

**GOVERNMENT OF THE REPUBLIC OF TRINIDAD AND TOBAGO
PUBLIC STATEMENT OF THE EQUAL OPPORTUNITY COMMISSION (EOC) IN COMPLIANCE WITH
SECTIONS 7, 8, AND 9 OF THE FREEDOM OF INFORMATION ACT (FOIA) 1999**

In accordance with Sections 8 and 9 of the Freedom of Information Act Chapter. 22:02 ('FOIA') the Equal Opportunity Commission (hereinafter referred to as the 'Commission') being a Public Authority is required by law to publish the following statements, which list the documents and information generally available to the public.

The FOIA gives members of the public:

1. A legal right for each person to access information held by the Commission;
2. A legal right for each person to have information relating to himself/herself amended where it is held by the Commission and such information is incomplete, incorrect or misleading;
3. A legal right to obtain reasons for adverse decisions made regarding an applicant's request for information under the FOIA;
4. A legal right to complain to the Ombudsman and to apply to the High Court for judicial review to challenge adverse decisions made under the FOIA.

SECTION 7 STATEMENTS

SECTION 7(1)(a)(i): FUNCTION AND STRUCTURE OF THE PUBLIC AUTHORITY

Establishment of the Equal Opportunity Commission

The Commission was established by section 26 (1) of the Equal Opportunity Act, Chapter 22:03 ('the Act') [Act No 69 of 2000 as amended] for the purpose of exercising the jurisdiction conferred upon it by that Act. The Commission commenced operations in April 2008 with the appointment of its first Commissioners.

Functions of the Commission

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

- a) to work towards the elimination of discrimination;
- b) to promote equality of opportunity and good relations between persons of different status;
- c) to keep under review the working of the Act and any relevant law and when so required by the Minister, or where necessary draw up and submit to the Minister proposal for amending them;
- d) to receive, investigate and as far as possible, conciliate allegations of discrimination;
- e) to develop, conduct and foster research and education 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 publish appropriate guidelines for the avoidance of discrimination;
- g) to do any other thing conducive or incidental to the carrying out of its functions.

Vision Statement

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 Statement

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

The Commission comprises five (5) Commissioners including a Chairman and a Vice- Chairman. Currently these are:

1. Mrs. Lynette Seebaran-Suite - Chairman
2. Dr. Beverly Ann-Marie Beckles - Vice Chairman
3. Dr. Emanuel Hosein - Commissioner
4. Mr. James Chin Chuck - Commissioner
5. Mr. Eric Colin Cowie - Commissioner

**ORGANISATIONAL CHART OF
THE EQUAL OPPORTUNITY COMMISSION**

The Commission is located at # 55-57 Manic Street, Chaguanas, 500621 and comprises the following units which report to the Chief Executive Officer (hereinafter

referred to as the 'CEO'):

- Legal
- Communications
- General Administration
- Information and Communication Technology
- Conciliation/Mediation and
- Research

The Office of the CEO

The CEO is responsible for planning, organising, coordinating activities and resources for all the operational functions of the Commission.

Legal

This Unit is responsible for executing the Commission's statutory function of receiving and investigating complaints of discrimination that are lodged by members of the public.

The **Complaints Section** gives administrative support to the Legal Unit by way of:-

- Interview complainants, respondents, and any other persons who can assist with the matter under investigation;
- Gather, collate and analyse information, documents and evidence;
- Interact with and provide guidance to members of the public.

The **Investigating Section** is responsible for providing supervisory and investigative work relative to complaints filed at the Equal Opportunity Commission and prepare and edit reports.

Communications

The Unit is responsible for developing, implementing, directing and evaluating the marketing and communications strategies and programmes of the Commission, including public relations, media relations, website content and the Commission's identity/image programme.

General Administration

The Unit consists of three (3) sections which are as follows:

Accounts - This Section is responsible for facilities and office management, procurement of goods and services and it ensures that the physical and material requirements of the Commission are supplied. It also maintains the inventory of stationery and supplies and conducts office maintenance/improvement services.

Records Management - This section is responsible for maintaining the Commissions' filing system and archiving of records.

