
THE

House of Assembly Debates

(UNOFFICIAL REPORT)

PARLIAMENT 2018 – 2022

HOUSE OF ASSEMBLY

Tuesday, July 28, 2020

Pursuant to the adjournment, the House of Assembly met at 10.16 a.m. on Tuesday, July 28, 2020, at the Worthing Corporate Centre, Christ Church.

PRESENT

His Honour A.A. HOLDER, LL.B. (Speaker) His Honour G.A. CLARKE, J.P., B.Sc., Dip. Ed. (Deputy Speaker)

Hon. Miss MIA A. MOTTLEY, Q.C., LL.B. (Prime Minister, Minister of Finance, Economic Affairs and Investment)

Bishop the Hon. J.J.S. ATHERLEY, B.A., B.Sc. (Leader of the Opposition)

Hon. G. W. PAYNE, Q.C.

Hon. D.D. MARSHALL, Q.C., LL.B. (Hons.), L.E.C. (Attorney General and Minister of Legal Affairs)

Hon. R.St.C. TOPPIN, LL.B. (Hons.) (Minister of International Business and Industry)

Hon. T.A. PRESCOD, B.A.

Hon. Miss C.Y. FORDE, J.P., L.C.P. (Minister of People Empowerment and Elder Affairs)

Hon. K.D. SYMMONDS, B.A., LL.B. (Minister of Energy, Small Business and Entrepreneurship)

Dr. the Hon. W.F. DUGUID, J.P., B.D.S. (Comm.), F.D.S., F.D.R.C.S., (Minister of Housing, Lands and Maintenance)

Lt. Col. the Hon. J.D. BOSTIC, MVO, B.A. (Hons.), (Minister of Health and Wellness)

Hon. E.G. HINKSON, LL.B. (Hons.), L.E.C., LL.M.

Hon. D.G. SUTHERLAND, B.Sc., M.Sc., M.B.A. (Dist.), (Minister of Youth, Sports and Community Empowerment)

Hon. Miss S.J.O. BRADSHAW, LL.B. (Hons.) (Minister of Education, Technological and Vocational Training and Leader of Government Business)

Hon. W.A. ABRAHAMS, LL.B. (Hons.) (Minister of Home Affairs, Information and Public Affairs)

Hon. Ms. C.S.V. HUSBANDS, B.A. (Minister in the Ministry of Foreign Trade)

Hon. R.R. STRAUGHN, B.Sc. (Minister in the Ministry of Finance)

Hon. Miss. M.K-A. CADDLE, M.A. (Minister in the Ministry of Economic Affairs)

Hon. C.E. JORDAN, B.A. (Minister of Labour and Social Partnership Relations)

Hon. C.McD. GRIFFITH (Minister in the Ministry of Water Resources)

Hon. A.R. FORDE (Minister of Environment and National Beautification)

Hon. K.D.M. HUMPHREY, B.A. (Minister of Maritime Affairs and the Blue Economy)

Hon. I.A. WEIR (Minister of Agriculture and Food Security)

Hon. P.R. PHILLIPS (Minister in the Ministry of Agriculture and Food Security)

Hon. J.A. KING (Minister in the Prime Minister's Office)

Mr. G.P.I. GOODING-EDGHILL (Minister of Transport, Works and Water Resources)

Mr. R.A. THORNE, Q.C.

Mr. N.G.H. ROWE

Dr. S.E. BROWNE (Madam Chairman of Committees)

Prayers were taken by Reverend Mark Harewood.

Mr. SPEAKER: This House is now in Session.

MINUTES

Hon. Miss S. J. O. BRADSHAW: Mr. Speaker, I beg to move that the Minutes of the meeting held on Tuesday, July 21, 2020, be deferred.

The question that the Minutes be deferred was put and resolved in the affirmative without division.

ORDERS OF THE DAY

SUSPENSION OF STANDING ORDERS

Hon. Miss S. J. O. BRADSHAW: Mr. Speaker, I beg to move the suspension of Standing Orders 6, 16, 18, 20, 42(5), 43 and 44 for the remainder of today's Sitting.

The question that the mentioned Standing Orders be suspended was put and resolved in the affirmative without division.

GOVERNMENT BUSINESS

ORDER NO. 14

To move the passing of a Resolution to approve the Public Service General Order, 2020.

Mr. SPEAKER: Honourable Member for St. Joseph.

Hon. D. D. MARSHALL: Mr. Speaker, this matter is one which I do not believe should detain this Chamber for overly long, and in fact during the discussions with our parliamentary group on the matter at hand, because we are amending Schedules, it is actually quite technical. Sir, before I do that there are in fact two Resolutions; one in relation to the Public Service General Order, 2020, and secondly the Public Service (Teachers) (Amendment) Order, 2020, and I believe that the subject matter of the two would be such that it would be prudent for this Chamber to have a cognate debate in that regard. Therefore, I ask with the Chamber's lead that we so agree.

Mr. SPEAKER: Honourable Member, are these Orders 14 and 15?

Hon. D. D. MARSHALL: Yes, Sir.

Mr. SPEAKER: The question is that Orders 14 and 15 be part of a cognate debate as they are inextricably linked.

The question that the Resolutions be debated as a cognate debate was put and resolved in the affirmative without division.

Asides.

Hon. D. D. MARSHALL: Mr. Speaker, in the closing days of our last Administration we sought to completely transform how the Public Service would function. We consulted extensively with the workers' representatives. We put a lot of effort into it and we enacted, I believe it was in December of 2007, a new Public Service Bill. For the most part, Sir, I think that Bill was well received by the public sector. They felt it was one

that was long in coming and I was pleased to have been the Attorney General who worked on getting that Bill in a condition that it was ready for Parliament and ready for debate. The last Administration made some Amendments to the Bill but for the most part the Bill has remained unchanged. Sir, events have recently caused the Members of the last Administration to wake up and to criticise this Government indirectly in relation to how we dealt with the Public Service Act, and that related specifically to criticisms of the validity of the appointment of the Deputy Commissioner.

Sir, let me say at the outset that this difficulty is remedied in this Order but you would think if the criticisms were accurate that we would come to this Chamber and just make an Order in relation to the Deputy Commissioner's post. Not so Sir, as we investigated the history of dealings between 2008 and 2018 in relation to the public service, we in fact discovered that they were a large number of illegal, I am using the term they used, post in the public service occupied by good and solid public servants who were going to work every single day and carrying out their duties. Now I do not want to rake up this issue all over again Sir, but I do feel it is important to lay it to rest.

Mr. Speaker, I am simply making point that in a situation where this Administration is charged and vilified for doing all kinds of things in relation to a single post, the last Administration, over a ten-year period created improperly as much as 200 post in the public service and placed public servants in them and did not rectify the defect. However, Sir, it behooved them to call the kettle black and say that we were committing all ends of crimes and grievous wrongs and assaults and the sensibilities of right thinking Barbadians, when in truth and in fact Sir, the record show that they improperly created a large number of post, the vast majority of which continue today in contravention of the very Act that they blame us for.

Now, at the time when these things were being done or omitted from being done, the current leader of the Democratic Labour Party was a member of the Senate. In fact of I am not mistaken, I think she was a member of the Senate for both of their terms, and at no time did she notice the beam in their eye, but she proverbially notices and prances up about the mote in ours.

Sir, we are not people who will see something wrong and fail to correct it. Hence in correcting our own error, we are here today to correct and I am trying to give you the exact number and in think the exact number is 200 plus. We are here to correct our one error and all 200 plus of theirs. There is no fuss or fanfare, nobody is pointing fingers at the public servants, because a public servant who is offered a job, takes that job in good faith and for the most part will come to work and discharge those responsibilities with diligence and commitment. That is an

important place to start, because these post are occupied not by machines or faceless beings, but they are occupied by Barbadians in every way like you and me. You know, the trade unionist in the Other Place announced that the Deputy Commissioner should pay back every penny of the salary that he has drawn.

Now, if that were to happen, then all of the public servants, some of whom may even be in his union, some of whom he would profess to care for and to be their chief combatant, all of them would have to pay back every penny that they also earn between 2008 and the year of our Lord 2020. What a calamity that would be. Can you imagine that Sir? You know, there is one thing, it has been driven into our head and it is perhaps interesting that we do this debate today coming near just over 24 hours after the death of the Former Prime Minister, because he was the person who championed and pushed the work on the Public Service Bill.

I recollect many things he said, but the one thing I recollect, one of the things that should govern the thinking of all parliamentarians, is that you can always change policy but you should never change a principle. Sir a principle is at the foundation of whatever you do. Fundamentally you know rights are principles, there are principles, and we understand it clearly. You do not change principle but you can always change a policy, because policy becomes like dogma, you can say that factual matrix is gone now, so let me try something else, you do not be dogmatic about those things. However Sir, you keep a principle.

Hence, I wonder what the spokesman in the other place for the Opposition party will say about these 200 public servants having to pay back in some cases 11 years of salary to the public service, because there was an omission in relation to their appointment. I wait to hear.

Sir, an Administration that recognises that they are omissions, especially when there is no animus or mal-intent in relation to them, must as a matter principle put those things right. Hence Sir, we are here to put right ten years of public service post that were created administratively and that were only supposed to be in existence for three years, because the Act says, you can have temporary post for three years, but beyond that you can extend it, but after that extension you must either create the post or finish with it. Plain and simple.

However, these post were created but never extended. The last Administration created posts, the Act said it can continue for three years, but you can extend it for a further three years and thereafter sudden death. They created these posts and they were not extended. You do not hear us prancing up saying that the last Administration was paying people illegally, or that the people who were paid

should have to pay back every sent. Sir, we are not motivated by those kinds of sentiments or malice. We do not treat public servants in that way. Some of them may work in my Ministry and some may work in the Ministry for the Member for St. Thomas, or same may work in this Parliament, I do not know.

The defect that we are here to correct then Sir and I am trying to find the exact number, is a large number of posts which were created as an administrative temporary post which is a thing that I guess is of value to the Public Service. There are times when you need a particular functionary established but you do not anticipate you will need it for overly long. You create a temporary post and fill it.

I think from time immemorial we have been doing that. There has been no difficulty there but they continued after the time had come for them to be at an end. The lesson to be learnt from this in the case of the last Administration is do not call the kettle black unless you first check your own track record because you will find that when you take your fists and point it at somebody, there are three fingers pointing back at you. The current leader of the part was in the Senate, so she cannot say that she was disconnected. The particular individual was a Member not just of the party but was a Member of the Senate representing her Administration.

Therefore, she is as culpable as the others, so instead of being first critic she should perhaps be first penitent. Sir, it is a thick document and, in fact, all of the changes are in the Schedule. Perhaps, there could be a more efficient way of doing this. This particular Order 14 Schedules. There are no names in this document, only offices, what pay scale they are in and the number of offices that now obtain. What are some of those offices, Sir? I am happy to share with the Chamber. Some of those posts created are as follows:

- Foreign Service Officer
- System Analyst and Programmer
- Information Technology Officer
- Community Mental Health Assistant
- Financial Controller.

Sir, all of the posts were not at the lower grade. Financial Controller is a very senior post. I continue with the posts as follows:

- Prison Officer
- Network Administrator

These were some of the posts that were created. My records states that between 2009 and May 2018, some 328 posts were created by the last Administration all of which are to be established. Of those posts, 183 are over six years and, therefore, are being occupied by individuals in breach of the statute. Therefore, we are here today to put wrong things right for those people. 183 individuals are sitting in posts today that have no standing in law to exist. This is what we are fixing. It is to give those people an opportunity to be appointed because those posts are today being established.

Sir, if there is one thing about how we have operated with the Public Service since we came to Government is that it has not just been one of consultation only, it has been one of empathy. I remember as we had to sit down and grapple with the fine details of the Barbados Economic Recovery and Transformation (BERT) Programme, it was obvious that we were going to have to make some changes in how the Public Service was structured. We were going to have to make changes in relation to the size of the Public Service. One of the things that we did was to sit down with every department and went through the exercise of looking at the various posts.

We tried where possible to do last in; first out. We looked at what were the demands of the Public Sector at the time. We tried to get rid of all the anachronistic posts like Clerk Typists. All of these are things that we did. We permitted only those individuals who the department said it could sacrifice. Perhaps, it is not the best word to use but departments stated that those were posts it could perhaps do without. When those persons were sent home, we made sure that they were sent home with severance payment which is something that the Public Service does not have because it does not admit of severance payments.

However, we made sure that we structured things so they could go home with money. Also, we made sure that wherever possible if opportunities arose, those people who were sent home would be the first to be brought back into the Public Service. In my Ministry, I am able to say firsthand that we required services of a number of people and went back for the people who were sent home. We ask them to come back and perform the services on contract. We have a digitization programme that is about to start and every Member of Cabinet is operating on the basis that those people who were sent home in the BERT Programme and want to come back, they represent the corpus of people from among whom the first choices would be made.

Sir, it is empathy. We have trained them even after they left the Public Service, so that they could return and fulfil those jobs; empathy and commitment. The empathy and commitment extends. The attitude and spirit of brotherliness, and being responsible for the people around us instead of demanding a person repay every cent. We say

“no” and let us fix what was wrong because it is not the person’s fault. This is empathy and caring about your brother. Part of that exercise requires us today to deal with these 328 posts. Mr. Speaker, I do not think those people know.

If you pick up a telephone, call any public servant and ask what is the status of his post, he cannot tell you because that is not his job. His responsibility is to go to work every day and do the best that he can do. This is what his job is and not to peep behind to see if his post is legal, illegal or whether someone will call to demand that he has to pay back every penny. Could you imagine the shock waves that would be sent through the Public Service if we were to follow that attitude? 183 people would be sent into a total state of panic and mania wondering what kind of mad people we are operating this country.

This is what we are here to deal with today. The exercise has been painstaking but I thank the members of the Ministry of the Public Service for going through it because the Public Service has a large number of employees. You have to go through a large number of posts. You have to go through 10 years of appointments to determine exactly who is and who is not. Perhaps, it is not even worth mentioning but there are some people who would find all kinds of mechanisms to get rid of people. If we were so minded, this might this might even be a good one, the post is not legal so go home but that is not how this Barbados Labour Party Administration operates, that is now how we are, and that is not who we are. Sir, all of these people by the end of this process in the Senate will be waking up to a new day where they are in occupation of a post that is established because it is the right thing to do.

In relation to the teachers, the teachers’ amendment Bill is a very slight one. We have just inserted a Clause 9 which deals with essentially with appointment of individuals in the same way. Mr. Speaker, as I said this is not one that should engage the attention of the Chamber overly long. I welcome the comments of Honourable Members on it. It requires a debate in both this Chamber and in the Other Place and I commend it to both this Chamber and to all of the Members of the Other Place because it is the decent thing to do. Somebody suggested to me that I should read off the name of every single public servant who would benefit or every single public servant who based on those calls will be thrown out on the air but we do not operate in that kind of invidious manner, Sir. These are our brothers and our sisters. I do not know who they are but I know that they go to work every day and they serve the people of this country to the best of their ability.

Mr. Speaker, I do not believe I could add anymore. If I keep talking I will just end up repeating myself. It is something that this Administration commits to dealing with promptly. We have not been in the business of creating

posts but I give this Chamber the assurance that we will not allow public servants to have to face this kind of scenario again. It is a dreadful thing, Sir, when you now have to be dealing with people and posts for going back as far as 11 years. I mean that is scandalous. What it means is that individuals who should have been mindful of what was being done simply did not pay attention and that is not going to be the hallmark of this Administration. We will be paying attention to the big things and also to the little things, and I therefore ask that these Resolution do now pass.

Hon. Miss S. J. O. BRADSHAW: I beg to second that, Sir.

Mr. SPEAKER: One at a time, Sir.

Hon. D. D. MARSHALL: Sir, I beg to move that the Public Service (General Orders) 2020 do now pass.

Hon. Miss S. J. O. BRADSHAW: I beg to second that, Sir.

Asides.

Mr. SPEAKER: The Honourable Leader of the Opposition.

Bishop J. J. S. ATHERLEY: Thank you very much, Mr. Speaker. I will not detain us overly long. I just want to make a couple of comments. I think it is unfortunate that the Honourable Attorney-General should chose to root much of his submission in this familiar saying that the pot should not call the kettle black and make reference to the fact that the former Administration not now represented in this Parliament would have been critical of the Government for its missteps around the business of appointments whereas in fact the input to us today suggests that the Administration of that time was guilty of the same.

My point is this is more than a game of darts, a war, between Administrations, we are talking now about people's lives and therefore what I hear the Honourable Member for St. Joseph to say is we may have messed about with the lives of some public servants, peoples' lives, but you cannot criticise us because you did it too and you did it in a worst way. That is my translation of what I heard.

We continue as political administrations in Barbados by our own admission to play with peoples' lives and to play with peoples' futures. I heard with my own ears, and both of them are functioning quite well, the Honourable Member for St. Joseph, the Attorney-General, the Honourable Member who last spoke, say that if you ask these people in question what is their status vis-à-vis employment in the public service they do not know, they cannot tell you. Mr. Speaker, that is very telling. It is an

indictment upon the institution of Government, the process of governance in Barbados, that at this level we can stand to admit that if you ask a large number of public servants what their legal status is they cannot tell you and we live in a day when there are the stipulations of the Employment Rights Bill when employers are supposed to properly advise employees as to where they stand.

Mr. Speaker, Government in my view ought to be the model employer and must set the standards. There is so much wrong out there in the world of employer/employee relationships in the private sector world that is wrong and that needs to be corrected, and we are working on some of them and slowly, but if Government cannot provide the model for standards and a properly functioning regulatory framework then we are lost and essentially that is what I am hearing here today. You could come to correct this and that must be done but you cannot glibly say call them by name and ask them and they cannot tell you. Can you imagine that? Can you imagine the Government is admitting that if you ask these large numbers of public servants what their legal status is they cannot tell you? There is something fundamentally wrong about that. We cannot come and say the pot should not call the kettle black. It is not about the pot so much or the kettle, it is about the water in those instruments, the people, that are feeling the pressure, the heat. The ordeal that the Honourable Member for St. James Central knows what I am talking about very well. Mr. Speaker, I do not want to be in any way controversial, I am not even seeking to be scathing in my submission with reference to the current Administration, I am saying that there are systemic failures and [that] part of the reason these systemic failures persist over the years across Administrations is because we lose sight of the people in the midst. Well, there are people here with lives and futures and we have to take that into consideration. We cannot play with people's lives. We cannot reduce this matter in the context of its persistence to being one about administrative considerations. We cannot simply say that somebody (some technocrat) in the public service got it wrong, [that they] did not do what they were supposed to do and [that] there was an oversight. There is a Minister of the Civil Service. There is a Minister with responsibility for the Public Service. There is a Minister of Labour. We cannot just pass it off as an oversight or as a deficiency in the efforts, the approaches of the public service machinery that is responsible civil administration. No, we are talking about people. Mr. Speaker, Sir, I just want to register that because we are talking about people. There are people with careers that they want to see developed and they need to know where they are going. They need to be in a position to make their plans. There are people with children for whom they want to plan and project as well. This is a serious matter and we are here to correct, perhaps, a wrong but in so doing we cannot glibly pass over it and make this a game between pots and kettles. This is about people, in this context we call them public

servants, they provide a service to the public of Barbados without which this society, including this institution right here of which we are a part, cannot properly function. And I say that strongly, not intending to be an attack on the Administration today but an attack upon a system that perpetuates this kind of deficiency and failure.

Mr. Speaker, Sir, having said that, perhaps I should have said this at the start and not at the finish, I want to add my voice in commendation, compliments and congratulations to my honourable friend, the Honourable Member for St. Michael West Central, who is now not in his seat, but who has been recently appointed to the Cabinet of Barbados and I think deservingly so and [so] I would want to record my appreciation of the Honourable Member and the service that the Honourable Member has been rendering the country. I thank you, Mr. Speaker, Sir.

Mr. SPEAKER: The Honourable Leader of Government Business, you have the Floor.

Hon. Miss S. J. O. BRADSHAW: Mr. Speaker, Sir, I do not intend to delay this Honourable Chamber too much longer but I do feel that I need to lend my voice to the introduction of these two Orders presented by the Honourable Member for St. Joseph. At the outset, Mr. Speaker, Sir, let me just say that as Minister of the Education, Technological and Vocational Training, representing a number of teachers and other professionals within the educational system, the matter before this Honourable Chamber today I know will bring some relief to several of our postholders in the system. While the Honourable Attorney-General has alluded to the fact that people are, in some cases and have been for some time, uncertain about their status, it is not said, I believe, with any delight, it is said as a matter of fact, that some people oftentimes have been asking questions in various departments within their ministries about their status and whether the post will be regularised at some point in time, and there have been some cases that they have not gotten the answers that they had been requesting. I think it is therefore fair to say that there are a lot of people who have been out there in limbo. As the Leader of the Opposition has stated, it does not make it right. Both Administrations have presided over things that have not been right in the course of history but what we are here to do today, through the Honourable Attorney-General, is to correct things that have gone wrong. I certainly cannot remain silent, I have to support this measure because I do believe that it will give those persons across the professions and across the service a certain comfort coming out of the passage of these Orders today, in knowing that they are no longer in limbo, in knowing that they have a certain level of job security and a certain level of comfort.

I think, Sir, we often take these things for granted but I do know from my discourse, certainly with the unions

over the course of the last two years that these are burning issues for the union leaders, they are burning issues certainly for the postholders as well. The reality is that sometimes when there is uncertainty it also impacts the ability or the focus of people to do their job, Sir. I think that this Government recognises that regardless of whose fault it has been that we have gotten to this point and that we have a responsibility to correct what has gone wrong. So the persons who will be impacted by these two Orders this morning, Sir, I think they will breathe a sigh of relief in the knowledge that this Administration has not come to office and has certainly talked about it or tried not to correct the situation but that, in truth and fact, we have actually sought to bring some measure of relief to all of those individuals who have been affected over the course of the past few years.

Sir, there have been big jobs and small jobs that have been impacted and I think that is very important because oftentimes we may think that it is a particular type of job that persons have not been paying attention to in terms of regularizing but we have seen in relation to this matter there are a number of posts that were created such as foreign service officer, system analysis programmers, information technology officers, community health sisters, financial comptrollers, prison officers, network administrators that were simply not properly regulated and for many of those persons, obviously not having that security, as I said, it has no doubt played on their minds and I am glad that we have been able to bring that type of relief, certainly, to those persons this morning.

Mr. Speaker, Sir, it also brings to mind the fact that you cannot come to office and condone things that previous Administrations have done badly. I say that, Sir, because it is easy sometimes to come to office and certainly just let it be business as usual. There are lots of reforms that we have been trying to achieve over the course of the past few years (last two years, certainly the last two months). Has it been an easy path to achieve all of the transformational things that we would like to do? I would have to say it has not been easy. We are trying to change a culture. We are trying to change a society's way of doing things. We are trying to change a public service mind-set, and we are trying to do all of that while trying to keep this country afloat, while trying to transform an economy as well. Therefore, I put that in a context because this cannot be seen as any trivial matter this morning because we are again trying to correct things that have been left lying for several years which have impacted on the livelihoods of several persons and we have a responsibility to make sure that we make wrong things right.

Mr. Speaker, Sir, I do not think that the Honourable Attorney-General (as alluded to by the Honourable Leader of the Opposition), has in any way sought to indicate that we cannot criticize this Administration because the other

side it, but [that] they did it in a worse way. I believe (as I am sure the Honourable Member knows) two wrongs do not make a right. But I think the Honourable Member has to be fair. I think somewhere in the Honourable Member's presentation I do believe that the Honourable Member supports the measure, while perhaps not openly stating so and perhaps trying to be more critical than anything.

