

What EOC does – and why it matters

NEWSDAY 3 Days Ago



ADELE RAMGOOLAM

THE EQUAL Opportunity Commission (EOC), in its mission to eliminate discrimination and promote equality, is ever mindful that it is important to remind citizens about the functions of the commission and the tenets of the Equal Opportunity Act, Chap 22:03, to enable them to exercise their right to equality. In many ways, the EOC provides a framework for larger conversations on equality and the first step in doing so is ensuring that the public is aware of the law.

The EOC is a public body that was created in accordance with the provisions of the act for the purpose of exercising the jurisdiction conferred upon it by the act. Our mandate is to work towards the elimination of discrimination and the promotion of equality of opportunity and good relations between people of different statuses through investigation, advocacy, public education, research, and the conciliation of complaints. Services at the EOC are free of charge to all members of the public.

The EOC operates within the ambit of four broad categories of discrimination and on the basis of seven status grounds. We are guided by the act to enforce the prohibition of employers, educational institutions, the providers of goods and services and the providers of accommodation from treating with people adversely because of any of the following inherent and personal attributes: their race, ethnicity, sex, religion, origin, marital status or any disability that they may have.

What is important to note is that a category of discrimination must correlate to a status ground, for eg an employer refusing to hire a person because of their religion.

The act also proscribes instances of victimisation as a result of a complaint of discrimination and offensive behaviour committed with the intention of inciting gender, racial or religious hatred in a public setting, with the exception of a place of public worship, because of a person's or group's gender, race, ethnicity, origin or religion.

The EOC continues to receive, investigate and conciliate matters of discrimination. As such, a person who believes that they have been subjected to discrimination in any of the above areas may lodge a complaint with the EOC. The EOC attends to every complaint lodged at its office; firstly by verifying if the complaint meets the legal threshold stipulated in the act.

Once that hurdle has been surmounted, a detailed and extensive investigation takes place to determine all the relevant facts and issues, gather evidence and give both the complainant and respondent the opportunity to state their case. Some complaints may be resolved during the investigation process by proactive action taken by the parties. Others proceed to conciliation, another free, in-house service provided by the EOC's very experienced and qualified conciliator.

If the matter is unresolved after conciliation or if the parties are unwilling to attempt to conciliate the dispute, the complaint can be referred to the Equal Opportunity Tribunal (EOT). The EOT, which is an independent body, separate and distinct from the EOC, is a

superior court of record and its mandate is to hear and adjudicate on matters referred to it by the EOC. The EOT has the power to make orders, declarations and awards of compensation as it determines to be appropriate.

In addition to the functions listed above, the EOC offers free services such as inclusivity training for organisations, appearances on webinars and panels as subject-matter experts, publication of guidelines, advising state enterprises and non-governmental organisations on the development of anti-discrimination policies, working with stakeholders on projects to amplify calls for equality, and be a part of movements that meaningfully and positively impact individuals, communities, society and the nation.

Why the EOC's work matters

The EOC is positioned to be the leading public authority on equality and discrimination. We promote the prohibition of certain kinds of discrimination and allow a mechanism for those who have been discriminated against to pursue redress. The EOC provides an essential service that affords affected people the choice to bring their complaint of discrimination to the commission without any legal representation required.

The burden of legal fees can deter individuals from seeking fair treatment, compensation or justice, especially when they have limited financial means or have been terminated and are without an income. By submitting a complaint to the commission, citizens have the opportunity to have their dispute objectively investigated by an independent body free from bias and influence.

At the EOC, we are committed in our duties to foster greater public education and better inform citizens on their rights and obligations. This awareness is beneficial in promoting better working relationships and equitable interactions between parties across the diverse melting pot that is our society in TT. A knowledgeable citizenry promotes respect, equality and anti-discriminatory practices, which help to maintain the pillars that we stand for as a nation.

For more information on the act and the services of the commission visit our website www.equalopportunity.gov.tt, e-mail communications@eoc.gov.tt or visit our social media pages:

** Facebook: EOCTT*

** LinkedIn: Equal Opportunity Commission of Trinidad and Tobago*

** YouTube: Equal Opportunity Commission TT*

** Instagram: Equal Opportunity Commission TT*

Adele Ramgoolam is Legal Officer I at the Equal Opportunity Commission