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REPUBLIC OF TRINIDAD AND TOBAGO

STATEMENT

BY

SENATOR

**THE HONOURABLE JENNIFER BAPTISTE-PRIMUS
MINISTER OF LABOUR AND SMALL ENTERPRISE
DEVELOPMENT**

On

**THE NATIONAL WORKPLACE POLICY
ON SEXUAL HARASSMENT, 2019**

House of Representatives

MARCH 8th, 2019

INTRODUCTION

Madam Speaker, I am authorised by the Cabinet to make this statement.

For far too long, victims of Sexual Harassment in the workplace have borne pain and suffering in silence as the perpetrators of this disgraceful and unacceptable behaviour have utilised intimidation, victim shaming and abuse of power to get away with it, without facing any sanction or penalty.

However, Madam Speaker those days are over. Today it is my privilege to stand here and deliver this statement on the National Workplace Policy on Sexual Harassment, 2019.

CONSULTATIVE PROCESS

Madam Speaker, the Ministry of Labour and Small Enterprise Development began the consultative process in respect of this Policy with National Stakeholder Consultations on the Draft National Workplace Policy on Sexual Harassment in Trinidad on June 1, 2018 and Tobago on June 22, 2018.

The consultative process provided a platform for multipartite stakeholders to share thoughts on the Draft National Policy and to discuss the pervasive issue of Sexual Harassment in the workplace and its impact on industrial relations climate in Trinidad and Tobago.

Stakeholders who contributed to the development and finalization of this Policy included employees, trade unions, employer representatives, government representatives, representatives of statutory agencies, representatives of non-

governmental organizations, citizens, students, and persons who identified themselves as survivors of Sexual Harassment in the workplace

Madam Speaker, ninety percent (90%) of stakeholders in attendance at the Consultations agreed with the areas identified in the Policy; ninety five point five percent of stakeholders (95.5%) indicated that they believe that the Policy can effect positive change in the workplace.

The recommendations, suggestions and comments of stakeholders were carefully considered in the finalization of the National Workplace Policy on Sexual Harassment, 2019, and I take the opportunity to thank each and every one who has contributed to the National Workplace Policy on Sexual Harassment, 2019.

CONTEXT OF THE POLICY

Madam Speaker, Sexual Harassment is a violation of fundamental human rights and it adversely affects the working environment, undermines gender equality at work, creates unfair practices in employment, and negatively impacts the dignity and well-being of workers.

The National Women's Health Survey for Trinidad and Tobago, 2017, commissioned by Caribbean DEVTrends and the Inter-American Development Bank, identified that thirteen percent (13%) of women experienced Sexual Harassment at work, on the job, in public transport and public spaces, with the highest prevalence of this type of harassment being in the form of electronic messages with sexual content, eight percent (8%), and being groped in a public space, seven percent (7%). The survey also suggested that in certain instances, as many as eighty four (84%) of Sexual Harassment experiences were unreported.

THE POLICY

The objective of the Policy is to prevent Sexual Harassment in the workplace, identify and address relevant issues, and provide guidance on actions that may be taken by stakeholders in addressing this issue.

Madam Speaker, one of the most important elements of the Policy is that it clarifies the ambiguity of what is Sexual Harassment in Trinidad and Tobago by setting out definitions, identifying core values and aims, amongst other important concepts and identifying the actions we can all take, in our roles at the workplace, to address this issue.

Sexual Harassment, Madam Speaker, is any physical, verbal or non-verbal conduct of a sexual nature and other conduct affecting the dignity of women and men, which is unwelcome, unreasonable, and offensive to the recipient; and a person's rejection of, or submission to, such conduct is used to explicitly or implicitly as a basis for a decision which affects that person's job; or (*hostile work environment*) conduct that creates an intimidating, hostile or humiliating working environment for the recipient.

In defining Sexual Harassment in our cultural context the Policy also explains that occasional compliments that are socially and culturally acceptable and appropriate are generally not considered Sexual Harassment. The perceptions in different contexts of what constitutes Sexual Harassment in the workplace are extremely diverse, but the key characteristic of Sexual Harassment is that it is **unwelcomed and/or unwanted by the recipient**.

Sexual Harassment can occur at all levels within the organisational hierarchy structure, with any worker or employer being a perpetrator or a victim of Sexual Harassment, which may occur via;

- Male(s) to female(s)
- Female(s) to male(s)
- Male(s) to male(s)
- Female(s) to female(s)

The Policy, Madam Speaker, applies to all employers, prospective employers and workers, including household assistants, apprentices and trainees of all forms of enterprises in the public and private sectors. The Policy also applies to Third Parties, such as subcontractors, volunteers, patients, clients (including hospitality and tourism industry), customers, stakeholders of employers, etc.

Madam Speaker, it would be remiss of me to not recognize that Migrant Workers experience sexual and other types of exploitation as well as Sexual Harassment at work. Migrant Workers and in particular female Migrant Workers face several vulnerabilities and I wish to make it pellucidly clear that this Policy applies to all workers, regardless of their residency status; this Policy applies to Migrant Workers.

Time does not permit me to elucidate further into the rich content of the Policy and I urge everyone to access a copy of the Policy on the website of the Ministry of Labour and Small Enterprise Development and study it carefully.

CLOSING

As I close, I remind all of us Madam Speaker of the words of an unknown author “*Excellence is never an accident; it is the result of high intention, sincere effort, intelligent direction, skilful execution and the vision to see obstacles as opportunities.*” This Policy is a tool that empowers all of us and I encourage everyone to read it, digest it, and live it. When we are empowered as individuals our nation is empowered.

I thank you Madam Speaker.