I do think that deep in his bosom, he too having been a Member of Government understands that even sometimes with the best intention and the best will it is not always easy to come to office and accomplish all of the things that you want to do within a short time-frame. Sir, I am hearing him say on the sidelines that it is true, and I expect him to be honest even if it is only in relation to that matter because he has certainly served this country in Government, he has held portfolios, he knows what it is to change a culture and he knows what it is to correct the wrong things that would have been done by previous Administrations. I therefore know that quietly he does support this and he does support what we are doing. He may feel that we did not do it fast enough but I know in his heart of hearts, I honestly believe that he is supportive of the measure.

He is right that there have been systemic failures over the years in relation to how we have dealt with staffing issues, and those are things which have to be corrected. I, for one, believe that in terms of industrial relations we have to obviously improve the relationships with our staff. Whether that is from within my own Ministry in relation to how we interface with unions or our members, there is a lot of baggage that people have been carrying over the years as it relates to dealing with industrial relations, Sir. I think at the crux of it we have to be in a position within each of the Ministries to be able to find a way to ensure that we deal with matters head-on, that our human resources departments are properly strengthened, that our personnel departments are also strengthened, and that certainly the Ministry of the Civil Service is also strengthened. To say that there is a Minister of the Civil Service is also to say in the other breath that there also so many things which the person who is responsible for in terms of the Ministry and other Ministries has to do as well. Therefore, you have to make sure that you have competent persons working within your departments but also working across Ministries to ensure that issues are nipped in the bud early.

Sir, there is nothing worse than not being able to have intervention from an early stage when people are asking questions about their own job security, or whether there are human resources matters that are coming to fore. Therefore, I think the lesson for all of us in this is, really, that while we may be in a rush to create positions because we recognise there are things which need to be solved quickly, by the same token we have to have the same urgency applied to ensuring that procedures are properly

followed and that we equip our staff across Government departments with the requisite skills to be able to, as quickly as we create a position, put whatever is necessary to be put into place.

Sir, I again want to support these two Order and to echo on behalf, I think, of all of the persons within the teaching profession which has been affected within the Ministry of Education prior to today, and to say thank you to the Attorney General and others for being able to not just see this as a debate that was raised by the Leader of the Democratic Labour Party or others in the public domain, but rather to see this as something that, while we are cleaning up one thing, we are man or woman enough to be able to say equally that there are other things which need to be cleaned up as well. Therefore, this party stands proudly behind its record. It is not afraid to sun from having made a mistake or in any way trying to correct what has been done before. Sir, I have seen in the last couple of years, before coming to office, an Administration not willing to admit where it was going wrong and not willing to correct the same things which it needed to correct.

Sir, I hear the asides which I am sure you also heard, that the Leader of the Opposition is also agreeing with me that those words are quite true. Therefore, Sir, as I said, I believe we are perhaps on the same page even if he has said it differently, and that the Honourable Member will also support these Orders and we can start to bring some clarity to the lives of persons who have been affected by this. Sir, I do support the Orders and I give my full support to the move.

Mr. SPEAKER: Honourable Member for St. Thomas.

Hon. Miss C. Y. FORDE: Thank you, Mr. Speaker. I shall just make a brief intervention to indicate how happy I am that this Resolution has been brought to this Honourable Chamber, especially at this time when so many thousands of people are meeting tremendous challenges and the element of fear has really taken over their lives. I want to indicate that I had that unfortunate experience for 11 years as well; from 1970 to 1981 with no appointment and just temporary ones, no permanent appointments where you are not so sure if the next day you will be able to go out to work to be able to uplift yourself and your family. Therefore, I understand the hardship and the loss of wanting to have the courage to go to work, to be able to produce in a way that most workers are enthusiastic about and would wish to do. Therefore, Sir, it is a wonderful moment today and I am proud to be a Member of this distinguished Barbados Labour Party that is more than 80 years old, and for the contribution that it has made towards workers starting from the time of our great Right Excellent Sir Grantley Adams and coming to the fore in consecutive Barbados Labour Party Governments looking after the

needs and the interests of people and helping to propel them to the level where they are comfortable, independent and have developed that level of pride and satisfaction in offering service in the public and private sectors.

Mr. Speaker, it is a terrible inconvenience when there is that element of fear, anger and the whole notion of not being promoted because you are only temporary and could be sent home at a short period of notice. In a past Administration between 1994 and 2007 I can speak boldly of lending my support to my astute leader, who is now deceased, Sir. With his teams of Members of Cabinet and others, he was able to look towards extending that element of empathy, support, comfort and hope to those persons who were working in the Government sector for so many years without security of tenure. Therefore, that aspect of the legislation that was passed by the last Barbados Labour Party Government up until 2007 ensured that between 1999 and 2007 -- we left in 2008 -- our janitors, or general workers and other persons down the line as well as those regular Government workers were able to have security of tenure. Indeed, Sir, many of them were unable to go home with any money in their hands called a gratuity. The Barbados Labour Party ensured that at that time those persons were made permanent employees in the National Conservation Commission and the Ministry of Public Workers, and persons who would have been considered general workers and "nobody" were the ones who kept our streets clean, who made sure our schools were well looked after. They are the ones who work across the length and breadth of Government, whom people consider to be insignificant, but they are the ones who make sure that our health is kept in a condition that we can go and use the bathroom without having to worry.

Therefore, Mr. Speaker, I believe that this is the right thing that this Government has done. We know of the challenges that we inherited up until May 2018, and we know of the Barbados Economic Recovery and Transformation (BERT) programme and the engagement with the International Monetary Fund (IMF) that would have caused some discomfort among workers, but I am confident that going forward, once we get out of this pandemic era, the people of Barbados will be able to see even more being done and other measures instituted that would ease the plight of our workers in this country. We believe in people empowerment, Sir, and we will continue to work towards ensuring that persons get security of tenure as long as they fit the profile. Therefore, it says yes we are going to continue to work with the unions and the other institutions, CTUSAB and the other institutions that constitute to ensure that everybody in Barbados that is a Government worker or private sector worker, receives the benefits that he or she should get.

Mr. Speaker, I also want to indicate that while we are doing this, it is incumbent upon Government and the

private institutions to ensure that there is a proper appraisal system put in place to be able to measure the contribution of workers. Hence, there must be training on a regular basis. Some people cannot get work on time, because of illnesses, personal issues, sometimes it is confrontation with a partner in household, there is illness of a child or a mother or father who has Alzheimer's, or someone who is disabled. That element of empathy should still there, but the communication from those who are in charge of those persons in the institutions should be coming through from their training to be able to listen and understand and give them a chance and opportunity and say, you cannot finish at 4:30 now because you were out for two hours, but perhaps tomorrow morning you might want to come in a little earlier, or in the evening you might to put in an extra hour and do a flexy time kind of thing.

However, sometimes the rigidity that is in the governmental sector causes a lot of people to be disenchanted and grumbling all of the time and feel that they are being picked on and nobody likes them. I see it and I hear it every day because I was in the system for 25 years. Therefore, I think it is incumbent to make sure that those positions of the appraisal system, let people know where they have made errors, where they have not been as professional as they should be and take out the anger and malice over personalities, because that is a lot that you get in a small society. Everybody knows each other and they promote the person who is a friend of a Minister, Priest or Bishop, or a supervisor in charge of some other entity in the Government, but overlook the ordinary poor man or woman who strives everyday but with tremendous difficulties to be able to deliver. I know that promotion is critical, and if you are there subbing we call it, but that is what you are doing, you are not so sure when next you will go home, when next you will get that contract renewed and so on. I think it is important that we look at how promotion is done and not because of favouritism or nepotism but to make sure that those that are promoted meet the criteria for doing it.

Mr. Speaker, I also think that this opportunity will be able to help persons to better plan their lives, what they want to do, where they want to go, because this kind of waiting for ten and 11 years for an appointment can create so many stressors. You cannot plan your life. They are a number of persons who had applied for a house mortgage to be able to improve the quality or to own, because ownership is really very important to our people and correctly so. Then, because you are not appointed, you go to the bank to access the funds and the bankers say well we had planned it and things were working out but we now have learnt that you are not appointed, you may go home anytime so we cannot allow you to invest in it or to even make the effort.

Similarly, the mortgage companies are not going to be able to treat to you in a manner. That is why I always hurt, when I know that the general workers fund at the Ministry of Housing would have been eliminated by the last Administration. Our workers, especially those that we may call on down the line that are so important to our system. Those general workers and so can get \$5 000 or \$10 000 had been eliminated and many of them are cringing now under the pressure because they cannot do a little maintenance and put on that little water toilet and extend the house in a way because the families are growing.

I am saying once they get the security of tenure in these two areas that we have just mentioned, it gives them that strength and that pride to know that they are serving a purpose and I can continue to go on to give that kind of service to my country or the institution of which I am a part. The stability in the job, and I can probably see the smiles on the faces and the rejoicing of those persons who will be included in these over 200 persons that will be getting their security of tenure as a result of what has transpired.

Indeed, Mr. Speaker I frowned in 2018, just before that last general election, where the Minister of Education was going to Erdiston and handing people appointment letters in their hand. I have never seen it or heard of it before, and I pray that is Government does not bring the indignity in the lives of anybody. I will be very disappointed and I will not support it, because as far as I know, when you are appointed the instrument passes through the hand of Her Excellency and then persons get them in the mail and they respond to the letters. However, to be standing as a political person or handing out those appointment letters says, you are getting this because of me the politician and I know how that may sway the minds of people, because they want it after all, it is a need and very urgent.

I am happy that this Barbados Labour Party Government has never done it before and I do not want for it to happen at all.

Mr. Speaker I finally close because I know that once these individuals, workers in the Government can get their letters of appointment in their hands, because it will be properly regularised, it will reduce some stressors. All of us in here and those out there who are politicians and those who are trying to aspire to become politicians know, people come and say I will like to do so and so with the place, I will like to buy a little car because where I live is so far from the workplace, but I cannot do it because I am not so sure if I am going to get my, I cannot remember what you call it, renewed. They are not so sure so they do not want to take that chance to go into those muddy waters and then people come and pick up the car because that is a very

common thing now. They pick up the car and house and leave you stranded and then you have more stressors and then end at Psychiatric Hospital or there is abuse in the household because everybody is on edge as a result.

I know and I believe that civil servants in Barbados and workers generally across the country will want to be recognised and be given that opportunity to be able to be appointed so that they can build their families, they can continue to produce, continue to improve the quality of their lives and pay their bills. Of course where there is an opportunity for promotion that they will be recognised for the contribution that they have made.

I know people will say well some civil servants do not answer the phone, I cannot answer it either, Mr. Speaker you cannot answer all of the calls either, but we try to work and respond as best as we can to be able to make it happen, but there are times when you have a client in front of you and the situation is so tenuous, and if you miss and answer that phone you lose the attention of that individual. They feel that you have abandoned them, you make them feel less than a human being. If you are a social worker you will know and Sir you are a distinguished social worker of many years and therefore you understand to what I am speaking.

However, I wish that at least with the training and the comfort that they will receive from these appointments that they will be able to better fit back in those who have become disillusion, fit back into the profile that is expected of them because they have agreed to come to public life and to serve and once they do their best at the end of the day I know that angels cannot do more, not all will, but I believe 95 to 96 per cent of our civil servants are excellent and will continue to grant or offer service that is necessary and I would wish for those who are in charge to cut out the stigma and discrimination because they are people who are working in environs that might have had a toe taken off because of diabetes and they are treated as though they are the animals in the yard. There are some persons living with HIV and because one person gets to know, then that person is vilified. The person is shunted in a corner as a result.

All of us have to act professionally whether we are appointed or not, so that workers feel that they are safe, their jobs are secured and that they are here to serve the public of Barbados and others in doing the best that they can. Therefore, I highly commend the Honourable Attorney General and the team which worked together. Indeed, this Government at this time when we are going through so many challenges will bring this Resolution to the fore so that Barbadians can get a relief at the end of the day coming so close to Emancipation Day to know the Government cares about you. You care about the clients who face you every day.

Therefore, I highly lend my support to this Resolution and pray that as time goes on, the economy improves, COVID-19 returns to wherever it came from and leave us in the world at peace to continue to reach out, touch and change lives around, I believe that we can do it as proud Barbadians. Those persons who are working in the Civil Service, we know that they are all black people. Black lives matter and this is another chapter in showing that we care for the people who serve us day and night, including those who are serving this Honourable Chamber. I wish to thank you for giving me the moment. I am obliged.

Hon. Ms. C. S. V. HUSBANDS: I thank you very much, Mr. Speaker. I rise to give my support to the Bill that is before the Honourable Chamber because it is important that we treat our citizens with dignity. It is important that we understand and be responsive to their needs. We must see beyond using people to get work done without caring for their status, the security of tenure and the impact we have when we are tardy in regularizing their status.

Mr. Speaker, Barbados is in urgent need of being able to bring the necessary reforms to the Civil Service in order that we can improve in our effectiveness and efficiency because Barbados is now faced with very challenging conditions emerging from the COVID-19 pandemic. It is going to call on every person to make the necessary changes, to perform and adapt to the various structures that will be made different. How can we in all honesty call on our Civil Service when there are things that as leaders we have been negligent in relation to their well-being and peace of mind. If we need people to be responsive to what we are asking of them, it is very necessary that we are responsive to the needs which they have.

I have to share, Mr. Speaker, that on coming into office one of the things I was confronted with within

the first three to four weeks of taking up my position was to have some civil servants quietly come to my door and ask whether they could have a word with me. The story was forever the same. Even in my constituency, people would seek me out and put their case before me. The persons would have been in the Civil Service for 14, 7 or 6 years but have not been appointed. Honestly, I was shocked to discover that this was the case.

They shared with me the discomforts that they experienced in finding themselves in a temporary position in which they could not take their lives forward. Some felt and believed that perhaps it was purposely done. Some felt it was a form of victimization. Often, they were unsure as to why after 14, 10 or 7 years they have not been appointed. Is there a problem with their work? Is there a

problem with them and their relationships with team members? What is it that they are failing in that have caused them to be singled out and not appointed?

Mr. Speaker, I would have been unable to explain to them why a Government would be negligent in ensuring that people were appointed. I was unable to explain to them why it was taking so long. What brought me great regret is that I remembered when the BLP Administration in 2007 made the determination that we were going to appoint officers who had been serving for over four years within the Civil Service. We were going to regularize their status. Why? We recognized that these persons were unable to go and get a loan.

In some cases, they may have had a child they wanted to support to further their education overseas and needed a loan in order to facilitate that dream of their child, but they could not because the lending agencies were reluctant to take a risk on giving someone who was not appointed. Some were living in conditions where they were residing at their mother's house. The house was now in disrepair and in urgent need of being renovated. Again, by not being appointed they were not eligible for taking on the risk of a loan. Therefore, they had to continue to scotch where they were and continue in conditions that were less than acceptable to them and their families.

In other words, what was happening to the lives of those civil servants who were awaiting appointment is that we were injuring their lives. We were delaying their dreams. We were denying them the advancement they deserved. Under those conditions, how could you expect that people would be excited about their work or to always and continuously give of their best when their personal lives are hedged in, made difficult and limited because they were not appointed. A team of persons who set themselves up as leaders of the country could not take the opportunity to do so. In 2007, the then BLP Administration had made the determination to formalize those appointments and generate those instruments.

On the election, the change in Government resulted in the new Administration laying aside and not publishing in the Official Gazette those people whom we had agreed to have appointed. Sir, one can only call that an act of malice. One can only call that an act of "badmindedness". We pondered as to why they would single out these civil servants who had so richly deserved their appointment and to lay those appointments aside when we had already determine they would be formalized. All it required was to Gazette it. Mr. Speaker, I know that we have to use our language carefully when speaking of different Administrations but I will tell you that I was deeply disappointed by an Administration that had tried to characterise itself as one that cares for people, that cares of the small man, the ones who are the saviours of Barbados,

and to do that to thousands of civil servants, to deny them by refusing to gazette it I think was an act of malice and unworthy of that party. Mr. Speaker, that is why today I am happy, I am delighted and I am glad that we are taking the opportunity here and now to regularise the status of these workers.

Sir, it is going to be too late to bring value to some people because I have met some civil servants who are retiring this year and early next year but I am hoping for those that it will be able to help them put things right and give them security of tenure and more importantly peace of mind that they now will take the opportunity to be able to move forward with their lives and to be able to do all of the things for their families that they want to do because they now have been able to be in a job in which they are secured in relation to their job.

Mr. Speaker, I feel strongly that this would be of great benefit to the civil service. I feel that achieving this particular level of appointment, of being sure of their job, is going now to create a different environment, a different mind-set, in those who are going to receive this. Sir, I believe that this would act as a powerful motivator to them now that some of this pressure is removed from off of their heads and from off of their families that when we give the call to rise to the occasion, to move to another level, that they would be willing to so do.

One of the things, Mr. Speaker, that needs to be addressed within the civil service in relation to jobs and in relation to people is that we have to be able to find a way to change the morale of civil servants. I believe, Mr. Speaker, that when people get up on mornings they should look forward to going to work. I believe that when they get up on mornings they must feel a sense of importance in terms of the job that they are going to, that their job matters and how well they execute that job means something to the well-being of people.

In my former life, Mr. Speaker, I constantly told workers that Barbados is only as strong as what is going on within the minds of every Barbadian every day and that it was imperative that Barbados is able to start building a nation of persons who understand our national policy and who understand how their dreams would be accomplished because the national policy is on target, it is well executed and therefore every person must contribute to that. I am hoping, therefore, that those now who will enjoy the security of tenure their morale will rise and their hearts, their minds and their ears will be open to understand the critical role each of them can play in moving this nation forward.

Indeed, Sir, I often say that 30 people can get together and make a determination about leading a country into political independence and once you share the message

with the people and you are convincing in your answers to them the concerns they may about going towards going independence, 30 people can sit and make that a reality but when it comes to economic independence, economic independence requires that every single Barbadian put his or her hand to the plough and work towards making Barbados a nation that is prosperous and successful.

Sir, not only will the appointments create the security of tenure and therefore the peace of mind and hopefully raise the morale of our civil servants, I think there is another benefit that is to be derived. Until one works in Government the average citizen does not have the awareness as to the impact the civil service has on their everyday life. They generally see the civil service as something they do not engage on an everyday basis except they have to go and pay a licence, except they have to go and apply for something or they have to go and get permission for something or they have to engage the court system, and so very often people who work both within the private and public sectors have not idea of the far-reaching impact the job of the civil servant has on their life and their own prosperity. If we are able to appreciate the kind of impact it has it will then make sense why as a Government we should make every effort to make our civil servants comfortable and happy, give them the necessary leadership that they need, provide them with a consistent system of discipline and give them interesting work to do every day that engages their mind, their energy and passion and so by their effort be able to take Barbados forward.

Mr. Speaker, when you look at an economy and you look at one of the things that can drag it back - as I said how the civil service works impacts on that and I just want to give a brief example because I want people to understand why it is important what we are doing today. Mr. Speaker, within your economy you may have, for example, someone who wishes to start a business, let us say it is a laundromat, and the person would like to engage 15 workers, they have made their application, they have identified the place in which they are going to operate, they have started a process of interviewing people looking to bring them on to work and they sent off for the goods and equipment that they need to start the business. When that equipment gets to the Port and there are long delays at the Port in clearing that container, if the licences that they have to have and if there are inspections that they need to have and those things are delayed, what it means every week that business is not completed by our civil service to enable our private sector to move forward you are doing a number of things: You are delaying jobs and because you are delaying jobs you are delaying consumption in your economy because the business has not started in the way that it should it is not able to buy supplies and therefore other businesses suffer and because they are not generating a profit as yet Government cannot get revenues just because of delays at the Port, delays in getting licences,

delays in getting inspection, therefore a demotivated civil service, a civil service that has other concerns, because they are not comfortable in the environment will find that they may not focus in performing those everyday tasks with the speed and dispatch that the economy requires therefore regular rising the status of those workers is one of the means of helping to improve the output and productivity of the service and therefore fuelling growth and energy into your wider economy. Mr. Speaker, that is one of the reasons why it is so important and that is why it is counterproductive to frustrate your civil service.

Mr. Speaker, Sir, what we have done today, as was shared earlier, this Barbados Labour Party can focus on things large and small. We can deal with the external and the internal. We can walk and chew gum. What we are seeking to do today is to ensure that we do not continue to leave people behind, and when we fail to regularise their status we are causing a set of civil servants to be left behind and that will never accord with our philosophy, it will never accord with our values, it will never accord with our heart.

Mr. Speaker, Sir, one of the things I was very pleased to be able to say as I shared with you, I had civil servants both in my constituency and in ministries who put the question: "When am I going to get appointed?" Mr. Speaker, Sir, I am very happy to be able to report to them that this Administration that cares about people, that cares about their well-being, we have taken the step today to regularise their situation, that we are, indeed, as is mentioned, to make wrong things right because it is the honest and right thing to do and so we can hold our heads up and know that as a Government that cares about every citizen, a Government that cares about the future of every Barbadian, large and small, regardless of where they find themselves, that through this Act today we are committing ourselves to moving Barbados and all of its citizens forward, and we are asking the civil service to work with us. We have a lot of work ahead of us to do. The Cabinet of Barbados under the Honourable Prime Minister has made a lot of effort to put things in place to help us weather our COVID-19 but it will need changes (it will need changes) in how our civil service works, so we are going to be calling on them to rise to the occasion again. We are going to be calling on them to look at improvements that need to take place in the way in which we do business in the civil service. We are going to be asking of them to participate in the training. We are going to be asking of them to participate in the changing of our processes, so that we can be more efficient and [can] accomplish more as Government and therefore accomplish more as a nation. And I would have been embarrassed to have to ask them to do so if we had not done what we did today in ensuring that we have regularised their status and I trust it will bless them, their families, their communities and more

importantly, that it will bless the entire nation of Barbados. I am obliged to you, Sir.

Mr. SPEAKER: The Honourable Member for St. Philip West, you have the Floor.

Hon. J. A. KING: Mr. Speaker, Sir, you know, this is again another example of this Administration following the mantra: "A better life for our people." Mr. Speaker, Sir, I will be fairly passionate about this because I remember as a young man leaving school that it was under this very Barbados Labour Party Administration that I was employed and then appointed to a position at the Government Industrial School. Mr. Speaker, Sir, I know from experience how I felt having to be, (basically at the particular point in time, outside of my mom) the next breadwinner in the household and the security of being able to know that as a young man I had the opportunity to go to a bank or credit union or whatever -- some sort of a secure job that could help to propel me to get the things that I needed. Mr. Speaker, Sir, I cannot state it enough, it was extremely important to me as an individual and so I can understand quite well what this means for those persons who are going to benefit from getting their appointments.

Mr. Speaker, Sir, I do not fool myself because while we sit here and we can pontificate about how great this is and all of that (and some people could talk about all the problems they faced with changing of Governments and everything) there is a constant within the civil service which I think oftentimes we do not pay a lot of attention to. I think oftentimes we do not celebrate it enough. We can always find the times when we can criticize but the truth is, administrations will come and go but those civil servants are the ones who have to carry on the work, regardless of which political party in [power] and there comes a time when we as individuals (not as politicians, not as doctors, lawyers and all that) must be able to recognise the role that the civil service plays. We also need (and I heard one of my colleagues speak) to be motivating people. We need to be part and parcel of that. We need to let people know that what they do is appreciated. We need also to let them know that what they do is very important to the survival of every (single) individual on this 166 square miles.