Human Resource - The core functions of the Human Resources (HR) Unit are recruitment and selection, training and development, human resource planning, employee relations, administrative human resource service and performance management.

Information and Communications Technology

This unit is responsible for providing and managing the information technology and systems policy; which includes planning administration, information system and application support, networking and communications and service support.

Conciliation/Mediation

This Unit conciliates complaints of discrimination that have been investigated, where it is felt that this process may assist to resolve the dispute. The Unit's aim is to facilitate disputing parties to a complaint in reaching a voluntary un-coerced resolution, in accordance with the practices and standards approved by the Mediation Board of Trinidad and Tobago.

Research

This Unit is responsible for developing, conducting and fostering research and educational programmes for the purpose of eliminating discrimination and promoting equality of opportunity and good relations between persons of different status.

SECTION 7(1)(a)(ii) CATEGORIES OF DOCUMENTS IN THE POSSESSION

OF THE COMMISSION

The official documents in the Commission relate to a diverse range of policy, administration and other matters that fall under the scope of the Commission. These documents include:

- Files dealing with administrative documents for the operations of the Commission.
- Personnel files, which detail all staff appointments to date, job applications, job promotion transfers, leave, resignations, retirements, death etc.
- Files dealing with the accounting functions of the Commission
- Financial records (vouchers, purchasing orders, receipts etc.)
- Files dealing with matters relating to the procurement of goods and services.
- Inventories and listings
- File dealing with Commissioner's appointments
- Policy Documents
- Minutes of Commission and management meetings.
- Files dealing with circulars, notices, memoranda etc.
- Files dealing with training
- Files dealing with official functions, conferences and events attended by the Commission
- Complaints files
- Publication Files and Reports
- Legislation and legal instruments
- News releases and speeches originating in the Commission
- Pamphlets/leaflets, brochures, newspaper clippings and posters and
- Books, journals and magazines.

SECTION 7(1)(a)(iii) MATERIAL PREPARED FOR PUBLICATION OR INSPECTION

The public may inspect and/or obtain copies of the following material between the hours of 8:30 a.m. and 3:30 p.m. Monday to Friday (except public holidays) at the Commission's Office situated at:

The Equal Opportunity Commission
55-57 Manic Street
Chaguanas
Trinidad and Tobago
500621
Telephone (868) 672-0928

- The Equal Opportunity Act No 69 of 2000 and The Equal Opportunity (Amendment) Act No 5 of 2001;
- Complaint Form
- Lodging a complaint of discrimination (Leaflet)
- The Complaints and Investigation Process at the Equal Opportunity Commission (Leaflet)
- 10 things Employers should know about the Equal Opportunity Commission (Leaflet)
- Guidelines for Employers in Trinidad and Tobago - Handbook
- Freedom of Information Statements 2010-2013
- Reports relating to investigations of complaints pursuant to section 39(1)(d) of the Act
- Brochures
- Public and Legal Notices
- Annual Reports

All general information can also be sourced at the Commission's website at www.equalopportunity.gov.tt

SECTION 7(1)(a)(iv) LITERATURE AVAILABLE BY SUBSCRIPTION

The Commission has no literature available by subscription at this time.

SECTION 7(1)(a)(v) PROCEDURE TO BE FOLLOWED WHEN ACCESSING A DOCUMENT FROM THE COMMISSION

General Procedure

The Policy of the Commission is to answer all requests, both oral and written, for information. However, to give effect to the applicant's rights under the FOIA (for example the right to challenge a decision if a request for information is refused), the request must first be made in writing. An applicant must therefore complete the appropriate form (Request for Access to Official Documents) available at the Commission's Reception Desk or from its Designated FOI Officer, for information that is not readily available in the public domain.

Details in Request

Applicants should provide details that will allow for prompt identification and location of the records that are being requested. If insufficient information is provided,

clarification will be sought by the Commission from the applicant.

REQUESTS NOT HANDLED UNDER THE FOIA

An applicant who is uncertain how to write a request or what details to include in such a request may make enquiries with the Designated Officer.

HOW THE COMMISSION RESPONDS TO THE APPLICANT'S REQUESTS

A request under FOIA will not be processed to the extent that it seeks information that is readily available to the public, either from the Commission or from another public authority, for example brochures, pamphlets, leaflets, reports etc.

