

# Categories covered by the act

THE MOST lodged complaints that the Equal Opportunity Commission (EOC) receives at its offices are under the category of employment. This has consistently been the trend since the inception of the EOC; sometimes outweighing all other categories combined. However, the Equal Opportunity Act covers four broad categories: provision of goods and services, provision of accommodation, employment and education. It is important to understand the categories contained in the act so that members of the public can access the full range of coverage.

Discrimination under each category must also be tied to a status ground covered by the act. These are: sex, religion, marital status, origin including geographic origin, disability, race and ethnicity.

## Provision of goods and services

It is in contravention of the act to discriminate against a person who is seeking to obtain goods, services or facilities by refusing to supply same. Also, the vendor must not alter the terms or manner in which he/she supplies the goods, provides the facilities or performs the services.

The act lists the following examples:

- (a) access to and use of any place which members of the public or a section of the public are permitted to enter;
- (b) accommodation in a hotel, guest house or other similar establishment;
- (c) facilities by way of banking or insurance or for grants, loans, credit or finance;
- (d) facilities for entertainment, recreation or refreshment;
- (e) facilities for transport or travel;
- (f) the services of any profession or trade, or any statutory authority or municipal authority.

## Provision of accommodation



People who have occupied an accommodation or are trying to access accommodation shall not be discriminated against, in accordance with the act. This includes the terms of offer, refusing application or placing that person on a lower order of precedence on any list of applicants for that accommodation.

For instance, a landlord is prohibited from denying a person access to an accommodation based on that person's marital status. However, there are exceptions contained in the act based on relatives living on the property, the number of units on the compound, and a few other exceptions.

Even after the person has occupied the accommodation, the act prohibits discrimination against that person by denying access or limited access to any benefit connected to the accommodation, evicting the person or subjecting them to any other detriment.

## Employment

The act prohibits employers and prospective employers from discriminating against a person. This means that the act covers discrimination even at the recruitment stage and employers are not permitted to hire or overlook a person based on their status. For instance, listing "female workers only" in a vacancy ad for a security officer. However, the act contains an exception, where being of a particular sex is a genuine occupational qualification for employment, promotion, transfer or training.

Vocational training is also covered by

the act and employers are prohibited from discriminating against a person who is seeking or undergoing training.

## Education

In the same way employment covers prospective employees and employees, the category of education applies to applicants and students. The act prohibits educational establishments from "discriminating against a person by refusing or failing to accept that person's application for admission as a student; or in the terms and conditions on which it admits him as a student."

Further, educational establishments are not permitted to deny or limit a student's access to any benefits, facilities or services provided by the educational establishment based on any of the status grounds covered by the act; or by expelling the student or subjecting the student to any other detriment.

The act also lists a couple exceptions in the category of education:

\* Non-admission of students of a particular sex by an educational establishment which admits students of one sex only.

\* A student or prospective student would "require services or facilities that are not required by students who do not have a disability and the provision of which would impose unjustifiable hardship on the educational establishment."

There is also an exception for what has been agreed to between the State and any religious education board, such as what has been provided for in the Concordat of December 1960.

**If you have been discriminated against, you can lodge a complaint at the Equal Opportunity Commission on its website [www.equalopportunity.gov.tt](http://www.equalopportunity.gov.tt) or via e-mail: [complaints@eoc.gov.tt](mailto:complaints@eoc.gov.tt). We will receive, investigate and conciliate the complaint.**