Mr. Speaker, Sir, I really...I mean, I do not even know if I can find the word to describe how I actually feel at this moment, to know that members of my constituency who have been coming to me on a regular basis since 2018 and asking about this very issue, [they being] concerned in the current economic situation in which we find ourselves, wondering what will become of them, that we can put all of those fears to rest by making this move that we are making here today. Mr. Speaker, Sir, I want to say publicly to those persons who are going to benefit from this, thank you. In whatever department in which you find yourself, I want to say thank you for the service that you have given to this

country time and time again. Mr. Speaker, Sir, like [that of] politicians, it is a thankless job. I know, I used to be in the civil service myself (it is thankless) but we do not come to the world for thanks, we do what we have to do because it is what many of us are called to do. Mr. Speaker, Sir, it is not like we wake up one morning and decided that this is what we were going to do, (some people would like to think so) we are called to do certain things and you have to do it to the best of your ability regardless of what may come your way. Mr. Speaker, Sir, so that the same way that we can pat each other on the back as politicians (and I heard a lot of glowing things over the past few days) we must also find time to do the same for those persons within the civil service who really continue to do the work that they do at a high level. Mr. Speaker, Sir, I just wanted to put that out there as a person who knows what it feels like to wake up and to know that there is a bit more security to what they are doing and that it [now] puts them in a better position to help their families and in some instances their communities at large. ???... I believe that those people now can go out and think about it, Mr. Speaker. They can go to the credit unions. They can begin to do the little repairs on their homes which they have wanted to do. They can probably buy that vehicle which they needed in order to get them to the job in a timelier manner. All of these things have little spinoffs, and when human beings are confident -- I do not want people to miss this -- they excel, they are more progressive, they are more productive, and that can only augur well for the society at large, Sir. This is, in my mind, probably one of the most exciting and probably one of the most influential things that we have been able to accomplish in the last two years. It may not look like one of the sexy things because I know lots of people like to see things that they can touch, tangible things. They want to see buildings, they want to see roads fixed, they want to see all of those kinds of things but this, Mr. Speaker, touches people at the core of their lives; security, the ability to plan ahead, the ability to see a future. This, to me, is what it is all about. When you talk about creating a better life for your people, this is at the root of it; giving people a sense of security and peace of mind, Sir.

Therefore, I want to commend all of those persons who would have been working on this because I know this would not have been an easy task, knowing the sheer numbers of people who are going to benefit from this. Sir, I also want to put this out there as well; that after this exercise is done, the next step, if it is for us to be motivating people to come to work and to do that which you are supposed to do, then I think if we have to do that also after this it puts me in a position where I would have to wonder what more motivation could a person want than to know he or she is secure in what they do. It is up to us now to move to the next steps. When I say "us" I talk about not only the persons within this room; I refer to the entire Civil Service, all aspects of Government that have to work

together to ensure that the mantra of a better life for our people is real, and real to the people on the ground.

Mr. Speaker, the civil servants have a role to play as they themselves know very well, but we have to ramp it up now in terms of what we do. I sit and I watch what is happening around the world, Sir, and as the world becomes more insular -- I will speak in pure Bajan parlance so that people will understand what I am talking about -- and everybody is "brekking for themselves", it is important that we begin to understand that every single part of Government has to see with one focus. If we are supposed to deliver things to people, it does not matter what side of any political party they are on, you are going to deliver things to people. It cannot be that the job or the weight of that is only on the people leading the institutions, because institutions are all connected. They always talk about the chain and the links within the chain; the links will make it either strong or weak. Therefore, with a step like this, it is incumbent on the other part of the chain to also deliver to people, in a timely manner, things which you are supposed to deliver.

Mr. Speaker, sometimes you can talk about it as customer service if that is the easy term, but for me individually I always say to people it is what is inside of your heart. Do you see what you do as being important? Do you see yourself as being part of making positive change for a country that has given you everything you have? Mr. Speaker, I believe that if every single one of us, Opposition included, see that as what guides us when we come to work, when we go to play and whatever activity in which we find ourselves, then things like this take on a whole different meaning. It takes on a whole different meaning. I want to appeal to the people of this country: Do not take lightly aspects and moves like this.... As I said before, they may not seem as illustrious as new roads and sky-rise buildings and all of those things, but by this Act, children benefit. Older folk who have to be care for by others benefit. I can spell it out for you but I do not think I have to, but it is important that we see how much things like this mean to human beings and to their ability to be engaged and also involved in pushing this country forward.

Sir, I support this and I will not take up any more of your time, Mr. Speaker; just enough to say that if I were still a singing man I would probably sing 'Oh Happy Day', but seeing that I do not sing anymore I will simply say this: On behalf of the people I represent in St. Philip West who I know will benefit from this, my friends, oh happy day. I am obliged to you, Sir.

Asides.

Mr. SPEAKER: Honourable Member for St. Joseph.

Hon. D. D. MARSHALL: Mr. Speaker, I beg to move that this Resolution do now pass.

Hon. K. D. M. HUMPHREY: I beg to second that.

The question that the Resolution be now passed was put and resolved in the affirmative without division.

ORDER NO. 15

To move the passing of a Resolution to approve the Public Service Teachers (Amendment) Order, 2020.

Mr. SPEAKER: Honourable Member for St. Joseph.

Hon. D. D. MARSHALL: Mr. Speaker, I beg to move that the Public Service Teachers (Amendment) Order, 2020, and the Resolution in relation thereto do now pass.

Hon. Miss. C. Y. FORDE: I beg to second that, Sir.

The question that the aforementioned Resolution do now pass was put and resolved in the affirmative without division.

ORDER NO. 1

IN THE NAME OF THE HONOURABLE MINISTER IN THE MINISTRY OF FINANCE AND INVESTMENT TO MOVE THE SECOND READING OF THE REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL, 2020

Mr. SPEAKER: Honourable Member for St. Michael South Central.

Hon. Miss. M. K. A. CADDLE: Thank you Mr. Speaker. Sir I will not be very long with this particular amendment to this very important piece of legislation, the Representation of the People Act, Cap. 12. I do however want to begin by saying that this legislation relates to perhaps the single most important exercise that we have the privilege as citizens, as Barbadians, and as individuals to carry out and that is our exercise of and participation in democracy.

Sir, many of us will remember, recently for some, some not so recently, but the first opportunity that we had to participate in something that for many of us we long anticipated the opportunity to do. When I reached that age, where I could be a part of something that the founders of this Barbados Labour Party fought very hard to allow all of us to be able to do, as new members and owners of a new Barbados. When I first had that opportunity, it was a very exciting morning and my parents, me being the last of three girls, woke us up early and said it is time, and we all

walked up the road. I believe at that time it was to Haggatt Hall Pilgrim Holiness Church and made our mark. At that time, it was the constituency that is now St. Michael South East.

Sir I say that to say that the way that we manage and the way that we continue to allow, encourage and facilitate people's exercise and participation of democracy is important. It is perhaps the single most important thing that any government will do and carry out. While that practice happens for us on average every five years, one of the things that we continue to say continue to want to expand is the notion of democracy, the idea of democracy, the fact that it is not in fact something that you go and do every five years. In fact when a Bill goes to Joint Select Committee, when we bring a green paper that then becomes a white paper, when we have numerous consultations on the policy that Government is proposing, all of that and citizen's participation in that is a part of the exercise of democracy. Certainly Sir I have not seen a more consultative and therefore a more democratic administration in this country than this current Barbados Labour Party Administration.

Much of what we have sought to do and I dear say we have been able to do, is to demonstrate the fact that the democracy is not about one day every five years, but it is in fact about expanding people's opportunity to be a part of the democratic process, to say what they feel, to be a part of the decision making, to be a part of the information gathering. Because we need to know who in whose lane and what the characteristics are, needs and desires of the people whom we represent. It is only from that kind of information and participation that good sound effective policy can flow.

Mr. Speaker, the Representation of the People Act, Cap. 12, from 1991 lays out the terms under which people are able to exercise their right to vote in this country. It covers everything from the management of the National Register of Electors to how that register is transmitted, to who may form a part of that register and related matters.

Now, Section 13 of that Act Sir, requires the annual publication of the registers of electors. Section 14 requires the publishing of a revised register and a register for elections, a revised register of Foreign Service electors and a register for elections for Foreign Service electors entitled to vote at any election. Section 9 of that Act, identifies those people who should remain registered as electors and those that are to be deleted from the register of electors.

Sir before I come to the specific purpose of these small amendments to this Bill, I have to say that the gravity and the importance of every citizen exercise of their democratic right and freedom, is one that we have guard very carefully and closely. It is not a small thing, in fact it is perhaps one of the gravest examples of

disenfranchisement that one person can perpetrate against another. It is not small thing to cause a person not to be able to participate or to exercise their right to vote, because of actions that would see them not be represented in the register of electors, so that for whatever reason a person may seek through some nefarious activity or some activity that is in fact nefarious but seems to be innocent, cause a person to not be able to exercise that right. Hence, we have to be vigilant and we have to set extremely high standards to make sure that no Barbadian or person who is entitled to exercise their democratic freedom is not so disenfranchised.

Each year in accordance with Section 13 that I previously mentioned, the Electoral and Boundaries Commission publishes a notice that indicates that the register of electors for each of the 30 constituencies is published on January 31, and it is available for inspection at the offices of the registering officers for the constituencies. Sir right now that register is available digitally, but when we say available digitally, it is on the laptops of the registering officers. It is available at the constituency registration centres and in hard copy at the Public Library as well as at the department's office at Warrens.

Now, the question of access is an important one, and in the year 2020 the definition of access must change. Now just because you print a document and you caused it to be placed at a location does not mean that you have done arguably your duty to provide access as we understand it in the year 2020. Sir, this BLP Administration has realized that the definition of access and the mandate of enfranchisement means that we have meet people where they are.

It means that through our modernization project, work on improving the ease of doing business and many other initiatives, we have sought to bring Barbados forward into the 21st Century and beyond. We reduce the burden and cost to everyday Barbadians of doing the things that we now take for granted. It means that we have made sure that the Police Certificate of Character's application and access is now available online. It means that we have gone Ministry by Ministry and agency by agency to make sure that we begin the process of digitizing records to make them more accessible and readable.

It means that we can more closely analyse the data and develop policy from information that is right at our fingertips, but that has not been properly used before. This issue of access with respect to the work of the Electoral and Boundaries Commission is no different. As we are moving to an e-planning system in Town and Country Planning so that people can make their applications online and moving to digital stamping of plans so that you do not have to have a manual stamp and send the plans through the post which

keeps people waiting for weeks to carry on their business, this is in the same vein. Not only is it the case that currently the Constituency Registration Centres, Public Library and the department office in Warrens carry hard copy of the registered electors, but the Commission publishes also the list of names to be deleted from the Register of Electors twice per year.

For each deletion, the legislation currently requires the Commission to publish the list of names four times in the daily newspapers which amounts to eight publications per newspaper each year. Sir, another part of the importance of making sure we use less paper and move into an online environment has to do also with our fiscal and financial reality. We have all gone over the numbers in this Honourable place many times in the last few weeks but it has meant that as an economy that is extremely open to what happens in the external environment and that sees over 40 percent of its economic activity coming from the tourism sector, that we have estimated as much as a \$400 million hit in our revenue.

It means that we have had to increase expenditure in social protection so that people who suddenly found themselves separated from their work could survive. It means that we have had to make tremendous expenditure in the retrofitting of Harrison Point and similar facilities. It means that we have increased expenditure in a number of ways while we have not been taking revenue in. Therefore, Sir, every cent counts in an environment such as this. The fact is that notwithstanding the reduced rates agreed with the publication providers, the cost of the annual publication of names, as well as the publishing of the notice relating to the publication of the Register of Electors is approximately \$482 000. It is no small amount of money.

We have seen in every instance from Cabinet where we no longer carry those very thick files and heaping mounds of paper with us into the Cabinet Office but we do our business electronically. We saw as far as we can to reduce the cost, both financial and environmental, of having to print lots of paper. We are seeking to make similar efficiency gains across the work and business of Government. Therefore, not just in order to save on the cost of publication but also in order to improve access and similarly move the work of the Electoral and Boundaries Commission into an online environment such that people have more ready access to understand, know and have exposure to the information that affects their democratic right and speak to their franchise as citizens of this country this Bill would, therefore, amend the Representation of the People Act CAP 12 to make better provision for the use of technology in the electoral process and make better provision for the distribution of vital information by the Commission to the use of electronic technology.

It means that there are certain amendments that are required in order to introduce the notion and use of technology throughout this Act. I will make very brief reference to the few short amendments. It means that we require the amendment of Section 2 to introduce a definition of “Electronic Technology”. It reads as follows:

“An electronic system having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities which is used for the creating, generating, sending, receiving, storing, displaying, or otherwise processing of data and information”.

It means that we also have to address the section that relates to the general duties of the Commission so that we include at Section 3 (1) (b) as follows:

“The Electoral and Boundaries Commission shall establish and implement such procedures, processes and practices for the efficient implementation of this Act, and where required the Commission may use electronic technology for the discharge of its functions under this Act or under any other enactment giving powers to the Electoral and Boundaries Commission”.

Sir, Section 9 relates to the right of electors to remain registered. It is something that Barbadians must

and do hold dearly. It is something, as I said, that we have to remain ever vigilant about because as we have seen in other jurisdictions, sometimes the desire for influence may overtake in some people’s minds their understanding of the right and proper functioning of their role and responsibility under law. With respect to the Section 9 which speaks to the right to remain registered at Section 9 (2), the Act states as follows:

“For the purposes of deleting from the register the names of persons referred to in paragraph (a) or (c) of subsection (1), the Commission shall first publish once in the Official Gazette and twice at intervals of not less than seven days apart by way of electronic technology, a notice of its intention to consider the deletion of those names.”

It means that it removes the requirement...???shall first publish once in the Official Gazette and twice at intervals of not less than seven days apart by way of electronic technology, so it means that it removes the requirement to have these printed as paper documents but it also expands the access, it means that there are lower costs of transmission so nobody has to get in a vehicle to drive to different places to drop off a paper copy of something at the public library or in Warrens, it means that those costs are reduced to Barbadians that you, Sir, and I and all Honourable Members represent in this place.

Sir, the Bill goes through the various places, whether it is Section 13 that relates to the Register of Electors and the Revised Register of Electors and how that is to be published, how changes to that are to be made known to the public, and finally, Section 71 which related to the mutilating, altering of notices of altering of lists and registers. It simply inserts in those places reference to the term electronic technology so that rather than having to spend \$482 000 in order to make this information known to the public that cost is removed and people would have better access to the information that affects their very lives and existence and enfranchisement in this country.

Sir, before I wrap up on this matter, I also have to make reference to the matter of altering notices and altering registers because the Data Protection Bill, that has passed the Senate and for which there was a Joint Select Committees that saw much consultation with the people of Barbados and with all stakeholders, gives us and allows for the protection of people’s information. Sir, the protection of people’s information is not just for the sake of it, the protection of people’s information is also about their right to privacy, their right to a reasonable expectation of how that information is to be used and also their right to remain registered and to remain included and engaged in the electoral process.

Sir, this is an Act that is a few decades old and at the time the fine for mutilating and altering notices that related to the Register of Electors was seen as a simple act of vandalism of tearing down a list and so at Section 71 at Cap. 12, the Act in its current form makes reference to a fine of \$250 for that action, but what I want to emphasize is that this is not a simple act of vandalism of a piece of a paper or of a document and so the Bill in introducing electronic technology to this section, so by saying that any person who being a member of the public alters, changes or modifies any list, register or document which is published or transmitted by means of electronic technology for use by the public is guilty of an offence and is liable on summary conviction to a fine of \$250, that is not just a simple act of removing public property. A person who removes a name, who modifies a name, who makes any change to the list of the Register of Electors is committing, I would submit to this honourable place, a very grave offence against the very nature and spirit of democracy in this country.

Sir, just as the Data Protection Bill suggests that for similar misuse of personal information and similar efforts to disenfranchise Barbadians that the fine be \$10 000 we would suggest that by amendment to this Bill that the fine at 2(a) of Section 71 as well as 2(b) similarly be in the amount of \$10 000. This is a serious matter and we have to send the very serious message that we do not take lightly and we will not ignore efforts by any party to disenfranchise Barbadians in the Act, the exercise of the very thing that we hold dear in this country.

Sir, with these very few words, I believe that while these amendments to this Act are few and while we need to move to electronic transmission and electronic management of these matters for which the Electoral and Boundaries Commission are responsible is not perhaps a very large matter but is an important one because it is a part of this Administration fulfilling the mandate of enfranchisement and access and inclusion and sending the message that we believe that democracy is something not to be taken for granted, is something to be held up, is something to be held on to and defended.

With those few words, Sir, I beg to move that this Bill be read a second time.

I beg to second that, Sir.

Mr. SPEAKER: The Honourable Leader of the Opposition.

Bishop J. J. S. ATHERLEY: Thank you very much, Sir. Just to cover with a brief comments to use the occasion of the debate on this amendment to the Representation to the People's Act. Firstly, I would want to take the opportunity to repeat, and for the first time repeat, a call I had made for public financing legislation re-elections in Barbados functioning of political parties in Barbados. In fact, I do recall that the Honourable Member who last spoke in one of her more recent submissions also made a call for campaign financing, electoral financing. I would like to put it in a broader frame. I think the Honourable Member who last spoke also rightly identified democracy as a value that we hold dear, want to cherish and one identified by her also is one which should not be taken for granted.

There is a cost attaching to the practice of democracy, there is a cost attaching to the preservation of democracy, but I think the price can never be too high. I heard this reflection offered in recent days, it is something to which I really do subscribed and that is you cannot pursue positive development and in a proper and truly meaningful fashion unless we do so in a context of democracy, democratic practice, hence Mr. Speaker, the name attributed to the most recently established party in Barbados, the People Party for Democracy and Development or more popularly known as the People's Party, PBP. We believe in that. Democracy has a cost that attaches to it to establish the practice to preserve it and the price can never be too high, and I think somehow I hear the echo of those sentiments coming from the bosom of the last Honourable Member who spoke, the price is worth it. Campaign financing (electoral financing) can help us to avoid, and where it does exist, to curb any drift towards corruption in the practice of politics in Government and governance in Barbados. And the ugly spectre of corruption raises its head across many lands. We are seeing

some evidence of it here over which we are all concerned. We need to curb it, we need to eliminate it, we need to eradicate it and I think the establishment of proper legislation on electoral and campaign financing can help us to achieve that end. Certainly it can help to serve to sanitize the process of policy formulation. We need to do something about the pipers who want to call the tunes in Barbados. We certainly need to do something about those in the past who have had some success in calling those tunes, those who would like to call some now. We need to deal with these pipers. Mr. Speaker, Sir, these pipers come in various shades (hues or skin tones) and of various class characterization, they come bearing the wherewithal that the State itself does not have, that political parties do not have, that poor politicians do not have, they want to call the tune. We need to stop them in their tracks because that is a detriment to the practice and preservation of a democratic political culture in Barbados. I want to loudly call (and I repeat that call) for electoral and campaigning financing in Barbados.

Mr. Speaker, Sir, I would be less than honest if I sat before making this utterance as well. I still do not think it is right that today on this day, 28th July, 2020, [that] the only political party in Barbados [and] funded by the State is the party in government. Whatever legislation (and I have not found any), whatever administrative arrangement allows for that [it] has to be reviewed, [it] has to be changed. One might say [that] any new party emerging after the last general election is not entitled (fine, you could make that case) but that is not the only thing to be considered, one has to consider that there is another long established party in Barbados that fought the last election and attained a measure of the vote, yet that party with a long history establishment and certainly with some great measure of credits attaching to itself for what level of development we have attained in Barbados is unfunded (is unfunded) by the State. The only political entity in Barbados funded to any extent by the State is the governing party. Mr. Speaker, Sir, that cannot be right, where whatever existing arrangements now serve to give us that kind of outcome in scenario we need to review and change that. We are talking about democracy, we are talking about preserving it, and we are talking about perpetuating a practice of a culture that allows each of us politically to find importance, significance and value attaching to himself or herself in terms of how we govern this country.

The second thing for which I want to make a call is for serious consideration to be given to fixed dated elections in Barbados (the fixed date for election in Barbados). If the right to vote is as valued as we say it is, (each person who qualifies under the legislation so to express himself or herself), if that vote is as valued as we say, if it is in the democratic context the most important asset in the firmament of our political world, then it cannot

be that one person and one person alone can determine the date on which I express that vote.

Asides.

Bishop J. J. S. ATHERLEY: Now, I have said that before, I say it today, and I will continue to say, that is something to which serious consideration should be given, with a view to changing that. If we think that the practice of democracy in the context in which we want to govern ourselves, if we want to establish credible institutions that form part of that culture, and if we think that the right of the individual vote is a significant thing, then it cannot be the best thing that one person determines when we get to vote. That puts that one person, that puts that one party (represented in the embodiment of that person) in a position of serious advantage and sets all others at a disadvantage when we have come this far with a system that we have had. And it has served us pretty well but I think the fact that we are debating this measure here today in this legislation suggests that we know that there can always be improvement and I believe an area of improvement which ought seriously to be considered is the matter of having fixed dated elections. We know, as it happens in some other places, when we are going to vote, when we are going to get the opportunity to express that democratic right, so hard-earned and won, and no one individual (man or woman, great or small) I do not think that it is the best that that one person should have the power to determine when that happens because that one person then has the opportunity to affect the outcome of elections in that way by choosing the moment most advantageous to them and the party or parties that they represent. I feel that strongly. The Government of the day has the numbers to make the change if they consider it a necessary and worthwhile change. My duty is to raise these issues but beyond duty it is my conviction that it brings us to a place of betterment in terms of the practice of our politics and the enhancement of our democratic architecture here in Barbados. I feel those things strongly. I repeat those calls, electoral and campaign financing, systems for political party and fixed dated elections in Barbados, Mr. Speaker, Sir. I thank you.

SUSPENSION

Hon. Miss. S. J. O. BRADSHAW: Mr. Speaker, I beg to move that this Sitting be suspended until 2.15 p.m.

Hon. Miss. C. Y. FORDE: I beg to second that, Sir.

The question that the Sitting do now suspend until 2.15 p.m. for lunch was put and resolved in the affirmative without division and MR. SPEAKER suspended the Sitting accordingly.

RESUMPTION

Mr. SPEAKER: This Sitting is resumed. Prior to the suspension for lunch this Honourable Chamber was debating the second reading of the Representation of the People (Amendment) Bill, 2019, to that we shall return. Honourable Member for St. Michael South Central.

Hon. Miss. M. K. A. CADDLE: Thank you Mr. Speaker. It simply falls to me at this stage to wrap up this Bill and in doing so I would just like to restate that I think that often we tend to take for granted certain kinds of liberties for which many of our forefathers have fought and for which we continue to fight. We cannot separate the fight for democracy, the fight for real enfranchisement for all Barbadians and the fight that we are currently in to continue to give dignity to the African nation all over the World, to continue to make sure that we hold on to the inalienable human rights that attend to us just by the mere fact that we exist on this planet that we exist in this World. This may seem like a lofty characterisation for an amendment that seeks merely to give force to the electronic transmission of a register of electors and similar matters. I say it because I want us to always keep focus, not just as policy makers but all Barbadians, on the importance of our democratic practice in this Caribbean reality and as the World evolves and as the World is forced to take note of the personhood of all people in this new dispensation.

Sir I want to restate that this Representation of the People (Amendment) Bill, 2019, seeks to give force to the electronic transmission of the register of electors to make better provision for the use of technology throughout the electoral process and to make better provision for the distribution of vital information by the Electoral and Boundaries Commission through the use of electronic technology. Sir I beg that this Bill be read a second time.

The question that the Bill be read a second time was put and resolved in the affirmative without division.

On the motion of Hon. Miss M. K. A. CADDLE, seconded by Hon. P. R. PHILLIPS, the House resolved itself into Committee on the Bill. Dr. S. E. BROWNE, Chairman of Committees, in the Chair.

Madam CHAIR: This Honourable House is now in Committee.

COMMITTEE

Clause 1 was called.

Hon. Miss. M. K. A. CADDLE: Madam Chair, with respect to Clause 1, we are requesting an amendment to the title. The original was the Representation of the People

(Amendment) Act, 2019, we are asking that it be amended to 2020.

Clause 1 as amended was passed.

Clause 2 was called and passed.

Clause 3 was called and passed.

Clause 4 was called and passed.

Clause 5 was called and passed.

Clause 6 was called and passed.

Clause 7 was called and passed.

Clause 8 was called.

