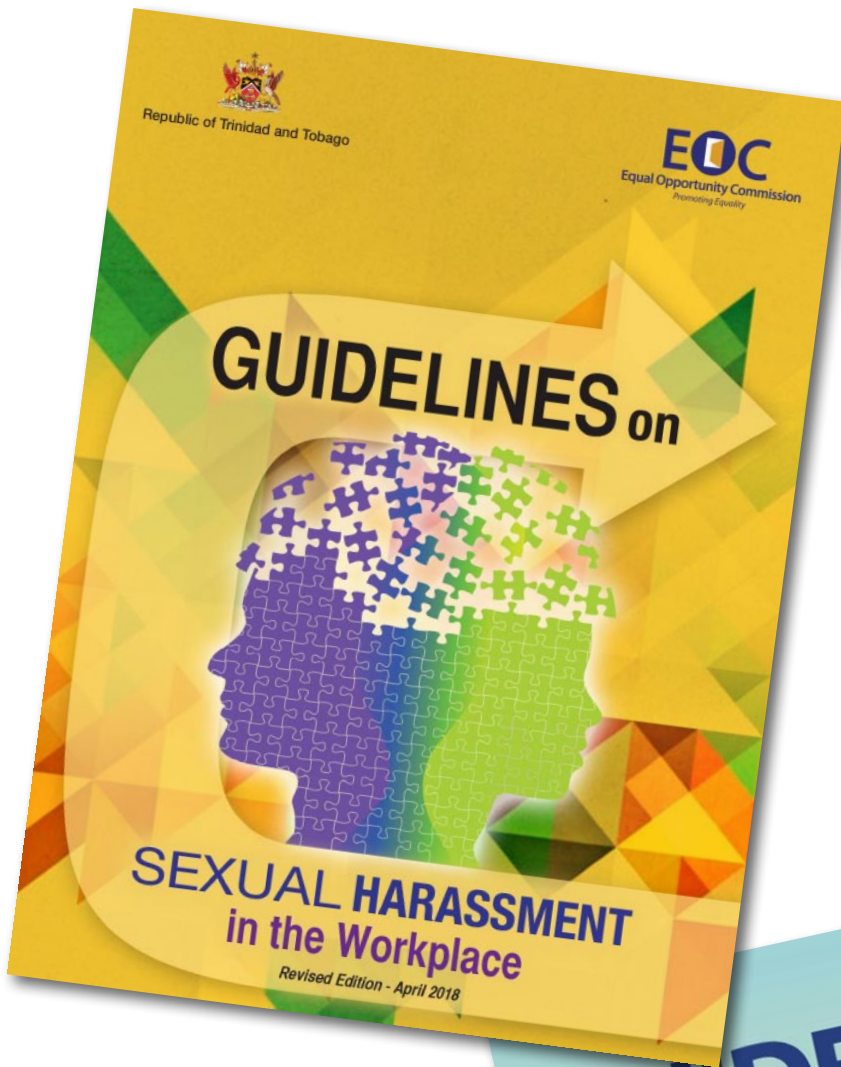


Global Equality & Diversity  
Conference 2018 -  
Driving Up Equality

DECEMBER



Commissioners' Christmas Luncheon /  
Secret Santa



SEXUAL HARASSMENT and DISABILITY Handbook covers





**Equal Opportunity Commission**  
*Promoting Equality*

## ANNUAL REPORT 2018

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