

Discrimination on religious grounds

THE EQUAL Opportunity Act, Chap 22:03, prohibits discrimination based on religion. Religious discrimination refers to treating individuals (eg employees, customers, tenants, students) differently because of their religious beliefs and practices, and/or their request for accommodations associated with those beliefs and practices.

Religious discrimination may manifest itself in several ways and can be founded on a person's religious affiliations, characteristics, perceptions, or stigma associated with any religion. The act protects people who were discriminated based on their religion (one of seven status grounds) under the categories of employment, education, provision of goods and services and provision of accommodation.

For instance, under the category of employment, employers are encouraged to provide reasonable accommodations to employees or prospective employees to practise their religious beliefs. An employer should not schedule activities that conflict with a person's religious needs unless they can prove that not doing so will impose an undue financial hardship. For example, scheduling a meeting or workshop that clashes with a person's observance of the Sabbath.

In the act, there are certain exceptions that are made based on religion. For example, discrimination on the ground of religion in a case where being of a par-



ticular religion is a necessary qualification for employment in a religious shop; a commercial enterprise that trades predominately in religious items.

Also, under the act, "offensive behaviour" does not apply to acts committed in a place of public worship, which means a church, mandir, temple, mosque or other similar building or temporary structure in which religious activities are conducted, whether permanently, intermittently or temporarily.

Section 25 of the act lists three exemptions for religious bodies. The act shall not apply to:

(a) the ordination or appointment of priests, ministers of religion or members of a religious order;

(b) the training or education of people seeking ordination or appointment as priests, ministers of religion or members of a religious order; or

© the employment of people in any school, college or institution under the direction or control of such a body being employment of people in a manner that conforms with the doctrines of that

religion or is necessary to avoid injury to the religious susceptibilities of the adherents of that religion.

Further, the act provides for a panel of advisers to the commission comprising representatives of every principal religion in Trinidad and Tobago. This panel is appointed by the Attorney General. The commission, whenever considering a complaint of discrimination on the grounds of religion, consults with and considers the opinions of the panel in making its decision.

The commission continues to advocate for a balanced approach to issues of religious beliefs in the categories of education, employment, the provision of goods and services and the provision of accommodation. It encourages employers and employees to find practical resolutions, wherever possible.

This proactive step averts any potential complaints of religious discrimination and probable legal disputes. It is in the interests of every individual to attempt to find reasonable solutions through discussion, mutual respect and, where practical, mutual accommodation.

If a person has been discriminated against based on their religion, they can lodge a complaint at the Equal Opportunity Commission. To do so, visit our website www.equalopportunity.gov.tt.