Hon. Miss M. K. A. CADDLE: Madam Chair with respect to Clause 8, we are requesting that the new Section 71 at 2(a) the fine of \$250 be amended to \$10 000 and that similarly at 2(b), the fine of \$250 be amended to \$10 000.

Clause 8 as amended was passed.

On the motion of Hon. Miss M. K. A. CADDLE, seconded by Hon. P. R. PHILLIPS, Madam CHAIR reported to His Honour the SPEAKER the passing of one Bill with amendments in Committee and His Honour the SPEAKER resumed the CHAIR and reported accordingly.

On the motion of Hon. Miss M. K. A. CADDLE, seconded by Hon. P. R. PHILLIPS, the bill was read a third time had passed and cited as the Representation of the People (Amendment) Act, 2020.

Mr. SPEAKER: Honourable Leader of Government Business.

SUSPENSION

Hon. Miss. S. J. O. BRADSHAW: Mr. Speaker I beg to move a short suspension of the House for 20 minutes until 3.10 p.m.

The question that the Honourable Chamber be suspended until 3.10 p.m. was put and resolved in the affirmative without division. Mr. Speaker suspended Sitting accordingly.

RESUMPTION

Mr. SPEAKER: This Sitting is resumed.

ORDER NO. 8 – SECOND READING OF EMPLOYMENT (PREVENTION OF DISCRIMINATION) BILL, 2020

Hon. C. E. JORDAN: Thank you very much, Mr. Speaker. Today like every other day that this Government has been in office and come to this Honourable Chamber is a day when serious business is transacted. I have to confess that I am cognizant of that but I am also still coming to grips with the loss that St. Peter and the wider Barbados and the region has suffered. I think I am good ground in saying the world has suffered this loss. The passing of the former Prime Minister, the Right Honourable Owen Arthur has been significant blow to all of us.

It has impacted upon me because I have always considered that I have come to this place standing on his shoulders. I said to him that I would not have had to step high literally to step onto his shoulders but figuratively, Mr. Speaker, intellectually a giant of man. I stand in many ways in his shadow. He had a number of sayings. One of them when he meant you had to go and do what you had to started with, "Face it". In tribute to him to some degree, I am facing what I have to do in spite of what is going on in my mind and heart today.

I would like to express to the Honourable Chamber a "Thank You" on behalf of the people of St. Peter for the opportunity that he was given and that we gave to him to participate in the business of the Chamber, and ultimately to be part of the leadership of the Chamber and country. We move forward cognizant of the road that

he has travelled and the path that he has left for us to traverse with his larger than life feet, myself in particular, as his successor in representing the constituency.

In many ways he was a ground breaker. He was a visionary. I have found that he is in the tradition of BLP visionaries. We go back to the late Right Excellent Sir Grantley Herbert Adams. We speak often of "Tom" Adams. We speak of Owen Arthur as a visionary to where he wanted to take Barbados and now we have the Honourable Member for St. Michael North East in that tradition of vision, excellence and representing Barbados not as a backwater place somewhere behind someone's back but a country that is able to stand toe to toe with any other country in this world. He was a fan of cricket but I am not. At least I know some of the words. It is the wicket on which I will try my hand. It is the wicket he has left for me. It is the wicket he has left for us.

Mr. SPEAKER: Honourable Member, is it to bat, bowl or to do both?

Hon. C. E. JORDAN: Sir, to bat. I can hold the bat. I am not sure if the ball will connect to the bat but at least I have learnt from the Honourable Member for St. Michael

North East that if I cover the stumps and leave balls outside the off stump, then I should be good. I should last a while. Therefore, following my predecessor in St. Peter and following the instruction of the Honourable Prime Minister; the Honourable Member for St. Michael North East, I will block the stumps, let any balls outside the off stump travel and go pass. If the umpire wants to call a wide, then the umpire is so able to do.

Asides.

Hon. C. E. JORDAN: Mr. Speaker, the BLP was borne out of an uprising by the people of this country against discrimination. Two days ago, we celebrated the day of national significance; July 26. On July 26 every year, we reflect on that period of time in 1937 when the people said to the country that they have had enough of being discriminated against, they have had enough of being put at the back of line, made to sit in the back of the church, made to struggle to get even an elementary education and being forced to struggle to earn a living so that they could survive. The people rose up on July 26, 1937 to say that they have had enough of that.

The Moyne Commission was established. It did its work and agreed that the people were being discriminated against. In St. Peter, particularly in Boscobel, there are the stories about the shaking of the canes so that rats would run out in order for people to catch them in bags. This is not in 1937 but a few decades before that. However, the suffering of a people and being deprived of the ability not just to earn but having earned if they could have, would be able to eat. The people of this country rose up against that kind of a society. There are some who believe they are better than others. We spoke to this quite extensively when we debated the Resolution brought by the Honourable Member for Christ Church South on Black Lives Matter.

However, there are situation where people feel better than others and because they feel they are better, then they have the right to treat other people as lesser. Therefore, others are not allowed to enjoy the same benefits that they enjoy because they are superior whether it is something as serious and as fundamental as the colour of skin, whether it is something as fundamental as ethnicity or whether it is something as fundamental as a person's sex, but it also extends and it has so extended for thousands of years, there have been many cases where women who either could not bear children or who chose not to bear children were seen as lesser than those who bore children. Mr. Speaker, even in my lifetime I have had what I think people considered to be jokes but I have had situations where people have intimated to me that because I have two daughters, no sons that I may be a little bit less than them. Now, that is not fundamental but it speaks to a psychological construct where because of some advantage I am perceived to have I am better than you because you do not exhibit the same

thing, you do not possess the same thing, and so I am better than you so I can treat you differently, I can treat you and I can stop you from being able to access, from being able to achieve and from being able to live, and that, Mr. Speaker, is not acceptable.

Mr. Speaker, there is also the case where some people discriminate against others because they do not hold the same view. Disagreeing is one thing but when that disagreement gets to the point of right and wrong, which I do not have an issue with because Mr. Speaker, I did not come to politics to speak things that are politically correct... The Honourable Members for St. Peter, the last one and the current one, believe that some things are right and some things are wrong. Now, that may be judgemental but I want to say to you, Mr. Speaker, that that does not give me permission to discriminate against those who I believe are wrong so if I felt it were wrong, and I am going to use this example because I know that you are a man who understands mirth, for a man to grow hair longer than one inch, it would not give me the right to discriminate against the current Speaker of this Honourable Chamber of Assembly because as far as I am concerned we are equalled, we are all human beings. However, Mr. Speaker, there are some cases where because of differences of views some people are perceived to be lesser and are believed to be so far outside of what is considered correct that they are to be mistreated, and I am saying, Mr. Speaker, that a country cannot exist with that kind of a construction on its society.

Discrimination in any form is for me an unacceptable scourge. Any time one human being treats another human being as lesser that is a scourge on humanity and as far as I am concerned it must be rooted out. Discrimination in all of its forms is wrong and discrimination in all of its forms must be rooted out of our society. I want to say, Mr. Speaker, that 400 years of racial discrimination, that 400 years of the chattel slavery or what is called chattel slavery, the enslavement of African people and the attempt to dehumanise them must have said something to us. The attempt to reduce human beings to cattle, to property, that could be bought and sold and beaten and cut up and heads taken off, because we had some of that in St. Peter as well. I think around 1675 somewhere in that area after the failed rebellion by Cuffy those who were found to be part of that rebellion heads were cut off by the planters of the day and put on sticks along Orange Street and Sands Street in Speightstown.

Mr. Speaker, that attempt to dehumanise Africans and people of African descent should be saying something to us as a people and to Barbados as a country. Over 1 000 maybe 1 500 years of religious wars across countries, across continents, over 1 500 years of that approach of sharing our perceptions of right and wrong should say something to us as a people, should say something to us as

part of a world, the discrimination that has resulted in the atrocities that we have seen meted out so that in the early 1900s Aryan supremacy, that belief that one group is better than another and because the other group is not as good they can be exterminated. These kinds of things should speak to us as a Parliament, should speak to us as a country and should speak to us a people whose minds have come to grips with the realities of history and who have made decisions that they will not allow the errors of history to be repeated and so we have a responsibility in this time not to make the errors of the past.

Mr. Speaker, when I come to this Honourable Chamber like I did in my election campaign and when I say that I stand on the shoulders of those who have gone before, including the late Right Honourable Owen S. Arthur, I refer to the fact that I intend to build on the experiences of those who have gone before me. I speak about my understanding that I will build on their strengths and that I will avoid their errors, that I will examine what has happened before and what has transpired and out of that examination we can move forward because we are not making the errors of the past.

Mr. Speaker, given this party's longstanding support for justice and given the role of our founder, the now Right Excellent Sir Grantley Herbert Adams, in first representing Clement Payne but secondly after Clement Payne's deportation taking on the role of what the masses coined as Moses, representing scriptural Moses who led the children of Israel into the promised land, we recognised as a party that we have as part of our DNA a commitment to social justice, to justice generally and so that is why as a Government in different eras we have spoken to economic enfranchisement. We have spoken to economic democracy and in our "Covenant of Hope" and Manifesto of more recent times, we have spoken to and specifically coined (well, used the term) "social justice." We recognised that economic democracy has very little meaning if there is not social justice, so money in my pocket, if there are certain places I cannot go, renders money a little bit meaningless. Social justice must go with economic enfranchisement and the democratisation of the economic structures of the country.

Mr. Speaker, Sir, this idea of social justice is not one that we conjured up, this idea of social justice and the need to move our country toward a place where all of us can feel that we have... that justice is meted out, that there is an equality, getting to that point to include it in the "Covenant of Hope" and subsequently in the Manifesto was as a result of our speaking with our people. And as we moved around the country, as we engaged with ordinary people, as we rubbed shoulders, as we conducted people's assemblies where people spoke freely, as we interacted with Barbadians, we recognised that there was a call (a pull, a push, a strong desire) to see social justice. Mr. Speaker, Sir,

both in your social work and now legal profession you have come across many people who feel disconnected from what is called sometimes "the system" because they do not feel that they are fully embraced by this construct that they see us walking around in suits talking about. They do not always feel that sense of social justice, justice of the person, justice for every person, a justice that speaks to the fact that all of us are human beings in this together. Mr. Speaker, Sir, so that after having spoken to our people, after having listening to them, we said in our documents every Bajan matters (every Bajan matters). We have also said, Mr. Speaker, Sir, that we have a commitment to build a just, stable and sustainable society, (a just, stable and sustainable society). Mr. Speaker, Sir, I want us to reflect on that statement for just a moment, because I do not intend to be too long. Like I said, we have spoken in this Honourable Chamber at length about discrimination before but I [would] want us to reflect on the progression in that statement. A society will not be sustainable, cannot be sustainable if it is not stable; anything that is unstable is likely to (as we in St. Peter would say) "bust loose" at some point in time. Mr. Speaker, Sir, sustainability can only happen if there is stability. Then, Mr. Speaker, Sir, a country, a society can only be stable if there is justice. And so our party in Government, our structuring of this phrase speaks to a recognition that justice comes first, justice is the bedrock for stability, the further bedrock for sustainability. Our role in Government, Mr. Speaker, Sir, at this time in the country's history, is to make sure that the foundation of justice is laid, that the foundation of justice is well laid so that the constructs of stability and sustainability can sit on that firm foundation.

Mr. Speaker, Sir, in our Manifesto we also spoke to the idea of people-centred development. Mr. Speaker, Sir, in recognition that justice, stability and sustainability will all just be fancy words, (all the fancy words) many of them will be meaningless words if our development is not at its core, people centred, so that people are those whom we are looking after. Mr. Speaker, Sir, that is the reason at the level of the Social Partnership we have said: "Safe people, doing safe work or engaging in safe activities, in a safe country", thus recognising that people come first. Our first responsibility is to people.

Mr. Speaker, Sir, I know that the Honourable Member for St. Michael South Central would want me to say that dogs come a close second, but people come first. Mr. Speaker, Sir, in our developmental model people come first in our approach to creating that sustainable society which is built on stability, which is built on justice, our people. Mr. Speaker, Sir, one of the fundamental components of justice in any country, in any society, is the ability to earn a living and to provide for oneself. That is fundamental, a person who cannot acquire food cannot live [for] very long. A person who cannot acquire food cannot

live for very long and so, Mr. Speaker, Sir, the ability to acquire that food becomes important.

Mr. Speaker, Sir, as I speak to that I remember, (again, I know you will forgive me in the circumstances) my predecessor who in 1994 spoke to the creation of thirty thousand jobs, who spoke to the idea of creating or getting as close as possible to what economists would call filling point, maybe two or three per cent of unemployment, in some cases four is considered full employment because there is transitioning and that kind of thing, but that is in the deoxyribonucleic acid (DNA) of this particularly, the understanding that for people to survive then they must have employment, they must be able to earn a living so that they can buy food to feed themselves and to keep themselves alive. It is as basic as that.

Mr. Speaker, Sir, any time [that] we would want to negatively impact a person's ability to earn a living so that the person can [not] eat, so that the person can [not] live, then we have become worse than animals; any time that we have got to the point where we want to negatively impact that, we have gotten to the point where we are acting worse than animals.

Mr. Speaker, I therefore say that no human being can be part of that kind of thinking. No human being can be party to that kind of thinking. No person in the judiciary could be party to that kind of thinking. No person like me, a person of faith, can be part of that kind of thinking. Mr. Speaker, no government can be a part of that kind of thinking; the kind of thinking that would seek to disadvantage a person, to hinder their ability to earn a living and feed themselves. We talk about civilised but I am not sure what that means sometimes, but no human being can be party to any kind of action that would disadvantage a person such as to strike to the root of their survival.

Mr. Speaker, the Bill that is before this Honourable Chamber, a Bill to protect persons from discrimination relating to employment, has some history. We have now come to this point but I need to point out that many years ago back as early as 2004, I think, there was a recognition that persons living with HIV and AIDS were being discriminated against. There was the recognition back in 2004 that the discrimination was doing exactly what I said that human beings really cannot be party to. The discrimination was impacting the ability of human beings to earn a living, and so it was impacting the ability of those human beings who were living with HIV and AIDS from being able to eat on a daily basis. The Government at the time agreed that a register would be established and that it would go hard against situations where persons living with HIV and AIDS were being discriminated against.

Sir, as the cushion around this topic continued, it was also recognised that people living with disabilities were also being discriminated against. In other words, their ability to earn was being negatively impacted and it was impacting their ability to eat and, therefore, impacting their ability to stay alive except at the mercy of somebody else. It struck directly to the humanity of people because people were being put into a position where they could only eat if they had access to charitable giving; if they could get to a food bank, if they could get to the Salvation Army. All of these are good causes but, Mr. Speaker, that is not the country which I would want to live in, where people have to be at the mercy of others when there are still -- as it relates to their bodily ability and mental capacity -- able to contribute, still able to earn a living, still able to sustain themselves using their own strength and their own means.

Sir, the conversation and the discussions broadened to include not just persons living with HIV and AIDS but also people living with disabilities, and as the conversation went on over time it was recognised in those consultations that the whole matter of discrimination needed to be spoken to in its entirety. Between the Attorney General's Chambers and/or the stakeholders it was agreed in recognition that the ability to eat so that a person could eat was such a fundamental right, and it was determined that the legislation to address discrimination should be located in the Ministry with responsibility for Labour. Much work was done over a number of years. There have been many meetings with the social partners over those years, in terms of small groups of the partners and not the large official bodies, so that trade unions and their employers' organisations have been able to contribute to the development of this proposed piece of legislation, which is now a Bill.

Mr. Speaker, many comments and much vigorous discussion ensued over the years and progress was made, albeit slowly, in getting us to the point where we could have a policy directive and afterwards have a Bill prepared. In more recent times, further to this Government having established a Social Justice Committee, the draft legislation was also discussed quite extensively at the level of the Social Justice Committee. That conversation represented for us a final, full discussion because the Social Justice Committee is made up of workers' organisations, employers' organisations, faith-based organisations and many other organisations in the third sector or civil society. In the consultation which we had with the Social Justice Committee we would have had discussion in that forum with trade unions, with employers' organisations, with those who were Government representatives and with the broad civil society sphere.

Sir, those discussions resulted in us making the final tweaks to this piece of legislation, and I want to commend the hard work of the Ministry over the years. I want

particularly, though, to commend the hard work in more recent times -- in the last two years in particular -- the Administrative Officer who did quite a bit of work on this project, the Deputy Permanent Secretary in the Ministry of Labour and Social Partnership Relations, the Chief Labour Officer and my very energetic Permanent Secretary. They have done yeoman work in working with this, pushing it and ensuring that we could do for the people what we would want done for ourselves. There would therefore be in place in this country of ours, in a 21st Century Barbados, a piece of legislation that would prevent me from being discriminated against, that would prevent you from being discriminated against, that would prevent the people in St. Peter and St. Michael Central and all across Barbados from being discriminated against in the area of employment; the employment that produces the income that is used for all of us to sustain ourselves.

Mr. Speaker, the Bill that is before us has a number of parts and clauses and two Schedules appended at the back of the Bill. Part one of the Bill which when passed will be cited as the Employment (Prevention of Discrimination) Act, 2020, begins as always in all pieces of legislation at Section 2 with definitions called interpretation. It interprets business, it interprets or defines complainant, contract of employment which has the same meaning as the Employment Rights Act. There is a synergy between this piece of legislation and the Employment Rights Act. Disability is defined in the Bill. We will get to discriminate and discrimination in Section 3. Domestic partnership is defined, which says, "domestic partnership" means the relationship between 2 persons each at least 18 years of age, who live together on a genuine domestic basis but does not include:

(a) the relationship between a married couple;

(b) a relationship where one of the persons provides the other with domestic support or personal care or both for a fee or reward,

and "domestic partner" shall be construed accordingly;"

There is domestic partnership status that is also defined. Employee, employer, employment agency, family member, family responsibility and marital status is all defined in the Act. Medical condition, minor refers to the definition in the Minors Act, Cap. 215, physical feature which is defined as, "'physical feature" includes the height, weight, shape and size, and any distinguishing mark or peculiarity, of a person", which includes things like hair style, hair colour or anything physical on a person, and then respondent and tribunal. Like I said Mr. Speaker, the Act has a synergy with the Employment Rights Act, and that is also spoken to in that Section.

Part 2 speaks to the fundamental issue and that is discrimination. The Bill before this Honourable Chamber Mr. Speaker says that a person discriminates against another person, so we understand that we are talking here about human beings. A person discriminates against another person where the person directly or indirectly, whether intentionally or not makes a distinction, creates an exclusion shares a preference. The intent of effect of which is to subject the other person to a disadvantage or to a restriction or to some other detriment. That is how one way in which discrimination takes place, one person directly or indirectly makes this distinction, whatever the distinction is that causes a showing of preference and that preference is intend or has the result of subjecting the other person to a disadvantage, detriment or some kind of restriction. In other words treating that person differently from if that difference was not there.

There are a number of conditions in part B, but it speaks to the grounds now for discrimination. Those grounds I am going to get to and I am going to go through them one by one, pretty briefly but I think I need to mention them for not just this Honourable Chamber, but this is a piece of legislation for the people of Barbados, the people who have risen up against discrimination, who have said to us they do not accept that in a 2020 Barbados there should be discrimination and for sure not at the point where it affects their ability to live.

The grounds for discrimination in this Bill are listed at sub clause 2 of Clause 3. Mr. Speaker, I have thought about this Bill for just over two years that I have been Minister responsible for the portfolio of labour. I have looked at this on a number of occasions and I have asked myself the question for each of these in the list. I have asked myself the question, is it right for me to discriminate against another person because of? That is the question that I have asked myself. Is it right for me to discriminate against another person because of race? Is it right for me to discriminate against another person because of their origin? Is it right for me to discriminate against another person because of their political opinion? I will not discriminate against the Honourable Member for St. Michael West. I will not, I do not think it is right and he has my word on that.

Mr. Speaker is it right for me or the country to discriminate against a person because they are affiliated to a trade union? Now, I do not want to stray from the essence of the Bill, but I need to say again to the country, I need to say again to some employers, and I qualify by using the word "some", because I am not referring to all employers. However, I have to say to some employers that we are not going to tolerate you getting rid of people at work because you found out that they have become members of a trade union. We are not going to tolerate it, as a matter of fact we are continuing some work in our Ministry in conjunction

with the trade union movement to make sure that we strengthen our trade union laws in this country. Mr. Speaker, because at the end of the day all of us are human beings and we are not to be discriminated against because I do not agree with you or because I do not like the organisation that you want to join. Those days are long pass and they never should have existed. Mr. Speaker, should I discriminate against a person because of their colour or creed? Now, this one would cause me to get on badly because creed speaks to my religious beliefs. Anyone who knows me, know that I do not get angry often but I have taken a bit of license. The Honourable Member for St. Michael West can tell me whether I have taken the wrong path. When the folk were misusing the temple, Jesus was a very cool and calm individual, but the scriptural record that I believe tells me that he made a whip and overturned tables in that place. He became really agitated and upset. Some people of faith do not like to use the word “angry” but I do not know what would cause me to turn over table sin here. I will not even ask the question.

I am saying definitively that I will never accept discrimination because of the creed that I hold to. I will never accept discrimination in employment as a result of my religious beliefs. Do you know what that translates to, Mr. Speaker? Do you know the reason I am opposed totally to discrimination in employment for any grounds? There have been Seventh Day Adventists who have been denied employment opportunities because they will not work on Sabbath. I have grown up understanding that. As an adult representing the people of St. Peter in this Honourable Chamber, I will never be party to discrimination of anyone.

I cannot do it because I believe in the Golden Rule. I treat to people as I want them to treat to me. I do not want to be discriminated against. The Honourable Member for St. Michael North East; the Honorable Prime Minister often say that when we speak about some of these things and I am very happy about it, that I have been allowed to freely practise my religion while a Member of a party where I am minority. The Honourable Member for St. Michael West knows about it as well. I have not been discriminated against because of my creed.

Asides.

Hon. C. E. JORDAN: Mr. Speaker, is it right for me to discriminate against a person because of their sex? Should I discriminate against the Member for St. Michael South Central? I do not think I would. I do not think I would be successful. Would it be right to even attempt it? Is it right to discriminate against a person because of their sexual orientation? Is it right for me to discriminate? I like to make these things very personal. Mr. Speaker, I am not scared to say what I have to say. Is it right for you to discriminate against me if you felt that as a man I preferred other men? Would it be right for you to discriminate

against me for the purposes of my employment because you felt that way about me or I said that about myself? Is it right to discriminate against a person because of their sexual orientation? Is it right to discriminate against a person because of their social status? Mr. Speaker, my Right Honourable predecessor was really very strong on this matter. Growing up poor in Rose Hill and buying second-hand books is the Right Honourable Owen Arthur’s story. He bought second-hand books and walked to school. Is it right to discriminate against a person because they born on the next side of the road? Is it right to discriminate against a person because they born into poverty due to their social status?

Is it right to discriminate against a person because of their marital status? Is it right as single people versus married people and divorced people? Is it right to discriminate against a person, block their employment, stop their promotions, reduce their pay or pay them at a different level from someone else because of their marital status? Would it be right, Mr. Speaker, to discriminate against somebody in Bank Hall because of their domestic partnership status? Would it be right, in other words, that because the person does not attend All Souls Church, not seen a church door, may not agree with what I consider to be adultery or fornication but is living in a house with another person in an intimate relationship or partnership that I should discriminate against that person in terms of their employment?

Should I stop them from getting a job? Should I hinder their chances of promotion? Should I pay them at a lesser rate? Should I discriminate against a person because she becomes pregnant? In 2020, this may sound as though the answer is obvious. The answer to that question was not always so obvious. Those who have been pushing the rights of women over the years know this and have spoken to it in our Social Justice Committee meetings and consultations. People were discriminated against as a result of pregnancy. As matter of fact, some people discriminated against because they may become pregnant and hindered from job opportunities because pregnancy requires they be given leave from work. It is discrimination.

