

EOC NEWS



Equal Opportunity Commission
Promoting Equality

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HIV & AIDS CAN BE A DISABILITY

An HIV infection can cause impairment that would substantially limit functions of the immune system if not medically treated, and as such, a person living with an HIV infection can meet the Equal Opportunity Act's (EOA) definition of disability.

According to section 3 of the EOA, "disability" means:

- a total or partial loss of a bodily function;
- total or partial loss of a part of the body;
- malfunction of a part of the body including a mental or psychological disease or disorder; or
- malformation or disfigurement of part of the body.

Haran Ramkaransingh, Director, Legal Director, Equal Opportunity Commission (EOC) said that

considering this, "one can argue that a person with HIV should be entitled to a reasonable accommodation under the EOA if one is needed, as long as it does not result in undue hardship to the employer."

Haran was speaking at a virtual public education session with the Ministry of Energy and Energy Industries (MEEI). The virtual public education session took place on June 7th with twenty-four (24) members of staff in attendance from the MEEI.

This has been supported by studies around the world including one from Johns Hopkins Medicine that said, HIV/AIDS affects many of the body's organ systems, including the brain and nervous system. Unfortunately, this study has also shown that most people are unaware that the HIV infection makes its way to their brain early in its disease process.

In 2019, a report by the UNAIDS estimated that an average of 11,000 adults and children were living with HIV in Trinidad and Tobago.

It is against this background that the EOC has been advocating for and has submitted, among other amendments to the EOA, that amendments be made to clarify that HIV is a disability and within the remit of the EOA.

To request a session, please send an e-mail to: communications@eoc.gov.tt.



Government of the Republic of Trinidad and Tobago
Ministry of Energy and Energy Industries

H&S AT HOME: (CERT)AINLY A GOOD IDEA

According to the National Safety Council, 53.6% of all injury-involved accidents occur at home but one EOC employee is leading the charge to ensure that the EOC family is not part of that statistic.

Recently, Christine Cole, Chairman of the Health and Safety (H&S) Committee, voluntarily participated in a virtual Community Emergency Response Team (CERT) Training Programme. The programme trains families to support their communities to voluntarily respond to disasters and emergencies.

Participants learnt among other things, how to identify and prevent hazards in the home and basic first aid for various injuries.

The work of the H&S Committee usually applies to the office space but as EOC staff continue to work from home, this transfer of

knowledge to staff is both timely and needed.

Christine said, "the programme was very well delivered. What stood out for me is that there are so many potential hazards in the home. My entire family got involved in the training and I can't wait to share what I learnt with the H&S Committee and the rest of my EOC family. At the end of the day, whether we are working from home or the office, it is important to be aware of potential risks to our health and safety so we can avoid it."

As chairperson of the H&S Committee, Christine is responsible for steering the committee in developing and implementing H&S policies and procedures at the commission. Through her leadership, staff is continually being made aware of the policies and procedures and their related

responsibilities in the workplace.

The CERT Training Programme is a collaborative initiative between the Trinidad & Tobago Red Cross Society and the Ministry of Rural Development & Local Government.



CHRISTINE COLE
CHAIRMAN OF THE HEALTH
AND SAFETY (H&S) COMMITTEE

GET TO KNOW US

CONCILIATION

As part of the complaint process, the respondent and the complainant may attend conciliation. Conciliation is a form of alternative dispute resolution to find an amicable solution, instead of going to court. At these sessions, a Conciliator/Mediator facilitates discussions between the parties. This service is free of charge and in many instances, provides meaningful redress.

Step 1: Complainant and respondent are invited to separate pre-conciliation meetings.

Step 2: Both complainant and respondent attend scheduled conciliation sessions. The conciliation session is held in private.

Step 3: It should be made clear that if a respondent does not comply with a section 35 Notice requiring them to attend a conciliation session, a summary complaint can be laid under section 36 of the Equal Opportunity Act and the respondent could be prosecuted before the Magistrates Court.

Step 4: If the matter is resolved by conciliation, an agreement would be drawn up. After the parties have signed the agreement, it would be registered with the Equal Opportunity Tribunal. This agreement is binding, as if it were an order of the High Court.

Step 5: If the matter was not resolved, the complainant has the decision to withdraw the matter or request that the matter be referred to the Equal Opportunity Tribunal for adjudication.

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