Responding to Requests

The Commission is required to furnish copies of documents only when they are in the Commission's possession or they can be retrieved from storage. The Commission is required to furnish only one copy of a document. If the Commission cannot make a legible copy of the document to be released, it will not attempt to reconstruct it. Instead the Commission will furnish the best copy possible and note its quality in our reply.

Please note the Commission is not compelled to do the following:

- Create new documents, or
- Perform research for an applicant.

Time Limits

The FOIA gives a stipulated time frame of thirty (30) days for the Commission to determine whether or not it is able to disclose or refuse access to the documents requested by the applicant (but this period may be extended where there is consultation between the applicant and the Designated Officer).

Should the Commission fail to meet this deadline, the FOIA gives the applicant the right to proceed as though the applicant's request had been denied. Every effort will be made to comply with the time limit. If it appears that processing the request may take longer than the statutory limit, the Commission will acknowledge the request and advise the applicant of its status. Since there is the possibility that requests may be incorrectly addressed or misdirected, the applicant may wish to call or write to confirm that the Commission has received the request and to ascertain its status.

Fees and Charges

Section 17 (1) of the FOIA stipulates that no fee shall be charged by a public authority for the making of a request for access to an official document.

However, where access to an official document is to be given in the form of printed copies or copies in some other form, such as a tape, disk, film or other material, the applicant will be required to pay the prescribed fee incurred for duplication of the said material.

SECTION 7(1) (a)(vi) Officers of the Commission are responsible for: the initial receipt of and action upon notices under section 10 of the FOIA; requests for access to documents under section 13 of the FOIA; and applications for correction of personal information under section 36 of the FOIA.

1. The initial receipt of and action upon notices under section 10 of the FOIA
2. Requests for access to documents under Section 13 of the FOIA AND
3. Applications for corrections of personal information under Section 36 of the FOIA.

THE DESIGNATED OFFICER IS:

Lorelei Liselle Wong
Legal Officer I
55-57 Manic Street,
Chaguanas
5000621
Tel: 1-868-672-0928 Ext: 208
Telefax: 1-868-671-8826
E-mail: lorelei.wong@eoc.gov.tt

THE ALTERNATE OFFICER IS:

Crista Daniel
Corporate Communications Officer
55-57 Manic Street,
Chaguanas
5000621
Tel: 1-868-672-0928 Ext: 232
Telefax: 1-868-671-8826
E-mail: crista.daniel@eoc.gov.tt

SECTION 7(1)(a)(vii) ADVISORY BOARD, COUNCIL, COMMITTEES AND

OTHER BODIES

At present there are no Advisory Boards, Councils, Committees and other bodies that fall within the meaning of this section of the FOIA.

SECTION 7(1)(a)(viii) LIBRARY/READING ROOM FACILITIES

At present, the Commission does not have a Library or Reading Room that is available for use by the public. Members of the public can view reports relating to investigations of complaints pursuant to section 39(1)(d) of the Act at the front desk in the Lobby of the Commission's Offices, at 55 -57 Manic Street, Chaguanas, 500621, between the hours of 8:30am to 3:30pm, Monday to Friday (except public holidays). Information can be accessed through the Commission's Designated Officer during the aforesaid hours.

SECTION 8 STATEMENT

SECTION 8(1)(a)(i): DOCUMENTS CONTAINING INTERPRETATIONS OR PARTICULARS OF WRITTEN LAWS OR SCHEMES ADMINISTERED BY THE PUBLIC AUTHORITY, NOT BEING PARTICULARS CONTAINED IN ANOTHER WRITTEN LAW

The following legislation can be purchased at the Government Printery or can be accessed online via www.legalaffairs.gov.tt

- Equal Opportunity Act No 69 of 2000
- Equal Opportunity (Amendment) Act No 5 of 2001

SECTION 8(1)(a)(ii) MANUALS, RULES OF PROCEDURE, STATEMENTS OF POLICY, RECORDS OF DECISIONS, LETTERS OF ADVICE TO PERSON OUTSIDE THE PUBLIC AUTHORITY, OR SIMILAR DOCUMENTS CONTAINING RULES, POLICIES, GUIDELINES, PRACTICES OR PRECEDENTS:

The following internal documents can be made available for inspection only upon request to the Designated Officer (see Section 7 (1) (a) (vi):

- Information Document C-Doc4: General guidance on Conciliation
- Information Document SG1: Information on the Commission, its processes and the Equal Opportunity Act.
- Reports: (relating to) investigations of complaints pursuant to section 39(1)(d) of the Act
- Guidelines for Employers in Trinidad and Tobago
- Unit Manuals, Policies and Procedures
- Handbooks and Brochures
- Public Education Video Features
- Radio Advertisements
- Legal Notices
- Public Notices
- Employment Notices
- Billboards
- Press Releases and
- Other advertisements
- Proposed Amendments to the Equal Opportunity Act
- Strategic Plan 2015-2018

SECTION 8(1)(b) IN ENFORCING WRITTEN LAWS OR SCHEMES ADMINISTERED BY THE COMMISSION, WHERE A MEMBER OF THE PUBLIC MIGHT BE DIRECTLY AFFECTED BY THAT ENFORCEMENT, BEING DOCUMENTS CONTAINING INFORMATION ON THE PROCEDURES TO BE EMPLOYED OR THE OBJECTIVES

There are no reports or statements to be published under this section.

SECTION 9 STATEMENT

SECTION 9(1)(a) A report or statement containing the advice or recommendations of a body or entity established within the Commission.

There are no reports or statements to be published under this section.

SECTION 9(1)(b)

A report or statement containing the advice or recommendations of a body or entity established outside the Commission by or under written law, or by a Minister of government or other public authority for the purpose of submitting a report or reports, providing advice or making recommendations to the Commission or to the responsible Minister with line responsibility for the Commission.

There are no reports or statements to be published under this section.

SECTION 9(1)(c) A report, or a statement containing the advice or recommendations, of an interdepartmental Committee whose membership includes an officer of the Commission.

There are no reports or statements to be published under this section.

SECTION 9(1)(d) A report or a statement containing the advice or recommendations, of a committee established within the Commission to submit a report, provide advice or make recommendations to the responsible Minister for the Commission or to another officer of Commission who is not a member of such committee.

- Proposed Amendments to the Equal Opportunity Act
- Strategic Plan 2015-2018

SECTION 9(1) (e) A report (including a report concerning the results of studies, surveys or tests) prepared for the Commission by a scientific or technical expert, whether employed within the Commission or not, including a report expressing the opinion of such an expert on scientific or technical matters.

- Reports on Public Education Seminars

SECTION 9(1)(f) A report prepared for the Commission by a consultant who was paid for preparing the report.

- Training Reports

SECTION 9(1)(g) A report prepared within the Commission and containing the results of studies, surveys or tests carried out for the purpose of assessing, or making recommendations on, the feasibility of establishing a new or proposed Government policy, programme or project.

There are no reports or statements to be published under this section.

SECTION 9(1)(h) A report on the performance or efficiency of the Commission, or of an officer, division or branch of the Commission, whether the report is of a general nature or concerns a particular policy, programme or project administered by the Commission another public authority, the Minister with line responsibility for the Commission, or Cabinet.

- Annual Report
- Strategic Plan 2015-2018

SECTION 9(1)(i) A report containing final plans or proposals for the reorganization of the functions of the Commission, the establishment of a new policy, programme or project administered by the Commission whether or not the plans or proposals are subject to approval by an officer of the Commission, another public authority, the responsible Minister of the Commission or Cabinet.

- Strategic Plan 2015-2018

SECTION 9(1)(j) A statement prepared within the Commission and containing policy directions for the drafting of legislation.

- Proposed Amendments to the Equal Opportunity Act

SECTION 9(1)(k) A report of a test carried out within the Commission on a product for the purpose of purchasing equipment

- Proposed Amendments to the Equal Opportunity Act

SECTION 9(1)(l) An environmental impact statement prepared within the Commission.

- Strategic Plan 2015-2018

SECTION 9(1)(m) A valuation report prepared for the Commission by a valuator, whether or not the valuator is an officer of the Commission.

There are no reports or statements to be published under this section.

January 2018