Mr. Speaker, in a 21st Century Barbados there is no room for that kind of discrimination. What I spoke to included maternity. Is it right to discriminate because of maternity? Is it right to discriminate against a person because of family responsibility? If a mother is in her mid-70s and I may have to help take care of her, should I be stopped from getting a job? Should I be refused a promotion to a supervisory position because she lives with me and I will have to take her to the doctor of the hospital sometimes? Is discrimination in employment acceptable? Should I be discriminated against because of a medical condition? Generally speaking, the answer to that is no. We will come in short order and I promise not to be too long

but to some exclusions that are important for us to understand as we speak to this Bill.

Should I be discriminate against? Is it right for me to discriminate against another person because they are living with disability? Is that right? Is it right for me to discriminate against another person because of their age? Is it right for me to discriminate against another person to hinder their opportunities to earn a living because of a physical feature, hairstyle, et cetera? Are any of those things right? That is the place, Mr. Speaker, that I come from as a person of faith. I ask the question: Is it right for me to...? When I ask myself the question on these 18 items the answer that I gave to myself is that I have no right to discriminate in the area of the provision of employment, the paying of wages, remuneration or the ability to earn promotion. I have no right and I believe it is not right to discriminate on any of these basis. It is not right.

As a matter of fact, Mr. Speaker, there is discrimination but you would remember that last week I think it was we laid to make public documents Convention 190 and Recommendations 206 which speak to violence and harassment in the world of work. Mr. Speaker, we laid those two documents as the prelude to a national discussion on how we will make sure that we eliminate not just discrimination but violence and harassment in the world of work. Mr. Speaker, the reason why I mentioned violence and harassment but particularly harassment is because a person may not be discriminated against in the way that the Act speaks to discrimination but that person could suffer harassment. The reason why I mentioned that at this point is because there are too and have been too many situations where employers have not discriminated against persons or they have not imposed detriments or hindrances but they have so harassed people that the people have decided to leave employment in the establishment so that the employer cannot be accused of discrimination but the employer has succeeded in having the outcome that that employer wanted in the first place. I repeat, I do not believe that the majority of employers in this country go down that road but there are some and everyone is too many and now that we have laid in Parliament the International Labour Organisation Convention last year and the Recommendations and that is one that the Deputy Chief Labour Officer now Acting Chief Labour Officer and I worked on quite a bit in the sessions that were held in Geneva last July. We will be having discussions with our partners just like we always do. We are a party in Government that believes in speaking to people and moving forward with people on board and so I am just signalling to the sectors or partners that we will be convening meetings to discuss how to ensure that all aspects of the Convention are included in our legislation. Some of it is already included, sexual harassment, for example. There are certain laws that already speak to violence but we will be speaking to make sure that in a 21st

Century Barbados we are living and working in a country without having to deal with these primitive notions of harassment and violence and discrimination and all those negatives that should not be attending a modern society. Those, Mr. Speaker, are the grounds for harassment as proposed in this Bill.

Mr. Speaker, I want to draw our attention to sub clause 4 of Clause 3. This sub clause gives some further explanation to the matter of discriminating based on creed. For the avoidance of doubt, it starts with a person discriminates on the ground of creed where the person directly or indirectly whether intentionally or not subjects another person to any disadvantage, restriction or other detriment because of the person's appearance or dress and that appearance or dress is required by or symbolic of the other person's creed. I think it is important in a society as ours, a society where there are people of varying faiths and a society where there are people of faith and people of no faith for this explanation to be included because there are times when a person's appearance or a person's dress is required by that person's creed and this Act speaks to ensuring that the person is not discriminated against because of their appearance guided by their creed or by their dress guided by their creed.

The Bill speaks to prevention of discrimination in relation to job creation and recruitment, so there is protection or there is intended to be protection against discrimination not just for persons who are already workers but persons who are applying to join the rank of workers so that an employer should not discriminate against a person in the creation of jobs, making arrangements for who should be offered employment in the advertisement of employment, determining who should be offered the terms and conditions for persons who are to be employed so there is the matter of not discriminating at the point of job creation and job recruitment.

There is also a Clause that speaks to the prevention of discrimination in employment while a person is employed. There is at Clause 6 the prohibition against testing, but that is subject to an exclusion that I will come to in Section (a), for medical conditions. Maybe I should not do this but if I can use Dr. Martin Luther King's construct, a person should be judged in the execution of anything based on an ability based and on a capacity to execute the particular set of responsibilities but not based on whether or not I am hypertensive.

In Clause 7 this was discussed, debated and in consultation with employers. Clause speaks to employers making reasonable adjustments. This Bill, I believe, Mr. Speaker, Sir, to be a very balanced Bill, balanced because it asks employers to make adjustments but it speaks to reasonable adjustment (reasonable adjustments) so [that] any adjustment you are asking an employer to make is

within reason. Mr. Speaker, Sir, I just wanted to share some of those adjustments.

(2) *“For the purpose of subsection (1) “adjustment” includes:*

(a) allocating some of the duties of the employee to another person, (if that is reasonable in the circumstances.)

(b) altering the hours of work of the employee, (if that is reasonable in the circumstances.)

(c) allowing the employee to be absent during hours of work for the purpose of assessment, rehabilitation or other treatment.”

Mr. Speaker, Sir, by way of example, because I think that allows me to speak to reasonableness; in a situation where a business has a single employee, when a person who has a chronic condition who is likely to be away from work for extended periods or frequently, it may not be considered reasonable (if that is their only employee) to have that person almost in a position where that person feels almost compelled to be there even when they are, as we would say, “sick like a dog.”

Again, the Bill is couched like law, generally in the idea of reasonableness. Mr. Speaker, Sir, the Bill continues:

(d) providing the employee with alternative employment, (if it is possible, if it is reasonable);

(e) assigning the employee to a different place of work;

(f) modifying procedures for testing or assessment of the employee;

(g) modifying instructions or reference manuals with which the employee is required to comply;

(h) acquiring or modifying equipment for the use of the employee;

(i) making adjustments to the premises to be used by the employee;

(j) training the employee or arranging for the employee to be trained;

(k) providing a reader or interpreter to the employee;

(l) and providing supervision for the employee.”

Mr. Speaker, Sir, that this would have to be in this Bill tell me that we are on a journey...

Asides.

Hon. C. E. JORDAN: No, we are not there yet. In 2020 we should not have to say to employers...We should not have to include a clause that says train the person or anything written that the person be trained. But we live in a real world and we understand, as one radio character says, we understand how school keeping. We understand what is out there, what has happened and so we include:

“(j) training the employee or arranging for the employee to be trained;

(k) providing a reader or interpreter to the employee;

(l) and providing supervision for the employee.”

Mr. Speaker, Sir, those are some of the adjustments that employers are asked to make if they are considered reasonable in the circumstances. That is the form of words used at Clause 7(1). I know that the employers of the country understood that this was not a list that was meant to be onerous or a list that was meant to put them out of business, that is why we said “reasonable in the circumstances”, all things considered.

Mr. Speaker, Sir, there are some exceptions found in Part III, which are important -- genuine occupational qualification. The example we sometimes use is that there are certain vision and requirements for pilots. There are certain reflex requirements for using certain pieces of machinery, and this Bill and hopefully soon this Act is not designed to be so focused on eliminating discrimination that it [so] puts a worker or other people in jeopardy. That is not the intention of the Bill and so if there is a genuine occupational qualification then adhering to those requirements will not constitute an act of discrimination. At subclause(3):

“For the purposes of this Act

(a) a qualification is a genuine occupational qualification where it is an inherent requirement of a particular position.”

Mr. Speaker, Sir, there are some other examples but I just want to say, for example, it is understood that in security services the searching of women (if it is a pat down) is to be done by a woman, in spite of what any man may feel. The searching or patting down of a woman is to be done by a woman, that is accepted, so to say to a man you cannot search, I am not putting you to do that, he cannot then claim that he is being discriminated against. There are some areas of counselling and areas also in terms of the care of minors and the care of girls where there are certain restrictions and those restrictions will not constitute an act of discrimination.

Mr. Speaker, Sir, Clause 9 speaks to unjustifiable hardship. I think we spoke to this earlier. I spoke to reasonableness in the circumstances. If avoiding a discrimination will impose an unjustifiable hardship then it is not considered to be discriminating employment for the purposes of this Act.

Mr. Speaker, Sir, those who fight (and it should be all of us) for equality across the board...I am still in the area of acceptance, the third one at Clause 10, "Measures intended to achieve equality" are not considered discriminatory so that, for example, if an action is designed to promote equality of opportunity for disadvantaged groups, that act is not considered discrimination. It is, however, only to be in effect for so long as it is necessary for the attainment in the circumstances of such equality of opportunity. So that once equality has been achieved, (once we get to that equality) if we continue, then that becomes discrimination and an act of discrimination. Sir, if an action that would otherwise be considered discriminatory is reasonably necessary to protect the physical, psychological or emotional wellbeing of a minor, then that act, process, procedure or whatever is done is not considered to be an act of discrimination. Mr. Speaker, there is at Clause 12 Religious Bodies and at Clause 13 Educational Institutions administered in accordance with particular religious beliefs. I think the country and the leadership of the 47 churches in my constituency would want me not to spend all day but to quickly read through this, because it is important to them. It is important to me as well. Discrimination in employment, according to this Act, does not apply as it relates to the ordination or appointment of priests, ministers of religion or members of a religious order, the training or education of persons seeking ordination or appointment as priests, ministers, et cetera; the administration of a body established for religious purposes in accordance with the precepts of that religion, and fourth, any other practice of a body established for religious purposes that conforms with the precepts of that religion or is necessary -- I want you to hear this as a member of the All Souls congregation, Mr. Speaker -- to avoid injury to the religious susceptibilities of adherence to that religion.

Things, actions that speak to preserving the religion, the faith, the denomination or the belief are not considered by this piece of legislation to be discriminatory, Sir. For educational institutions administered in accordance with particular religious beliefs, the same principles hold, Sir. In terms of religious appearance or dress, this one was interesting. This was a Clause where we had to find some balance. There are some requirements that persons have in terms of dress, Sir. There are also and at the same time issues, for example, in occupational safety and health where attire of a certain type may put the worker in danger. Therefore, if it is for the purposes of the safety of a person; in other words, sub-clause B(1) actually speaks to "without

endangering himself or others". If the attire or the appearance will cause or pose a challenge to the safety of the person, then an action not to place a person in that area of responsibility will not constitute an act of discrimination.

Mr. Speaker, in terms of charities, this, as you would know, would be of particular interest to me and to the Ministry I have the pleasure of leading. There are many civil society organisations that have been established to address particular issues. There are organisations that have been established to address issues of homelessness. There are charities that have been set up and civil society organisations that have been set up to address the challenges that sex workers face. There are civil society organisations that have been set up to address matters relating to children, and so at Clause 15 matters that would have otherwise posed challenges or be seen as acts of discrimination will not affect a provision in a charitable instrument for conferring benefits solely or mainly on persons of a particular sex, race, creed, disability, sexual orientation, medical condition, age, age group, marital or domestic partnership status, pregnant women, spouses of domestic partners of a particular category. If we are conferring benefits on groups which the civil society organisation was set up to confer benefits on, then those actions are not considered to be discriminatory for the purpose of this Bill.

Sir, in the area of sports we have -- beside the thunder -- that there can be determination that persons of a certain sex only can participate in a particular activity. If it is the Boys' 200 metres Under-18 event, then only boys can participate. Clause 16 speaks to exclusion as it relates to sporting activity. The intention is to make sure that there is not an inequality that is established where persons may pose an unfair advantage to others if there was not that allowance to prevent persons from getting involved where they should not get involved. That relates to everything, including age groups which is spoken to at sub-clause 3. I need to wrap this up, but at Clause 17, the Visual and Performing Arts, there is sometimes necessity. This sub-clause includes modelling as well. It was specifically referred to and, as I said before and as I said very often, these inclusions are the result of the discussions and the engagement with our partners which allow us to see things that we may not otherwise have seen, Sir. If there are specific requirements for certain artistic expression such as visual and performing arts, therefore, they are not considered to be discriminatory. In terms of Insurance, there are factors that affect insurance coverage if those factors are adhered to and are based on actuarial studies and so on. Those are not considered to be discrimination. We spoke about pregnancies before, Mr. Speaker.

Sir, I want to end and wrap this up. The enforcement of this Bill is through the Employment Rights Tribunal,

and I said at the beginning that this Bill is to be read very closely with it because it is closely related to the Employment Rights Act and there is that synergy that exists with the Act. Many of the provisions will mirror what is in the Act, therefore. However, there is the matter of complaining. I think I need to point out something. I do not think I have said this before. A complaint can be made by the impacted affected person, their representative including a trade union, it can also made by a third party, somebody who sees the discrimination and brings it to light. The organisation has a responsibility to inform the person against who the complaint is made, the employer also has responsibility to investigate the complaint. Mr. Speaker, this was not and is not meant to put additional pressure on employers, but we have said that this is to be in writing and we know that writing also includes electronic media. An email is considered to be in writing.

The First Schedule of this Bill, Content of Policy Statement Against Discrimination. Every employer is to have a policy against discrimination, that policy is to be made widely available to all persons who work in the establishment and it is against that policy that complaints will be made. I already said it could be made by the person, trade union or third party. The Chief Labour Officer is the route through which we go to the Employment Right Tribunal, and I want at this point just to repeat an error that some people seem to have at the back of their minds that you can go directly to the Employment Rights Tribunal. Sometimes I wonder how people read pieces of legislation. It is very clear that the Chief Labour Officer has a role, a time bound role, 42 days I think it is, six weeks, that role includes using the Chief Labour Officer's best efforts to get to a solution to whatever the complaint is. The Chief Labour Officer is not circumscribed in what those best efforts entails.

Mr. Speaker I say that because I had the unfortunate experience of a Chief Labour Officer in his attempt to use his best efforts. He asked me, Minister will you help me, and I agreed to Chair a meeting to help the Chief Labour Officer achieve a resolution. An advisor to an employer said to me, the Minister has no role in the Act. I want to say to that advisor and to all other very eager but sometimes unlearned advisors that the Employment Rights Act does not indicate what the Chief Labour Officer's best efforts includes. As a matter of fact, if the Chief Labour Officer told me that she was going to bring psychic Astra to assist in the process, I could not even to the Act to say, well I do not believe in sorcerers, I know what happened to Samuel, but I will not have any legal basis on which to tell her you cannot bring psychic Astra. Sir I know she is from your constituency, Honourable Member for St. Thomas, but I have no legal basis for doing that. I am just saying to those advisors and investor relations practitioners, that the Chief Labour Officer has by law the right to use his or her best means, whatever means to achieve a solution through

conciliation that has a timeframe within which to do it after which it would have then to be referred to the Employment Rights Tribunal. I think I needed to make that clear.

In part five this is really where the discussion started in 2004. There is to be a register of complaints made under the Act, that was the original intention and that remains a part of the Act. The register shall be maintained in a confidential manner. I already spoke to the requirement for a policy, every workplace is to have a policy against discrimination. Not having a policy is a serious thing, because we believe that discrimination is a serious matter, and so not having a policy is firstly an offense and it is subject or summary conviction to a fine and possible imprisonment. I say that not because I want to focus on fines and penalties in this, but I say that just to say to the public, employers, businesses and other employing organisations, that we are taking this very seriously.

Confidentiality is also to be taken very seriously, and so while not having a policy can subject you to a fine of \$5 000, breaching the confidence, because discrimination can take all kinds of forms and so the information will be quite personal. Contravening the requirement for confidentiality, the fine is not now \$5 000, but \$10 000, and victimisation is also prohibited. As a matter of fact, the prohibition against victimisation speaks to possibly victimising a person who made a complaint, victimising a person who gives testimony in the investigation of a complaint or victimising a person who otherwise participated in an investigation procedure or hearing. That will not be tolerated in this country and the fine for that will be \$20 000 if contravene.

As I indicated before, the First Schedule is the Content of Policy Statement Against Discrimination. The Second Schedule speaks to the Consequential Amendments that have to take place in the Employment Rights Act so that the Employment Rights Act is fully in consult with this Act and this Act is with the Employment Rights Act.

Mr. Speaker, I have gone on for a bit longer than I had intended, but I thought it necessary because we are saying to Barbados that we have reached the stage and maybe long pass the stage where discrimination is a matter that can be condoned. Our people have said that they do not want it. We have agreed with them that it is not something that should be encouraged or tolerated, and so Mr. Speaker the Bill before this Honourable Chamber is a Bill designed to prevent discrimination against people in relation to their employment, in relation to their ability to earn a living and survive as human beings in this country.

With those few words, Mr. Speaker, I beg that this Bill be read a second time.

Hon. J. A. KING: I beg to second that, Sir.

Mr. SPEAKER: Honourable Leader of the Opposition.

Bishop J. J. S. ATHERLEY: Thank you very much, Mr. Speaker. There are quite a few things said to me when I was much younger that I find it very difficult to forget. One of them is this. An elderly preacher said to us that rat poison is 98 percent okay. It is the 2 percent that would kill. I never forgot it. He said that rat poison is 98 percent okay in terms of the ingredients that goes into making it but it is the two per cent that gets the rat. It is the two per cent that would kill. He was trying to make us have an appreciation for something called sound doctrine and to be able to appreciate and discern it.

Mr. Speaker, I say that simply to say that my concern about this proposed piece of legislation is the 2 percent that potentially will kill. We have to ask ourselves when we discuss Bills which are brought to this House and measures which are being proposed in this Parliament, what is the ill that we are trying to remedy or cure. Therefore, I ask that question. What is the evil that we are trying to extinguish? What is the ill we are trying to cure? Do we have a problem, Mr. Speaker, with people in Barbados not being able to get jobs because of their sexual preference? Is that a reality? Do we have a problem with people in Barbados not being able to get jobs because of their sexual orientation?

Is that a reality in Barbados? If it is, then it is news to me. Do we have a problem with people in Barbados of their sexual preference or orientation being denied care at the Queen Elizabeth Hospital (Q.E.H) or medical care in any public health institution? Do we have that problem? If we do, then that is news to me. Have you ever heard of a case of anyone being denied a licence to drive in Barbados because he is homosexual or she is lesbian? Do we face that reality in Barbados? Is that an ill we must address? Has sexual orientation or preference ever known in Barbados to stop people from opening a small business if they so desire? Has it happened? I am not aware that it has but. Mr. Speaker, you are more aware of what goes on in the public square in Barbados than I am. You are far more enlightened that I can ever hope to be.

Are we stopping people from accessing tertiary education at the university because of sexual orientation or preference? Is that a problem in Barbados? If you go across the campus of the university at Cave Hill, you would not find anyone who is differently sexually oriented from what we call the norm? Is that a reality in Barbados? Sexual preference or orientation has never been known to stop anyone from being elected to the Parliament of Barbados which is the highest institution in the land.

When you offered yourself and visited the many people in Savannah Road, Park Road and all the royal

avenues in Bank Hall or the avenues of the other side, avenues of Gooding Road, Deane's Village or Sealy Land which I know because I was lived there, but did anyone ever ask Mr. Holder what is his sexual preference or orientation? Did any of them consider that a qualifying criterion before they would decide to give you a vote, Mr. Speaker? Is that the ill we are trying to address? I have never heard it said and I sat there for a while that you cannot be appointed to the Cabinet of Barbados because of prejudicial position regarding sexual orientation. It did not stop you from being appointed to the Cabinet of Barbados. By the same token, it does stop you from being deselected or fired either.

What is the reality? What is the ill? What is the evil that we are trying to address with this Bill? Let me make it clear, Mr. Speaker, I do not believe that we should be discriminating against people not even with respect to sexual orientation or preference. We should respect people as people and treat them as part of this vast landscape of humanity. We should treat them properly. Therefore, before anyone leaves here and says to anyone that I believe we should promote discrimination or allow discrimination where it exists to be perpetuated. Let me make it clear that I do not believe in discriminating against people. I happen to lead a congregation and head a denomination in Barbados, and across the region. I am part of a global administration of that denomination. I have had upfront experience of members of my local congregation who were sexually oriented differently from what is considered the norm. There was no discrimination against them. We treat them as persons. We may not agree with their lifestyle choice but you treat them as persons. You may not agree with their lifestyle choice but you treat them as persons and when they come to the communion table you do not say I know how you live so you cannot partake of the bread and the wine. Do not do that. Each and every man is responsible for his or her personal choice so I do not believe in discriminating against people but I do accept that that two per cent in what otherwise is good legislation can kill. I do not believe that simply because you do not want to discriminate against people that you must take the next step and institutionalise nastiness in any form. It is one thing not to discriminate, it is another thing to institutionalise any form of nastiness or institutionalise the advocacy and promotion of values which are foreign to the ideal or the idea of being Barbadian or of Barbados.

Mr. Speaker, what we are seeking to do in my view with this Bill and the one that was previously brought to this House is to institutionalise a certain value set that is at odds with what I understand to being Barbadian values long held and cherished and we should not do that at all and we should never do it to give effect to or serve narrow personal agenda interests.

Sir, I did to actually see it, I was told that I was promoted on my television screen recently and there are those who shout loudly in advocacy of certain departures from values long held. That is the two per cent in this legislation that carries the poison. You cannot by subtle or subversive means seek to institutionalise anything that erodes the Barbadian value fabric because it seems to me, with what I have heard recently and what I have seen appearing here documented in this Bill today and the one that came before and I am hearing of others to follow it, that there is a subtle attempt to deconstruct family values in Barbados and to deconstruct the idea and the ideal of family in Barbados.

It concerns me when in these bits of legislation we are reading about domestic partnerships referring to the relationship between two persons each at least 18 years of age who live together on a genuine domestic basis. It does not include any reference as it goes on to suggest to married couples or people living and looking after each other. It bothers me when I read of domestic partnership status meaning the state of being (a) a domestic partner or to form a domestic partner of a particular individual. It bothers me that it appears in these bits of legislation family member is referenced here in relation to a person, spouse or domestic partner. When I see these things I am bothered. In recent memory when we looked at the Remote Employment Bill we had similar terms being sounded. It bothers me that these things constitute part of the two per cent, the poison, some would suggest, in the otherwise good piece of legislation.

Now, we are trying we suggest to ensure that people are not discriminated against on the grounds of race, that is fine; origin, and that is fine; political opinion, and that is fine; we will come back to some of these things, trade union affiliation; colour; creed, and sex. These things are fine but that is as far as we go but when you move from sex or gender to sexual orientation I take pause. It talks about social status, marital status but when you start to talk about domestic partnerships status in the context of how it is defined in this Bill I take pause. It also talks about pregnancy, maternity, family responsibility, age, medical condition, physical features, et cetera. Those things are fine but in those specific areas that refer to domestic partners and partners and other types of constructs that are at odds with family value and family ideals in Barbados which constitute the fabric, the foundation, the bedrock of Barbadian society, values upon which you were honourably raised, Mr. Speaker, I take pause because I think I see in that a two per cent that has the potential to kill in an otherwise good piece of legislation insofar as my limited intellect can decipher.

Mr. Speaker, if Government wants to cross that frontier, that threshold and if Government wants to step into that space where no Government before today has

dared to tread, well, let the Government say so in clear terms and ask the people if they want to go there with the Government but there should be no subtle, underhand, behind the back subversive attempt to deconstruct, to undermine that which has strongly underpinned Barbadian society and Barbadians value. If you want to go there say so, so that the world might hear. If you want to go there tell Joseph Atherley yes we want to go there and we are going there or if you choose not to tell him tell the rest of Barbados clearly that so that he perhaps might overhear that that is where this Government wants to go because you are interfering as far as I can see, Mr. Speaker, in these subtle forms and fashion with the definition of family. You are seeking to deconstruct a platform of values long established by your parents, Mr. Speaker, and mine and I suspect by the parent of every other individual in this Honourable House. You are seeking to deconstruct that values platform long established. I would want to repeat it because not to discriminate is one thing but to institutionalize what I consider to be a foreign value thing is not where I want to go. You can try to institutionalize it by use of force of numbers, that is the circumstance which now obtains, we are at 28 over there and one over here, and you are the impartial pair of ears, the impartial heart, the impartial brain in this honourable space, so the force of numbers circumstance can help you to do it but if you want to do it, you [should] say so clearly and tell Barbadians that you want to do that and see if they approve. You are looking, in my view (when you do this) to erode both a Christian and a cultural ethic long internalised in this small country. It is not only Christian, you know, Mr. Speaker, Sir, because there are those who would dismiss it on that basis but it is cultural as well, long engrained in the Barbadian psyche and there are certain things you should not institutionalize, even though you do not discriminate those who are given to the participation in those things or partaking of those things. I suspect it is not only a Christian ethics but if you go to religions across the world you would find that it is a religious value, religious ethics that we seek to deconstruct and to discard.

Mr. Speaker, Sir, we import a lot of things, they say we import most of what we consume. We import most of what we consume, bodily. We import most of what we consume in terms of our attire and all that goes with that, in presenting ourselves properly for the world of work. We import all sorts of things [and therefore] the institutionalization of anything like this is a foreign import that we can do without. There are lots of other values as well that we have imported from abroad, some of which have served us fairly well, and some have served us well at all, and this is one import that this small country can do without.

Asides.

Bishop J.J.S. ATHERLEY: Mr. Speaker, Sir, some suggest that there are lots of things we have to do these days as a small developing country and as a small open economy if we are to survive in this world, some suggest a lot of things that we must do in this world which are forced upon us. And there are those from without who are seeking to force this type of initiative upon us, and there are some who would suggest, in relation to our last days, for instance, that there are lots of economic benefit finances that we would miss out on if we do not go down this road. But, Mr. Speaker, Sir, I humbly suggest, we should try to avoid any form of national economic prostitution. We cannot just sell ourselves for what the world has to offer. We cannot just sell ourselves for what the world has to offer. Mr. Speaker, Sir, the foreign dollar may have its value but when it comes to these types of things that value “ain’t high enough for me.” I am sure it is not high enough for you. That foreign dollar has a premium value for some people and when you have to do things like this in order to earn it, get it or come by it, that value is not high enough for me, and I suspect it is not high enough for quite a number of Barbadians.

Mr. Speaker, Sir, I say this with some degree of pain but if the party now in Administration, if this party has lost its soul, Barbadians, Barbados has not lost its soul. I say that and I know I will incur the further wrath and ire of some on the other side and supporters on the outside, but if this party has lost its soul and is therefore willing to sell itself in this sort of way, I dare to suggest that Barbados has not lost its soul. I will humbly say that there are those of you over there who must stand up at some point (who at some point must stand up) and take a stand and not sit quietly or idly by when some things are made to transpire. This is a moment when the assaults of the outside world are made against the soul, the spirit, the value system of this country by these means, views and values and when those who are a part of us here in this country align themselves with this type of force, with this type of assault, then it is time that those in this place, [who have been] sent here by the people in this country to help present the interest of their various constituents, it is time that you stand up and say: “No, not that step. I am not going there.” Mr. Speaker, Sir, it is not good enough to absent yourself from the vote. It is not good enough to hide behind the procedure and suggest to yourself that you do not have to say one thing, that you do not have to say either yah or nay because ultimately then Mr. Speaker, Sir, will rule that the ayes have it, so it matters not whether I say anything but it is time and this is a time when you should stand up and say no. Mr. Speaker, Sir, perhaps you should even have said it before the Bill came here. Perhaps you should have been saying it loudly all last night -- no, no, no. It only takes 2 per cent to kill. I am not going there. We have to stand up for something. You should stand up on this.

Asides.

Bishop J. J. S. ATHERLEY: I do not want to engage in any seeming cheap politics, Mr. Speaker, Sir, but I will make this other comment only in light of the fact that the honourable speaker before me made several references to the former Honourable Prime Minister and Member for St. Peter in very complimenting terms and I do not even want to cheapen this moment but I feel fairly strongly convinced that the former Right Honourable Member for St. Peter would never have brought this Bill to this Chamber; not with this two per cent in it. I really do not believe he would have brought this Bill. I remember years ago, Mr. Speaker, when I was a part of the Government on the other side, attending an event at what was then Sherbourne Conference Centre and several hundreds of persons had been called together to focus on the matter of the spread of HIV and AIDS in Barbados, and in part specifically on how we could address that and reverse or counter any trend towards the spread. I remember it was mooted that at some point in time Barbados would have to come face-to-face with discussing the issue of legalisation of certain lifestyle forms in Barbados, embracing homosexuality and prostitution and that type of stuff. I remember that discussion quite well, and it is etched in my memory. I can see the moment now. I was standing at the back, and one voice of influence came up to me and said, ‘Joe, you can support this and still be a Christian.’ I have not forgotten it.

Sir, this was a voice of influence that whispered that into my ear but in that moment I heard a voice of higher influence, whispering far more loudly into the same ear, ‘No, no, no!’ and it is still ‘no’. It is still ‘no’ because this two per cent can kill. I am not being political here. I am saying this because it is what I honestly feel. I have tremendous regard and respect for the current incumbent Honourable Member for St. Peter. I do. I do, but I want to suggest to him humbly that this one will follow you for the rest of your life. It will become part of your perpetual legacy in Barbados; not the 98 per cent, you will be hailed for that, but this two per cent here that will kill. I adjure you -- I do not know how you would go about that - to pull back from this two per cent that speaks to domestic partnership and constructs of family relationships which are at odds with our current legislation and with our value set and value system.

Asides.

Bishop the Hon. J. J. S. ATHERLEY: Mr. Speaker, I think....

Mr. SPEAKER: Continue, Honourable Member.

Bishop the Hon. J. J. S. ATHERLEY: I think that by institutionalising - not discriminating against people because of their lifestyle choices -- unnatural, and I mean that in the biological and scientific sense, lifestyle behaviour, we do our children a disservice, Mr. Speaker.

We do our children a disservice. I will repeat what I said earlier when others who now shout me down were not here. You do not deny anybody any privilege in Barbados at job or access to education or healthcare on the basis of lifestyle choices or behaviour, but you do not go the next step and put in place an institutional architecture that will encourage it and cause it to flourish and be perpetuated, especially among generations to follow us, some of whom are our offspring.

Asides.

Bishop the Hon. J. J. S. ATHERLEY: Mr. Speaker, you can follow this to its logical end. Where do we draw the line? Where do we draw the line when a man says, 'My pet is my partner. This animal I live with is my partner, sexual partner too,' where do we draw the line?

Asides.

Bishop the Hon. J. J. S. ATHERLEY: By all means, scoff.

Mr. SPEAKER: I would like to hear the Honourable Member.

Bishop the Hon. J. J. S. ATHERLEY: Scoff, laugh, by all means. Mr. Speaker, we all in here know what is happening in the world community about us. We know what the trends are. We know where the crazy people are going. We know what is being forced upon small countries dependent upon the generosity and the wherewithal of other countries in this global space. We know what is happening. We think it is far-fetched. You know even in the most recent debate I heard the same Honourable Member here refer to this. When a man comes and says, "This is my pet", what am I going to tell him; that he cannot bring it? Do you know what is the logical next step? "This pet is my partner." Mr. Speaker, when we move to strange forms of lifestyle activity and behaviour and institutionalise them, we are opening Pandora's Box. The next thing you know is man is living with man under an institutionalised legal framework, approved by this Parliament. Man is living with man, woman is living woman and our children learn those values until man one day decides, 'I want to live with my animal'. Laugh, scoff as much as you want. That is the world in which we live.

Do you know what they say very frivolously sometimes, Mr. Speaker? When they are scoffing at the Christian faith, when they are scoffing at adherence to the Christian faith -- like my Honourable friend from St. Peter, a proud Adventist -- when they are scoffing at persons of faith, do you know what they say? They say that the Bible that says homosexuality is wrong also says that adultery is wrong, and it does, Mr. Speaker. Do you know the difference? Do you know what the difference is, Mr.

Speaker? We can research the biology and we will see the difference. We can research the makeup of the body, how this body is framed and the uses of the organs of the body and the orifices of the body. We can check that out, Mr. Speaker, and we will see what is natural and what is not natural because both may be wrong, but one is natural and comes from natural instinct using naturally ordained means. The other one is unnatural. Laugh and scoff. Laugh and scoff but in reality as a legislature, this is where we are in today's world and somebody on the other Side has to say, 'No, no, no! That is not the way to go.' Do not duck out. Stand up and be counted. Mr. Speaker, I really think that those things are important, the two per cent potentially work here.

We should not discriminate against people on the basis of gender and the legislation should treat to that. There is absolutely nothing wrong with that. I think we have sexual harassment legislation in Barbados, a legislation that seeks to curb that type of practice in the workplace. Mr. Speaker, these are matters we have to address, because it obtains at the highest levels in Barbados, in young women especially are harassed and exploited in the workplace and that is a right and proper focus. It is being done by people who are operating at the highest levels in private and public in Barbados. That certainly should be a matter of concern to us.

I observed with someone not too long ago with the circumstances of the negative outfall from COVID obtaining around us, and unemployment levels having skyrocketed. Mr. Speaker you know this, I am sure persons have come to you as clients, you know this. They have come to me, both in my political capacity as well as pastoral capacity, complaining about superiors in the world of work who want to harass and sexually exploit them. I can think of one for whom it created such stress it drove her to serious medical complications, spent much time at the QEH and still trying to recover. My observations suggested to me that with this inordinate increase of unemployment in Barbados, that situation potentially becomes worse and what I am doing here is simply making a call that we use the legislation which is available to us and to the extent that we can improve it, improve it so that we may curb that kind of thing not open the door for this two percent that potentially will kill.

I heard eight or ten ZR operators conversing together on a Sunday morning. Mr. Speaker, you know how fellows are, they will sometimes make a joke about the most serious things although they recognise that they are very serious. It is a moment of levity and that is the way they focus on serious matters in a situation which suggest that is a jocular moment for them. They were saying it is the preferred route now for ZRs in Barbados, not Bush Hall, your area, but Bush Hill, that is what they were saying. Do you know what that says? With all that is happening around

us in terms of the economic negative outfall and decline from COVID there is more activity. One guy said they are more passengers around the Bush Hill route than they are on the Silver Sands route. What legislation do we have to ensure that people especially our young females who fall vulnerable subject to the prevailing economic conditions. What legislation we now have existing that we can use to treat to that, we must use it and where it is weak we must make it more robust. That is where we have to go. That is a problem and even to which we have to respond. What is the evil we are trying remedy here?

We do not want to discriminate against people on the basis of political opinion. That is in the legislation and that is good. Political opinion is a good ground for antidiscrimination legislation. Mr. Speaker there is a certain nastiness in our politics and in the culture of our politics that we have to acknowledge and confront and certainly reduce until we can eliminate it, because people in Barbados are quite aware that though we bring this legislation here today that you cannot discriminate against people on the basis of political opinion or I suppose it is intended political affiliation etcetera. The truth is, that it is a practice obtains in our culture every day in every succeeded administration in Barbados we have this going on. That a fellow gets or loses a job because of an attachment to a political party. That is part of culture and we have to bring it to an end. That is an evil that we need to seek to redress.

We have people in our public service system who are superseded on the basis of party affiliation. They are known to be affiliated to a certain party, so somebody passes them out of the way up in the world of work and they lose out on opportunity because they are perceived to be aligned and they are well needing people who would like to give vent to their political instinct or to give expression to their political impulses be it part of the culture or practice, and the architecture of politics in Barbados. They are people who want to do that but is not going to step out, because to do so the political hammer falls on you. That is an evil we need to redress in Barbados, so it is alright to put in this legislation this year, but it do not discriminate against somebody for employment on the basis of political opinion et cetera.

There are other aspects of discrimination and ill treatment of people and impartiality or partiality depends on how you put it, in relation to people and opportunity based on perceived political connections. They work for you today and tomorrow when the colours change they work against you, and we have got to do something about that.

Mr. Speaker, it is true and is it part of our reality that we are sending home one to recruit another. Is it true that when this certain colour rules the day you are sent home

and somebody else is hired to do the same job for which you were let go? When another colour comes into his place the reverse takes place. These are realities that have to be addressed. We have change the political culture. This Government has the numbers to change these things in Barbados and this is a now moment, the opportunity could be seized, not to cement it but to correct this ill. You are awarded contracts. Mr. Speaker you know this, because of the party badge which you wear or the banner behind which you march. These are realities that we must try in a maturing democracy to eliminate from the process, and the ultimate goal is to eradicate them from the scene.

We place persons in key positions, that is, positions of influence so that they can help us electorally no matter who else is better qualified to do the job. It does not matter if entity A needs a Chief Executive Officer (C.E.O.) or manager, we put that person there because that is a party loyalist. It does not matter that the other person is better qualified. I remember not long ago when we had to deal with the matter of the C.E.O. for the Queen Elizabeth Hospital (Q.E.H.) and I took a position that it does not matter to whom she is related, the ultimate consideration for me is whether the person can do the job as the person qualified for the job?

I supported that person for that position because a principle perspective from which I come, it does not matter what colours she wears and to whom she is connected. If she is qualified for the job, capable of doing the job and we have the means to remunerate, then it is my position. This business of putting party loyalists ahead of others who are better qualified is an evil that we have to address. As we seek to do this and counter discrimination regarding employment in Barbados, we have to consider these other things as well. Trade union affiliation is another good ground as the Honourable Minister presented. You cannot be discriminating against people because they belong to Union A, B, C or any union at all.

These anti-unionization practices in Barbados, we have to bring the full brunt of the legislation available to us and improve it where necessary to bear on this situation. It is not sufficient to say that we are not going to be tolerant of any actions which run counter to the spirit of this industrial relations practice of allowing people to be organized as labour and to be represented by a union of their choice. We have to go beyond the words and just as we are providing for anti-discrimination legislation on the basis of union affiliation, we have to make sure that the practices which obtain and in many instances it is from the foreign investor, but it also happens on the domestic front by domestic investors because they pressure people not to be affiliated with unions.

In 2020, a mature and intelligent democracy as Barbados is, we have to treat to that. If I am totally honest

to say as well, I have to say that the practice of corrupting or compromising union leadership through partisan leadership relations or the adoption of partisan oriented agenda which is a historical feature in Barbadian politics, we have to treat to that. Mr. Speaker, you know of the relationship between unions and political parties in Barbados. You know of the history of that day when the party now in office benefitted from that and a long period when the party now in office suffered as a result of that.

In this modern day upon which we have now arrived, we promote very much the concept of consultation and that is good. However, we cannot corrupt the process of consultation such that we compromise labour unions or labour union leadership. There is a growing current belief out there that is happening in Barbados today. I like to be as frank and honest as I can, and I do not know that I have yet come to the point where I would stand and say that it is true. However, the appearance is there. The perception is there. The belief in the minds of many is there. Though we applaud because we seek to promote the business of consultation and the consensus where it may be arrived at, the whole issue of compromising people by the connectivity and the relationship between political leadership and union leadership, political parties and trade unions is a thing of which we must be very careful.

I think that could easily become an evil that destroys us. Before I sit down I want to say, Mr. Speaker, that we employ non-nationals in Barbados from the Caribbean Community (CARICOM) area and there are too many instances on which it is said that we do it because we can pay them less than the average Barbadian. Sometimes we make the excuse that they do better work when, in fact, they charge us less and that is the driving consideration. Mr. Speaker, when we do that we demean those people. We are exploiting those people, doing a disservice to the Barbadian worker and that is a matter to which we must treat. Dare not forget it because when you are talking about discrimination or non-discrimination in the world of work and employer-employee relations, you have to treat to these issues too because they are real.

They are real. Not too long ago once you came from Guyana, Barbadians employed them because they could pay them less. Persons held their passports because it was felt that the Guyanese worker could not do anything about it. It demeans them and does a disservice to the Barbadian labour force, then it is said they are only taking jobs that Barbadians do not want. They say that Barbadians do not want to work in the agricultural sector. If that is true, then let us find out why. Let us make the field more attractive or find more modern forms of agriculture that we may engage their interest.

If things continue along the path they seem to be trending, the reverse will soon become a reality.

Barbadians will be going to Guyana and will be exploited because of the uptake of their economy and the downward slide of ours. It will demean us and be a disservice to them as a reality to which we have to treat. I get the complaint of poor working conditions all of the time through my role with the church but also in my political capacity, especially from women. They have to work under very poor conditions. I am glad that to some extent this legislation treats to that because it is an evil that must be addressed regarding women being demeaned and degraded in the workplace. They are made to work in all kinds of conditions that are not decent.

Mr. Speaker, I see you nodding your head because you hear the same complaints. We need to see that when businesses of a certain size or in a space of a certain size are established in Barbados, there is some obligation to provide facility for child care services. Government cannot do it all. The Honourable Member for St. Thomas disagrees with everything I say these days but I know she would agree with that and we have to have a situation...

Asides.

Bishop J. J. S. ATHERLEY: You cannot have 700 or 800 people employed in a space and the businesses do not feel a sense of obligation to being part of the provision of a child care facility that provides for access more immediately so to parents and guardians under whose charge they fall. It helps with the productivity, Mr. Speaker, so you do not have to leave with spot A off the job and travel four and five miles to get your child, take the child home and get back to work. That type of thing is something to be ridiculed I regret to say, I will not apologise for it. I think it is necessary.

Mr. Speaker, I am done for now only because time is pressing on but my main thesis is this: This is a good piece of legislation. The two per cent in it potentially would kill. I am against that two per cent, I will vote against that two per cent and I hope that when we come to vote on the Clauses they are so called that I would be allowed to vote against that two per cent, as ??? for us to vote against the entire Bill because I cannot accept that two per cent in here and I really do want to encourage Honourable Members in there to take a stand. This Bill is good but extract the two per cent that potentially would kill. I thank you.

Mr. SPEAKER: The Honourable Member for St. James North.

Hon. E. G. HINKSON: I thank you, Mr. Speaker, and I would crave your indulgence on just two issues before I get into my support for this Bill which is before your Parliament today. First, of course, I want to join with the Honourable Member for St. Peter who introduced this Bill in giving deep sympathy not only to this country and

this region but of course to the family of the late Prime Minister Owen Seymour Arthur, one of the most outstanding Barbadians ever lived. His contribution to this country and region is unquestionable. He is a man for the times. As has been said he led Barbados for almost 14 years at one of our greatest times of economic prosperity reducing the unemployment of this country to 6.7 per cent, as I said many times in this Parliament, the lowest it has been since the abolition of slavery. He was the political leader, the Prime Minister of the Caribbean, at the forefront of the CARICOM Single Market and Economy and of course Barbados at the time being the leader in terms of the establishment of the Caribbean Court of Justice and the mere force with which he fought the superpowers regardless of the size of Barbados with his calm on the Shiprider Agreement for instance. Mr. Speaker, I know of course that this Parliament will shortly have, I am sure, the opportunity to pay tribute in wider form to the late Prime Minister of Barbados who of course was a Member of this Parliament for over three decades.

Secondly, Sir, this is the first speech I will be making as a Government Backbencher so therefore I have not served in every capacity as a parliamentarian starting as an Opposition Member of Parliament, a Government Cabinet Minister and now a Government Backbencher so in terms of Parliament I have to be now seemed as an elder statesman and certainly I would hope that my speeches are coloured in that vein but I really want to take the opportunity here now - you know how it is, the Press calls you and you avoid them at stage like this - to take the opportunity to thank the Honourable Prime Minister of Barbados for giving me the honour and privilege for 26 months to serve in the Cabinet of Barbados.

Mr. Speaker, there have not been 150 people who have served as Cabinet Ministers in this country since the establishment of Cabinet, Government as we know in the mid-1950s, 66 years ago, so you are still in an exclusive group to have served or to serve as a Cabinet Minister, no more than 150 persons, and therefore it is an honour and a privilege which I will obviously carry to my grave. There is no right to be a Cabinet Minister and a Prime Minister of course who wins all 30 seats have a difficult task, and as I said I was privileged to have served for 26 months and I will continue of course to support this Barbados Labour Party. I would obviously still have a say in the legislation that come before this Parliament as a member of the parliamentary group.

Sir, this Act, as I believe the Honourable Member for St. Peter mentioned, has its genesis for a long time. Certainly it was conceptualised in the previous Barbados Labour Party Government led by the now late Prime Minister Owen Arthur. In 2015 I remember attending either two or three sessions which the then Government had organised as the recognised leader for stakeholders within

the organisation serving people with disabilities. I would have been invited in that capacity and as I supposed as an attorney-at-law who would have done a lot of work in terms of disability rights. The last Government in fact had a couple Bills in draft. One was on discrimination of employment which was discussed in those sessions. This Bill which is before your Parliament today, Sir, is an expansion of certainly the Prevention of Discrimination in Employment Bill which the last Government was thinking of. I believe it in fact combines two Bills which were before them and of course like most things the last Government sat and did nothing. As I said this was 2014/2015 and of course they had three-and-a-half years before election to bring in this legislation or similar legislation and they did not but that is typical of the last Government.

Sir, I am going to concentrate on discrimination or the prevention of discrimination against persons with disabilities. This is one of my core policy areas. I am now of course freer to speak on policy now not being a Member of Cabinet and as I so do I hope to at least give some enlightenment on certain areas. The definition of disabilities in this Bill in Section 2 is in fact the same definition as it is in the Convention of the Rights of Persons with Disabilities, a United Nations Convention which the Government of Barbados under the last Barbados Labour Party Government would have signed in June 2007 and then the last Government of Barbados, the Democratic Labour Party would have ratified just after the 2013 election on 27th February, 2013. But after a country signs and ratifies a convention it really ought to bring the convention or certainly the tenets of the convention before Parliament for it to become law. Sir, I am fully aware of the institutional systems which would have to be put in place to give people with disabilities the genuine facility of being able to take advantage of the tenets and provisions in the convention of which I speak and therefore because of those fundamentals, I suppose, that we have not been able to institute... When I say "we" I am speaking of this Government because we came in during a tremendous economic downturn, and then when you are recovering and starting to see the light, on comes COVID-19 for the last six months and you are therefore fighting against that. But really and truly, the Government owes (and I want to say this) people with disabilities the opportunity to be subjects, to be parties to further disability legislation, enshrining their rights in conformity with the convention that both parties would have signed on separate times while being a Government. On the issue of employment we are here debating effectively the provisions of the convention in Article 27 relating to work and employment and therefore I commend the Minister of Labour and Social Partnership Relations for introducing this Bill to Parliament for the work that has been put into the Bill in his ministry over the last two years. The Honourable Member therefore is, in fact, legislating that aspect of the convention into the Laws

of Barbados. Article 27 of the Conventions essentially all of its provisions are provided for in this Bill.

The convention, in fact, defines what is discrimination on the basis of disability, it effectively is speaking to the distinction, inclusion or restriction on the basis of a disability such that a person is paired on an equal basis with others, and that theme is repeated in this Bill, as to their human rights and fundamental freedoms in all aspects of their lives, whether political, cultural, social, et cetera. And Sir, look, I mean, in a recent speech I made in this Parliament, I spoke about my background as a little boy in England to try to bring some understanding of where I come from. Mr. Speaker, Sir, a lot of people seeing me might have thought that I had life easy, that is why I am fundamentally against discrimination at all levels. Mr. Speaker, Sir, in this world, including in this Barbados we know people have been discriminated against because they are “too black” or they have “knotty hair”, or [that] they have “four eyes” (little children at school wearing glasses) and you are discriminated against and bullied because you are wearing glass. Or “you are too short”, or as I know full-well, because you might have a speech impediment, but I stood in this Parliament equal with other Opposition Members of Parliament to be told and to be mocked at by at least two then Government Cabinet Ministers. That is the truth, Sir, one was the then the Honourable Member for St. Michael South Central, de facto, Deputy Honourable Prime Minister of this country and quite frankly when that Honourable Member did that that day I was astonished. I was absolutely shocked. I did not think that that Honourable Member would have done that, out of all the Honourable Members. I remember telling someone about that recently and they told me that they did not believe it, but went and asked another former Democratic Labour Party Cabinet Minister who confirmed that what I said was true and in fact, that then Cabinet Minister said that he was disgraced, that he really wondered what that Honourable Member was about. Mr. Speaker, Sir, thank God he was beaten badly the last election, I mean, that kind of attitude, if Members of Parliament or Cabinet Ministers could discriminate on the basis of simple fundamentals that quite frankly are absolutely irrelevant, and does not stop someone from trying to achieve the best of their talents, or to do good in society or to serve their people to the best of their ability, [then] those kinds of people have no place in representing at any level anyone.

Mr. Speaker, Sir, Section 3(2) sets out the grounds for discrimination in this Act. But I am going to concentrate, as I said, on disabilities. Mr. Speaker, Sir, as it relates especially to discrimination in employment for people with disability, we know that a large percentage of people with disabilities (a substantial percentage) are unemployed. This Government has tried to focus on their self-employment and have given the opportunity, for example, through the Trust Loan Fund programme,

established under the ministerial mandate of the Honourable Member for St. George South. Also, this party would have adopted a policy that 2 per cent of Government contracts should go to persons within communities and people with disabilities. But, you know, Sir, you set policies as a Government but then you have to make sure that those policies are implemented and I am not so sure that we have so far laid the platform where people with disabilities have been able to avail themselves of the very wise policy of this Government to bring them into the mainstream in terms of the award of Government contracts. I believe more has to be done.

Mr. Speaker, Sir, I can say that we were about to look at that because we have discussed that in March, then COVID-19 came along. I know that that has been set back but I am asking for it to be put back on the table because persons with disabilities are not naturally able to go and tender for these contracts, they need assistance in terms of the profile, marketing, financing and other aspects and I think we have a duty to do that. Mr. Speaker, Sir, we cannot afford to leave anyone behind in this society and as Mahatma Ghandi said, a chain is only as strong as its weakest link, and on the political front, this Barbados Labour Party won 74 per cent of the vote, so that those voting as a fact I know that well over 80 per cent of persons with disabilities who voted the last election voted for this party. I made sure of that and I say no more on that point. We have a duty to a community which heavily supported us to ensure that they can get the benefit of these issues, of the policies which we have started to put into place for their advancement. Sir, opportunity is what you need in life and opportunity starts also with education, and the Honourable Minister of Education, the Member of Parliament for St. Michael South East, for example, last year introduced a Resolution into this parliament buttressing the Ann Hill School. Sir, remember that monies were given to improve Ann Hill School in The Pine itself, Sir. I should also say that when we talk about discrimination, I should have mentioned that too -- foolish discrimination, because we are representatives -- whereby people are discriminated against because of the district where they live or where they were born; foolishly, that kind of thing.

Sir, I went to school in The Pine. My sister went to school there too at the Irving Wilson School, so we were at school in the same compound. This Bill is about seeking to remove those nonsensical types of discrimination, Sir, which still prevail among certain sectors in this country. The Ann Hill School and the Irvin Wilson School are still the only two, to my knowledge, Government special needs schools serving students who are between 11 and 18 years of age. We need to buttress that and improve that, Sir, because outside of those facilities for children between those ages, parents still have to pay for their special needs education. Yes, Government subsidises the education

financially in a lot of cases, but it should be as of right, Sir, and it is something that we as a Government and as a country have to look at. These kinds of issues define ultimately what the good society is.

Outside of neurotypical children, they have a wide choice of at least 23 secondary schools, all of which are free. There are neurotypical children who have some form of difference, Sir. They can go to the secondary school and that is free, so we have certainly made progress in that but the education of the child who is differently able is paramount because if that does not happen, they are not going to have as much employment opportunities which this Bill is seeking to give them, Sir. We all know this. Someone may have mobility issues but that does not mean that the person's brain is in any way affected, Sir. In fact, the brain is better off than a lot of others in society who 'pomposette' and play 'pouful' and arrogant. That is the reality, and they have to be given the opportunity.

Employers shall not discriminate, arising from this Bill, against an employee in terms of conditions of employment that the employer affords the employee. That is extremely important, Sir, and they should not discriminate against the person in the creation of the jobs, according to Section 4. Flexibility has to be given, as the Honourable Member for St. Peter said, in terms of accommodating the employee. An employee may have a child who has disabilities. Therefore, under this Bill provision ought to be made to accommodate such persons who may have to take their children once a week or once every other week for special treatment, Sir. Especially now since we have embarked on flexible work conditions with COVID-19 over the last four months or so, Sir, I would hope that employers understand the need to be more flexible in this regard.

Sir, as the Honourable Member said, this Bill will be enforced by the Employment Rights Tribunal. I would want to say, Sir, or at least advise the Honourable Minister that he will have to look, I am sure, at whether the Employment Rights Tribunal will become over-burdened. The Tribunal, as we know already, supervises the Employment Rights Act. At the time when the Barbados Labour Party came into office 26 months, I am aware, they had about 270-odd cases that were outstanding before that Tribunal under the Employment Rights Act. There was a hiatus before we got the tribunals in place. Three separate tribunals we have; a nine-member commission divided into three tribunals with three persons each. We know they have been doing well. Perhaps the Honourable Minister may in his wrap-up wish to give the figures as to how many outstanding cases there are now and how many they have already heard under his ministerial leadership. I do not know those figures, Sir, but I suspect that when this Act really gets going, there may be issues again before the Tribunal.

Sir, as I seek to re-establish my law practice I certainly look forward to being before the Tribunal on that issue. Of course, I would have done the first case before the Barbados Court of Appeal on the Employment Rights Tribunal and won it, Sir. I was unable to go before the Caribbean Court of Justice because at that time I was a Minister, Sir, so I look forward to practising some law under this. It is ripe for exploration, Sir, and therefore I think, Minister, you may have to look at how the Employment Rights Tribunal may be able in the future to cope with this new responsibility. Sir, certainly there is the three-month time-frame in which you have to make a written complaint to the Tribunal if you feel that you are being discriminated against in the workplace. Three months, as we know, Sir, is not a long time. It is short. As you are fully aware in normal civil practice, you have a lot longer time; three years and four years, and sometimes six years to bring Civil Procedure actions. Three months is short, but thankfully under Section 29 of this Act, the Tribunal can extend the time in which a written complaint has to be given, depending on the circumstances involved. That is good to have that flexibility. Of course, it is administered through the Chief Labour Officer, and sometimes you wonder if the Chief Labour Officer has too many responsibilities. I suppose it depends on the good sense of the Chief Labour Officer in terms of delegating responsibility to his officers on this so that he personally is not swamped. Sir, what is interesting as well, of course, is that the Act also applies to Government, at least in my submission, because unlike the Employment Rights Tribunal which at Section 51 specifically says that the Employment Rights Act does not bind the Crown but applies to statutory corporations and this Act does not say that it does not bind the Crown. Therefore, the implication is that this Act also applies to Government departments. Sir, the Severance Payments Act as you are fully aware of, in fact exempts the public officers from persons in statutory boards under the Pensions Act from being able to avail themselves with this Act. This Act and the Cabinet was in its good sense did not say that it does not bind the Crown. Therefore, it binds the public sector as well.

Therefore, in actual consequence of that is that persons who are responsible for appointing and selecting people for jobs both the in the Government and private sector have to become fully aware of their obligations and duties under this Act. I trust that there will be information channels to educate the public like Government Information Service and others as to what are people's rights and obligations under this Act. In fact in terms of employment in the private sector, I said this many times before, as an opposition MP and before being a parliamentarian in my life as a leader in promoting rights of people with disabilities. There is a crying need for affirmative action in both private and Government sector. In the private sector you can give incentives to employ persons with disabilities. Sir I say that in Jamaica there is a

policy that three per cent of public sectors jobs are reserved to people with disabilities, so we do not have that policy, a similar in Barbados and I believe the time is right whereby removed that kind of framework, especially if we are to make legislation like this meaningful for people with disabilities.

Sir, last week I spoke and I believe I spoke with passion on another issue. Because half of the Honourable Leader of the Opposition speech was on the domestic partnerships issue. I am freer to speak on this now than I was a week ago and what I said certainly does not bind Cabinet. Sir, I said that because of my background I have to be fundamentally against discrimination in all forms. Because of my Christian background, having been brought up and baptised in an Anglican Church I must say, I mean I could not be truthful and my mother would want to disown me if I said otherwise Sir that is the truth. Sir, I cannot and I will never accept that marriage could be anything other than between a man and a woman. I start by saying that, marriage must be between a man and woman, and I could not come beyond that in terms of marriage.

However, in terms of discrimination and really and truly the Honourable Leader of the Opposition has to sometimes think pass..... and Sir I want to be fair and do not sound like if I am being offensive. The narrow concepts of religious tenants and tradition and what we derive from the Church of England. A Church of England that as I said before during the debate on black lives matter was highly discriminatory that had black people sitting in the back of the church and could not go to the front whatsoever. Whatever you said in terms of education in terms of where people lived on the church land and on the bank waters was discriminatory. As we know the church was part of the state of Barbados until it was disestablished in 1968. We have to in the year 2020, the third decade of the twentieth century accept that they are people among us. Sir all of us have constituents, but you go when election time comes and ask for a vote that have sexual preferences that may not be similar to yours as a candidate, but you want the vote the still. However, you want to come as the Honourable Leader of the Opposition and discriminate against them in the highest legislative forum in the country. You cannot stand for that Sir, but that you are going say that somebody should be denied a job because of their sexual preference. That is effectively what we are saying and I cannot accept that Sir.

The Honourable Leader of the Opposition spoke in terms that he does not know of those situations in Barbados. Sir I do not know if the case is finish. I was out of law and I am going to get back into now, but before the Employment Rights Tribunal, Sir last year a case was filed because somebody was dismissed from a particular place of employment because they revealed themselves as being of a certain sexual identity. Sir I do not know where the

Honourable Leader of the Opposition lives. This Bill is seeking to prevent that and I have to stand firmly on the side of the Bill, because none of us can stand here as I said last week during the Remote Employment Bill and play God. I am not casting judgement on anybody on their behaviour. Because on judgement day the Lord will also make a judgement on me. None of us are perfect, all of us have defects in our beings. Sir, he who is without sin cast the first stone, and I am not going to say that someone in St. James North must be denied a job because of a sexual preference, not in 2020.

Mr. SPEAKER: Your Honourable Member has two more minutes.

Hon. E. G. HINKSON: I thank you Sir. That is no different and as I said in Section 3 (2) sets it out. Sir, that is no different from when I was Minister in charge of the Police Force, it came to my attention that under the previous Administration someone was denied promotion in the Police Force because they happened to be cousin of a then candidate of the BLP, who is now a Minister in this Government. That is why they were denied promotion at one of the highest levels of the Police Force. When I heard that, I was appalled that a Police Service Commission could take that stand. Sir it has to be highly condemned on any of these grounds. All of these grounds are in my opinion pertinent and relevant to where we at right now as a country.

Sir I stand in support of this Bill as now one of the elder statesmen of this Parliament.

I end by where I started too. I am sure I will have the opportunity in the near future to pay tribute in wider fashion to the late Prime Minister. I am also proud be standing here as Member of Parliament for St. James North for which I will continue be as long as the Lord and people of St. James North wish me to be. I am proud to be representative for some of the areas that the late Prime Minister would have represented at the start of his parliamentary career, namely Aston Hall, The Whim, Road View, Bakers and part of Black Bess plantation. The Honourable Member for St. Peter is laughing. He knows why, Sir. We had a conversation today but I am proud to be able say that I represent. In fact, 23 per cent of my constituents live in St. Peter. Therefore, I am proud to have that as part of my service to this country. Sir, I thank you.

Hon. M. K.-A. CADDLE: Thank you, Mr. Speaker. I plan to be quite brief. I rise in support of this Employment (Prevention of Discrimination) Bill primarily to share a few thoughts on this notion of values that has been addressed by the speakers before me, in particular, the Honourable Leader of the Opposition. Sir, before coming to political life I started to observe in particular over the years leading up to 2018 what it looks like when a person or a group of

people who have been asked to lead and govern a people, determine policy and asked to be an example of development and progress, what it looks like when those people start to gravely lose touch with the people they were asked to represent or people who gave them an opportunity to represent them.

I saw a group of people in the last Administration who had become so disconnected from Barbadian life, society and the real things that Barbadians are concerned with that they thought they could make these kinds of cheap political efforts to hold onto influence based on what they believed was the value system of Barbadians or in fact, based on what they wanted to encourage as a value system among Barbadians because it was politically expedient for them. A group of people who had no platform, ideas or not much to contribute, so what we saw is that all they could try to draw on was this notion that Barbadians were primarily concerned with this value system that those people were ascribing to Barbadians.

They did not realize and so disconnected were they that they neither observed or were a part of the evolution of the country. It was one that started to really evolve and develop on a broader platform of social justice, inclusion, tolerance and love. This is the Barbados that I know. The Barbados that we saw when people started to talk about what it is that matters to them was one where people wanted to feel that they had a fair shot. They wanted to feel not just that they had a fair shot but that everyone was able to participate in the life that we were creating together.

Sir, when you lose touch with people you start to miss their development and evolution. I am proud of the Barbados that we are continuing to build and that is continuing to go together because that Barbados has already started to reject discrimination in very strong and loud terms. They have already started to personally reject that kind of discrimination in their own lives. What you will hear people say is that I want to live and everyone else also. I do not care who is going in at you when the night come. I want to make sure that the children who live in your house are getting an education. I want to make sure that my children have an opportunity.

Sir, I recall that one of the first conversations I ever had in St. Michael South Central was with a young man from Carrington Village who ran up to me and said that he wanted me to deal with something for him. It is not for him but an old lady who lives down the road. He described to me this woman's living conditions. He said to me that he did not want anything for himself because he was young and could work, but he wanted me to make sure that she can live a life of dignity.

Sir, the kinds of slippery slope arguments that we start to hear when this topic comes up that if you say yeas

to an adult, then you will say yes to a dog. These kinds of slippery slope arguments are intellectually lazy. Anyone can say them. Anyone can ask why not X or Y? You carry on down slope into the realm of things that just bear no resemblance to reality. They are disingenuous because they start to stoke fear among people when really what we should be trying to do is to galvanize people around a value system that sees us all caring about each other and rejecting discrimination and intolerance. There can be no place for it in the kind of civilization that we are trying to build.

The point that the Honourable Member for St. Peter made in leading this debate is that you can believe what you want. You can live the kind of life that you want because that is at you. However, you do not have the power or the right to deny someone an opportunity at anything that we believe is an important part of their development and prosperity because you do not like what they are doing. This is the simple premise and it is a premise unlike what we have heard regrettably from the Honourable Member for St. Michael West that has been embraced by future generations and young people.

The young man who started the debate about the removal of Nelson Statue represents a generation of young people who feel like the development pathway is not complete until we expand it to look at this notion of human rights. They are not satisfied with just getting by. They are not satisfied with just getting a job and looking at this kind of narrow set of economic goods and services as all we have to deliver for people. They want social justice and inclusion for all. That is what they want. Let us stop ascribing to them our own narrow and bigoted values because they are not their values and they are the ones who have to decide the kind of world that they want to live in and that they would create. It is not just on the matter of racial inequality or it is not just on the matter of anti-discrimination in the workplace.

Mr. Speaker, I have a niece who is six years old and she becomes personally offended and wounded and traumatised by people littering. On weekends she wants to know where is the next beach clean-up, how she could she go and pick up the mess that people are creating. She feels so invested in the natural environment that she feels personally responsible for it.

Sir, one of the reasons that I think the Honourable Member for St. Peter, aside from being the Minister with responsibility for labour, is the perfect member in this place to lead on this Bill is because he is a member of a faith and practises a faith - you know you learn a lot from sitting next to somebody in Cabinet every week - that promotes not just the idea of religious freedom but also the idea of stewardship, the notion that we who happen to live on this earth for the period that we are given are stewards of the environment around us for those who would come after us

and it means then that it falls to us to contribute to the evolution, to the knowledge and to the learning of these next generations and to create the space for them to determine the lives that they want to live, so the notion that anti-discrimination is an important value in this Barbados, in this Caribbean that had to fight so hard for freedom in so many ways, that had to fight for suffrage, that had to fight for workers' rights and that had to fight for women's rights. In fact, the Caribbean Women's Movement was one of the global leaders in making sure that gender equality was something that we promoted and we are suggesting that freedom is an imported value in this Barbados, not in my Barbados, I do not know where you live, Sir - not you Sir - but those who would say so. It is a lazy argument. This Caribbean region is in many ways the capital of freedom and long may it continue to be so.

Sir, this perhaps has been the shortest intervention I have made in this place but I simply had to rise in support of this Bill not just to say that it is important work - and I join the Honourable Member for St. Peter in thanking and recognising the officers from his ministry who shepherded this through - it is ground-breaking work but apart from that it represents movement that Barbadians want. Those who have lost touch with the people who sent them here I beg them through you Sir to try to reconnect and understand that Barbadians are tired of people getting 'unfair'. It is in our DNA. We do not like it. Barbadians are the ones who are calling for this kind of change and we owe it to them to make sure that it happens. I am obliged to you, Sir.

Mr. SPEAKER: The Honourable Member for St. James Central.

Hon. K. D. SYMMONDS: Mr. Speaker, Sir, I vowed that I will be no longer than perhaps 10 minutes if so much. Sir, I confess at the outset that I did not intend to contribute to this debate but having listened to the Leader of the Opposition I reflected long and hard on that which I can only describe as the tone-deaf aspect of his contribution which really was located in an obvious fear about the issue of homosexuality in this country.

Mr. Speaker, Sir, I begin by simply saying that long before the United States Civil war, which I believe was 1861-65, there was a society of friends known as the Quakers functioning in the United States of America and also in Great Britain staunch abolitionists all and they formed a society which came to be known as the Society for the Abolition of the Slave Trade. Sir, I ask you to carry your mind back through the years to the history of that society and most important to reflect on the symbol because a distinctive seal was created. I first saw it when I was learning history at school but it has always lived with me for three reasons (1) it is an African male, (2) he is on bended knees shackled, wrist and ankle, in abject

subordination and (3) underneath of it it carries the slogan "Am I not a Man and a Brother" At early stages of my adolescent life, Sir, it jumped off the page at me because it provokes you to ask yourself the simple question that quite frankly my friend from St. Peter, the Honourable Member, asked us all today. Indeed, there was a period of time when we would have shared classrooms at the school that I have in my mind and therefore I am sure that he would have seen it in the same vein that I saw it. We have at some point to start to ask ourselves is it right to discriminate against a person on the basis of the fact that they are different. Sir, what I found startling about the contribution of the Leader of the Opposition is that he admitted that he agrees with the legislation in its totality but for the two per cent where his own personal chauvinistic prejudice creeps in and he then makes a shocking determination in the basis of what he perceives is normal, but the obvious question for me is: 'Who mek he'. How does he determine what is normality? How do I determine that it is abnormal for some person with a heart and a mind to love a person with a heart and a mind and for that person to love them back but those two people do not feel love the way I feel love for the person that I have married, for example, or to be absolutely candid with the House the several times I have fallen in love before I got married.

Mr. SPEAKER: You prefer that to be on the record, Sir?

Hon. K. D. SYMMONDS: Mr. Speaker, if you have only fallen in love once in your life, I feel sorry for you.

Mr. SPEAKER: I am saying it is on the record, Sir.

Hon. K. D. SYMMONDS: It is a matter, Sir, that though while we are jovial about it, it is real, we cannot determine what is normality for anybody and I think that for years people have gone through this thing, you read the history of how the thinking has evolved and some people have said that there is a mental problem with a person, that there is some sort of scientific biological deficiency with a person. I am not interested in that. I said in this Honourable House a couple of weeks ago, and I mean it, I have no time for those things. Perhaps I am not getting too long in the tooth and maybe the time has come for me to think long and hard about continuation in this business. But for me, Mr. Speaker, Sir, it is about people getting food to eat. That is why I am here for, helping a man to get through in life, to get a job, to feed his children, to put them through school, to make sure they are in good health, that is what it is about. I do not presume that I have any right to reach into anybody's bedroom and make a determination on their love live. And quite frankly, I have not heard anybody making an assessment of a member of this place on the basis of the ability that he or she may have to be able to reach into anybody's house and determine who should live or sleep in there with them when the nights come. Sir, if we get into

that we are getting ourselves caught up in a vortex. I believe that this society is made up of a cross-section of views and values.

Mr. Speaker, Sir, I know that this society has been a crucible (let me be frank) of oppression. None of us in here can say that this society has not been bitterly oppressive to black people, to poor people, to poor black women in particular, to poor black men. This society is rooted in class in a vicious way. If you are born to a certain class in the history of Barbados we all know that you struggle in a way that you did not struggle if you were born in a different class. It is a happenstance of birth and nothing to do with the two different children who come out of different wombs at a different stage in life; it has nothing to do with them but that is what they inherited -- one for the better, one for the worse.

Mr. Speaker, Sir, our task is not to perpetuate that in any way, shape or form, our task, I suspect, must be to try to bridge that inequality, that crucible of inequality and oppressive conduct and attitude towards our fellowman who created this society in which we live. And if we are going to make anything, in my humble and respectful submission, Sir, of this journey that we have in public life, then it must be a journey that brings a sense of equality, an egalitarian perspective to the new Barbados. And that new Barbados must respect the crucible that we were born in and shaped in of oppression and discrimination and once you understand that that exists as a reality then you have to fix it, and you cannot selectively cherry-pick how you are going to fix it. I cannot say that I am going to fix the discrimination and oppression on the basis of the fact that people are poor and how you discriminate against them, and that people are born with a black skin and you should not discriminate against them. Mr. Speaker, Sir, I am not also going to deal with the discrimination on the basis of religious creed or discrimination on the basis of sexual orientation, or discrimination on any of the other bases we know exist in Barbados. Who makes it right to say that it is wrong to try to rectify certain types of oppressive and discriminatory conduct in a country, but that you must leave other types dealt with and corrected? Who makes it right? Who decides that? How do you pick the discrimination from the sky and say this one is to be fixed but not that one? And if that other one is not to be fixed, must it endure for ever? Could that be right, Mr. Speaker, Sir?

Mr. Speaker, Sir, I share the view of the Honourable Member for St. Michael South Central when the Honourable Member said that it is a form of intellectual laziness in the argument. I think I go further by saying it is really intellectually bankrupt as an argument and it is beneath the dignity of this Honourable House in the year 2020. I, Sir, perhaps can earn myself, for better or worse, the reputation of being a rampantly heterosexual male, so

perhaps I can say these things without fear of contradiction. But the reality is, Mr. Speaker, Sir, that that does not mean that I cannot respect the right of someone who is not heterosexual to love the person of their choice. In the same way that, Sir, I must respect the right of a person who makes a decision as other countries in the world have allowed them to do, that this is the partner that they want to have for the rest of their lives. Mr. Speaker, Sir, I cannot get into that because nobody chose your partner for you and nobody would choose mine for me, and the day that anybody tries to choose my partner for me it will be problems. So let us not do not get into this very unfortunate and artificial atmosphere where we can just say it is normal to love somebody but abnormal to love somebody else. Who makes the person to do that? On what basis do you define that normality or abnormality as the case may be? Because we all have heard the reasonings and the rationalizations behind it but Mr. Speaker, Sir, you know, the day that anybody has child and that child comes home and says: "Mommy, even though I am a girl, I have fallen in love with a girl". You may not like that your child has said that but I do not know of the mother or father who can consciously and deliberately and wilfully say, I no longer love you simply because you have fallen in love with a girl, because it would say a hell about you as a parent. And if we are not going to do that to our own children, Mr. Speaker, Sir, why then do we feel we can sit in the people's Parliament and make these prescriptions about the people who have elected us to lead, when in every household we know there are people who have friends, families, a combination of friends and families, they may even have acquaintances, or somebody that they know about that is in the same boat of what we are talking about? And all through all 30 of our constituencies all of us know that there exist those relationships, so are we going to sit here and say that we are going to bring a Bill to stop discrimination across Barbados in all 30 constituencies, except for people who have fallen in love with people of the same sex? Mr. Speaker, Sir that would be a form of mid-summer's madness to come here in July 28 to do that, on a rainy night.

Mr. Speaker, Sir, I support the piece of legislation but I see that the debate has gone hopelessly awry because of the very unfortunate argumentation (if you can call it that) of the Leader of the Opposition. I think it is rooted in the Victorian age where you would tie somebody to a stake, make sure that their feet are surrounded by coals, you would set the coals on fire and burn them to death while stoning them in the process because Mr. Speaker, Sir, they have fallen in love with somebody of the same gender.

Asides.

Hon. K. D. SYMMONDS: Yes, all these things used to happen, your hang them. When they are then hanged and dead you still would draw them and quarter them because

they cannot be dead enough. Mr. Speaker, Sir, when does it end? As I say, anybody who has a son or a daughter who comes and says: “Mommy or daddy, though I am a son I have fallen in love with a man, or though I am a girl I have fallen in love with a woman.” I do not know that any parent, though they may not like it, though they may get angry about it, though they may be disappointed about it, can simply say on that basis: “I do not love you as a child anymore.” I do not know if it can happen and if it cannot happen then, Mr. Speaker, Sir, we cannot come here and legislate on the basis of discrimination against people when the Bill itself is to bring an end to discrimination. It is a form of absurdity that I cannot be a part of. Mr. Speaker, Sir, that is my contribution. Here endeth the evening’s lesson.

Asides.

Mr. SPEAKER: Honourable Member for St. Philip North.

Dr. S. E. BROWNE: Thank you, Mr. Speaker. The truth is, like the Honourable Member for St. James Central, I had no intention to speak on this tonight but the debate has gone far and wide now, and I feel it necessary to make my contribution. Somebody mentioned on Facebook about Dr. Browne and posted, “I wonder if she has anything to ‘contribute’, B-R-U-T-E”, so I hope I do not fall into that realm tonight, but there are a few things with respect to this legislation. I want to applaud the Honourable Member for St. Peter for making it as thorough as he did. There are things which obviously I support: Discrimination against race and origin and colour and creed and religion. I can associate with the Honourable Member for St. Peter when he spoke about the Adventists. I have worked with many who were forced to work on Saturdays, actually. I am not sure how they view medical people, but they were forced to work on Saturdays to keep their jobs. It is a pity that it does not always apply to other religions where some people work on Sundays, but it is not taken so strictly then.

Sir, I agree with no discrimination against the sex of the person. Male and female should have equal opportunities. Years ago, in here would never have looked like this with so many females. As they say, we have “cracked” the glass ceiling with respect to women being in Parliament and indeed in the workforce. I have no problem with trade union affiliation. I know of businesses here that, for the employees’ fear, silently suggest that they do not join trade unions. This is because they fear for their jobs. I know off-shore companies here with the discrimination against medical issues and illness, and for one day off the employee is forced to go to a doctor for a health certificate and have to spend \$80 for just missing a day. Things like that need to be looked at, and I believe the Honourable Member will continue to do so.

Sir, the fact that we are putting legislation in place to protect people who may become pregnant or would have children for whom they may have to take sick leave. I experienced a bit of it when I entered political life. I think it was the only place I saw it, where eyes would roll if I mentioned having to be late for a meeting or being absent. Eyes rolling closer than you may think. I am glad to see that it is freeing up, but that being said, it is okay to say that we would not discriminate against people taking a day to look after a sick child or a child which may not necessarily be sick, but what are we putting in place to see that these people would be protected? In the first or second speech I made in here, for instance, I would have spoken about workplace pressures and issues with day care facilities where mothers and in some cases fathers could actually come to work comfortably knowing their children would be safe.

Sir, I am happy to see political opinion in there. Indeed, that needs to go from both perspectives. In other words, what I am trying to say, as the Honourable Member for St. Peter said, you should be taken at your value. If you are qualified for the job, it is yours. However, from the other perspective there are many constituents and supporters who expect a job because they are supporters. Looking at it from both ends, it is a problem. There are many supporters who expect it because they bargained the vote: ‘I will give you a vote if you give me a job’, and I and a lot of them came wrong for that, apart from the fact that I do not get many jobs opened for me. In terms of medical conditions, I want to get back to that. I am seeing on the immigration form for people who want to move and work in Barbados that one of the requirements is to have a syphilis test, which for the life of me and my last 23 years of medicine I did not see its relevance. To some extent, I can see the relevance of a chest x-ray but certainly not a syphilis test. Maybe we need to look at that because I do not see what that has to do with a person moving to Barbados, but it still exists on the antiquated form. You may have a look.

In terms of disability, I am glad to hear the Honourable Member for St. James North speak about this but I want to say at the same time that we need to put measures in place to train/educate these people. I have a few Down Syndrome members in my community; high-functioning Down Syndrome. We would have seen them overseas. There are many Down Syndrome people who are actors and actresses. I have met many high-functioning Down Syndrome residents in Barbados who clearly have the capability to work in a store but lack the training. I think we need to do more on that front. I know many who can help in a shop, help clean an office. We need to put measures in place. It is okay to say you would not discriminate but they have to be fit for the job.

Asides.

Dr. S. E. BROWNE: I want to say we are protecting the employees but at the same time I would wish to beg them, though, to be a little more considerate to employers. I represent one of the Boards, the National Assistance Board (NAB). I know many people who sit on Boards and I have noticed that a lot of the sick days are on Fridays and Mondays. This is a little strange. Most of the sick days would be repeat “offenders” Fridays and Mondays; something is a little strange about that. Although we are protecting the employees, we still have to bear in mind that the employers sometimes see hell -- sorry to say it -- in terms of the workplace.

Mr. Speaker, I am forced to bring up the issue that the Honourable Leader of the Opposition did. It is not a part of the legislation but I would like the Honourable Member for St. Peter to make it clear not only for my benefit but for the benefit of the public who are watching this: What he refers to as domestic partnerships. I am not a layer, but I am aware that homosexuality is against the law so it kind of confused me a little bit what I am supporting, because if that is against the law how is it that we are seeing anti-discrimination here? I do not discriminate against anybody that is gay, lesbian, bi-sexual or transsexual and others I forget now. I do not have a problem with them, they are allowed to have any job once they are qualified. I meet them every day, some of them are my friends but I am seeing a clash here with the written Laws of Barbados and what this legislation is saying.

Asides.

Dr. S. E. BROWNE: It would be helpful if the Honourable Member for St. Peter if he qualifies it in terms of what he means by domestic partnerships, Sir. I listened carefully to the Honourable Leader of the Opposition and the Honourable Member for St. James North, and I have to say and I reiterate that I do not discriminate against non-heterosexual people but I have to stand up now and say I do not agree. It is not in the legislation yet but for some reason I feel it is coming. I cannot agree with same-sex marriages, probably because of my background. Same-sex unions I do not have a problem with, I do not care what you do behind closed doors but at the same time it cannot include only these 30 people in here. It has to include the wider community before we sit up and discuss how the Honourable Leader of the Opposition is wrong or the Honourable Member for St. Philip North is wrong. We have to involve the wider community on this. I cannot support it, I was not brought up in this way.

I have battle when I turn on my television with my daughter sitting beside me, she is seven years now, every single show involves something of the non-heterosexual nature and I am forced to explain and she is going to ask me, mummy is this right, what is wrong with this. She would have heard about it in school even without my input.

Nobody thought to call and say, do you mind us teaching this to your children about different families. These are realities that we have to face. Regardless of what I think personally or what the other 28 Members think, these are issues. I have had calls from religious people, pastors, constituents that are fairly up in the church worried about this coming or what will perceive as coming legislation.

I watched a programme the other night, The People’s Business, and I was a little disturbed by the fact that it only represented half of what the matter was about. I thought it should have been a little more balanced and that is what we need, we need a balance, regardless of if we are afraid if people vote for us or not, we need a balance, we need to hear all views. Traditionally, this is a religious state, Anglican and many other religions and we need to take the reviews of these people before we can talk about this legislation.

I support the legislation, I just want clarification in that matter. I remember I had one conversation with the now late Former Prime Minister, Owen Arthur. He had called me after a speech I made in Parliament that was a bit controversial. At the end of it he said to me, “Sonia, you are going to get a backlash, but keep your head above the storm”, and as long as I live I will never forget him saying that to me. He said, “Stick with your integrity and say what you think once you do not offend”. I might be offending some, but this is how I feel. I have to stand up for some things if not I will fall for everything and this is my issue with the legislation. Other than that, I think it is a fantastic piece of legislation and congratulations to the Honourable Member for St. Peter. Here is where I take my seat, thank you very much.

Mr. SPEAKER: Honourable Leader of Government Business.

Hon. Miss. S. J. O. BRADSHAW: Thank you Mr. Speaker. I want at the outset to commend the Honourable Member for St. Peter for bringing this very revolutionary piece of legislation. I know that the work had been started by a previous Administration. I do not think that there is much divide amongst either of the political parties including the one that the Leader of the Opposition represents as it relates to a belief that as a society we should be intolerant to discriminating against people on a number of grounds, whether race, sex, sexual orientation, age or any of the other things which are common for people to discriminate against persons for.

Having had common ground by both parties in relation to that fundamental principle, the Honourable Member has risen to the challenge and brought to Cabinet the revisions to this particular piece of legislation to allow us as a Cabinet certainly to approve the Bill that is before this Chamber.

Now Sir, I recall in 2016 a document which has been made a document of this House called the Covenant of Hope, which at the time the Honourable Prime Minister as Leader of Opposition would have indicated to the country and certainly to all of us as young members whether in Opposition or person aspiring to public life, that as a political party we needed to determine what we were prepared to stand and fight for and therefore how we were going to transform a Barbadian society that certainly had come out of the bosom of a colonial era, but one which understood that both society and the economy needed to be transformed if we were going to take this country forward. Sir all of us signed on to the principle espoused in the Covenant of Hope, including the same Leader of the Opposition. Sir one of those principles was a principle which reads as follows, "The Barbados Labour Party stands for fostering civility, inclusiveness and respect for diversity amongst our citizens." Sir it went on to say that, "Our politics must be guided by the underlying belief that every citizen matters and deserves the right to become the best that they can be."

Sir I start there because I believe that we have not gotten here by chance. They are some who may not be totally comfortable with discussions of this nature, but I want to remind this House and this country that we got to this position in terms of being able to bring this type of legislation and even to have discussions on black lives mattering in this country, because we stood on the basis of a principle and a foundation. We stood on the basis of a renewed understanding of who and where we were at that point in time, but also as a people where it is that we needed to go as well. Sir a part of that understanding, meant that it could no longer be business as usual as it relates to how we interface with each other, people of different races, and people of different classes across this country.

Therefore, this piece of legislation did not fall out of the sky. It is grounded in a philosophy, which is basically saying to us as a people that we have to be tolerant. All of the pieces of legislation that have come to this Chamber in relation to antidiscrimination have had a common thread and it is that we have to be able to teach tolerance because it is only when we are tolerant of each other and tolerant of our differences that we are able to get the best out of our people.

Sir I have often said that we cannot find all of the value out of any one political party because Barbados is a small society. I have said it from the time I entered politics and I will continue to say it. We came to office with a landslide victory of persons who were frustrated with what they heard within the Democratic Labour Party at the time and wanted a refreshing change, wanted a Government that was going to respond to what the people were saying, not simply to be a Government that continued to hold up the status quo, to be conservative or was full of hypocrisy. We

came to make a difference to be able to give people of all classes, races and everybody an opportunity to be able to be the best that they could be Sir. I want to remind this country that that is what brought us to office that is what is carrying us as we sit down and we try to determine the type of legislation that we want to carve out for the country and that is what will continue to drive each and every one of us in this party.

I have a responsibility to teach tolerance through education, because if we do not start with teaching our young people tolerance and understanding that this is a different generation certainly from the generation that I grew up in. Luckily I came from a household where I was taught to be tolerant. I was taught even to be tolerant of people who did not share the same political ideology that I may share and grew up with. I was taught to be tolerant of people who shared a different religious ideology than I did as well and taught as well that regardless of whether persons chose to have a partner who was of the same sex, I was to be tolerant also because I was made to understand that when I open my Bible it states judge not lest you be judged. This is what my Bible says, so all the preachers that want to come and talk about we want to take a percentage of what the legislations say, put it aside and the remainder we believe it is nastiness, Sir. I do not know what Bible they are reading but my Bible tells me that I must not judge, lest I be judged.

It tells me I must do unto others as I would have them do unto me, Sir. I could not find it in anyway plausible to explain how I could support some parts of this legislation and be dismissive of other parts of the legislation because that is not what my foundation has told me. It is not what my foundation has told me, Sir. I recall a time when the former Prime Minister was also forced to take a stand in relation to human rights. He was forced to take a stand because it was clear that there were some Members of his Cabinet that were uttering things that were not consistent with equality and non-discrimination. It was unfortunate that one Member of his Cabinet at the time made the comment that he had the freedom to advocate gender-based discrimination in law and speak out against the freedom of any group of Barbadians.

It was what one Member of the last Administration said, Sir. The Prime Minister of that day did not agree

with it and I do not agree with everything he said but on this particular occasion he said something that I totally support. He said that whether homosexual behaviour derived from nature or from the nurture, it does not lie within our competence to sit in seats of judgment and condemn those who pursue that practise. Those are not the words of the BLP. Those are the words of the former Administration and Prime Minister in defence of what he understood to be a slippery slope that Barbados would be

going on if we started to discriminate against people as the former Member would have indicated.

You cannot discriminate against people on any basis, Sir. I want it to be made clear that this issue is one that may not sit well with people when we speak about discrimination. People want to be selective about what they want to agree to and what they wish not to. I want to go back to the late Nelson Mandela and reflect on the fact that sometimes we like to talk about Africa and recalling leaders in our history, but we do not understand sometimes the position from which some of these people have struggled and the perspective which they have brought to a better understanding of the way of life and must interact with mankind.

Nelson Mandela fought against the apartheid system but when he came out of prison, he denounced also all forms of discrimination on the basis of race, sex, age, sexual orientation, et cetera. We will want to associate ourselves to African society and say that we are associating to the Bible which says this and that. However, the man who lived through an era where he says what discrimination did to his own race, who we all turned to in the struggle against apartheid and looked up to was able to say that this is not right. He said that if it is that the Europeans have discriminated against us as a black race, then he cannot be a party to discrimination in any form.

He did not say he was not going to discriminate against Europeans. He said that he was not discriminating against anyone for any reason, Sir. Those are the things that we must take away from the people in our history that we look up to. We cannot select some of the things that Nelson Mandela say and some of the things that he did not say. We cannot pick and choose. We cannot pick and choose some things out of Bible that is convenient when it suits us and other things that we take away when it is not convenient to us or sound right.

Sir, I believe in principle and that is why I started. I do not intend to be long on this but I do believe that this particular piece of legislation is based on principle. We must teach tolerance to our young people. There is a lot of ignorance. I remember speaking when this House was in Bridgetown to the way in which even our legislators spoke to each other across the floor and about the examples that we were setting within the Chamber to our young people. We are asking them to behave a particular way but they are watching us in the House of Parliament, not me but others, carrying on and being derogatory towards other colleagues within the Chamber.

We have a responsibility to set a framework upon which people can be tolerant and that people will understand everyone deserves an opportunity to work. This is what this legislation is about. It is not about anyone's

sexual orientation. It is not about who living with who. It is simply about saying to people who live differently or do things differently that they have a space and opportunity within this small society to reach their full potential without fear of contradiction and ridicule in a society that for generations has always said that we are open to all. WE Do not ask people when they come through the ports of entry who is their partner, whether they are in a domestic partnership or a union other than marriage?

When they spend the money, the money is good regardless of whoever it comes from. What we are interested in is creating a society that is fair, just, balanced, respectful of other people and that we can all live together in a harmonious way. Those who are fearful of what is out there, sometimes it has a lot to do with their own ignorance because you have to understand that this generation out there is exposed to everything and anything under the sun. Does that mean that we have to continue to shield them from what exists?

I remember leaving Barbados and being exposed when I went to the United Kingdom (UK) to all kinds of things that I was perhaps guarded and protected from when I was in Barbados. It did not change me. It made me realize that there was a different world out there but I had a foundation. What I would say to those who are fearful of the realities of differences and people doing things differently is that you have a responsibility to educate yourselves. You have a responsibility to educate your children. You cannot behave as though you live in bubble and the world around you does not affect you because our children are going on the internet.

They are seeing things that are happening across the world. They are interfacing with other people from various countries and are exposed. For us to behave as though we must now shut down, lock down or not talk about these things, Sir, I think is backward step. I commend the Honourable Minister for being able to piece of legislation. It falls on the heels of the Black Lives Matter debate. I think it is very timely in terms of being able to send a very strong message that this party is committed to making sure that we transform lives not just in a financial way but in a social way also.

There is no point pretending that all of our young people are in church because they are not. What the churches have to do is to get into the communities to the children and teach them the morals and values that many of us came up with. They have to become the persons who reach out to the communities, embrace and not make it difficult for children who do not have the right clothes or shoes feeling some way about going into the house of the Lord. Those are the things that we need to be doing instead of telling the children they cannot do this and must be shielded from things.

We have to be able to open up and let out children know right from wrong and teach them the values and the morals that are necessary, but not to make them fearful of what is happening in our society. Sir, legislation like this is intended to be responsive to what we are seeing in our society. We are not following a pattern of anyone across the world. Certainly a Barbados Labour Party Administration has never been a Government that follow-patterned. We have blazed our own trail, we have set our own benchmarks and we have continued to fly our flag the Barbadian way because that is who we are, Sir, and I assure you as I want to assure the public that this piece of legislation has been given tremendous thought. I know that the Honourable Minister has consulted with several organisations, the private sector, the churches and a number of employer organisations as well. Sir, that is what we said we would do. We never said we would come and shove legislation down anyone's throat. We did it with the integrity legislation and we have done it with every single thing, whether it is Nelson or with whatever we have done. We said we will speak with the people, we will consult with the people and if people feel that there should still be more consultation you are free to engage in more consultation but what we will not do is pretend as though this does not have to get passed to be able to give comfort to people who are scared, who are uncertain or who do not know whether they have rights. We need to define rights so employers know what they must do, how they must accommodate people whom may be different and also that the employees or potential employees understand when they are being discriminated against as well. That is what this piece of legislation is about, Sir, that discrimination is not something that you just talk about when it suits you or that you pick out the pieces that you want but you discard the rest. Discrimination is discrimination. Whether it is age discrimination, sexual orientation discrimination, hype discrimination or whatever it is, discrimination is discrimination. You cannot pick and choose, Sir.

Sir, I just wanted to enter the debate to support the Honourable Minister in bringing this piece of legislation. As I said it has had the support of the previous Administration as well. I know it was within the slew of pieces of legislation that was intended to be brought to ensure that we were compliant with our international regulations and our labour laws, whether it was the sexual harassment or all of the Employment Rights Act and so on, so this is really completing a suite of pieces of legislation that the process had already been started but certainly we are not afraid and we are not going to run from our responsibility to the people of this country. With that, Sir, I am very much obliged.

Mr. SPEAKER: The Honourable Member for St. Lucy.

Hon. P. R. PHILLIPS: Mr. Speaker, Sir, I rise to make a brief contribution to this debate as I fully support this piece of legislation brought by the Honourable Member for St. Peter. Indeed, he was very erudite in his presentation and very explanatory as to what this legislation entails.

Mr. Speaker, this party has been a party that has always defended the rights of persons irrespective of who you are as long as you knew it is your Constitutional right we have always defended. This party have never been afraid to make decisions and take positions perhaps where other persons have just stepped and turned back or have been afraid to go, so I support this legislation this evening, Mr. Speaker.

Mr. Speaker, discrimination has been present in our society and in various societies for quite some time. I tried today, Mr. Speaker, to fathom the argument of the Leader of the Opposition and I find that in Barbadian society at times is that what we do is that we look for those issues that speak to the emotion of people generally and we raise them for cheap political gain or so we believe but we have to be very truthful and forthright in what we do. I have heard of discriminatory practices by persons in high office and in leadership I dare say at points in time coming from this Parliament particularly with the last Administration that we had; discrimination based on which school you went to because people believe that you are nobody depending on which school you went to, whether you went to, as my grandmother would say, fifth standard or whether you went to Harvard University or CP (Coleridge and Parry School), or the Co-operative High School. That is how we judge and we look at people and these persons have a right and they have a contribution to make far much more than some of us can even imagine. I heard a statement when a former Member of this Chamber said to another former Member that no Garrison boy can lead him. I heard the statement during the course of a eulogy of a former Prime Minister that persons that were schooled 'up and on' were the persons who got the picks. I heard that and that is why we have to protect people, that is why we have to protect the ordinary person in this country, the man out there in the street who might not be able to protect himself but who has an important contribution to make to this country.

Mr. Speaker, this legislation seeks and lets people know up front that you are protected, you have a say, you have a right, so persons now whoever they are will be discouraged from discriminating because the legislation will be in place. There have persons in the business community too. Sir, do you know that are employers who if you go to check whether your NIS payments which have deducted from your salary or wages are being made or not, these are things that matter to ordinary people... Some people have a rude awakening if they get sick or a young lady is pregnant and then when they go and file they realise

that their NIS payment has not been paid in to the National Insurance Department and you know what happens they are then discriminated against by being fired covertly. Sir, I am glad that the Honourable Member for St. Peter was the one presenting this Bill today because that falls under his purview as well as a Minister of the Crown and he has to check out these persons who then dismissed people covertly because they asked a question which they have a right to do. Sir, these may look like small matters but they are important out there to the ordinary man, to the gardener, to the merchandiser in the shop, to the maid and to the sales clerk.

I have a case now, Mr. Speaker, which has been referred to me by a constituent because he asked about national insurance payments being paid in and he was sent home and some person else is rehired in his place doing the same job. There are business places where if you dare to join a trade union they look for the person who is recruiting the members and they look to get rid of them, to break it up. [They look to] get rid of the steward or the potential shop steward. These are the kinds of practices that persons have had to put up with in this Barbados and this piece of legislation is to discourage those kinds of practices and to let the ordinary person know that they have cover which this Administration has put in place.

Mr. Speaker, Sir, I said I would not be long and so I would want to close by saying this. Mr. Speaker, Sir, I came to political life, or I began my political journey in 2006. Mr. Speaker, Sir, I would never forget this, I do not hold it against anybody but I would never forget this. Mr. Speaker, Sir, as I canvassed a particular area and I spoke, I introduced myself to a particular constituent, a potential voter. Do you know what I was asked? I was asked: "But who is you? "Why you running?" "Where you come from?" "You "ain't got nutten". "Why you don't let the people that got money run?" Mr. Speaker, Sir, [I am] the son of the porter at the Coleridge and Parry School. [I am] the son of a baker from Pie Corner was told: "I ain't got nutten". That is what I was told, Mr. Speaker, Sir, but that did not deter me because I have one of the most fundamental things that is necessary and important to this particular office, that is the love and the care for people, which is important, and money does not buy that. Mr. Speaker, Sir, I came to public life, I understand what it is, [I understand] how ordinary people feel when they are trying to pursue their dreams and so on and what they are told and are being hindered and so on, because I felt the same way. That kind of stumbling block was placed in my way but do you know what, Mr. Speaker, Sir? It made me more determined than ever to [want] to succeed. So when I heard this evening about 2 per cent, I am confused. I do not know whether you are talking about 2 per cent milk, which is healthy, I do not know. But, Mr. Speaker, Sir, perhaps based on the presentation, I can perhaps only come to the conclusion that was put by my predecessor in this position

in St. Lucy, it seems that 2 per cent is greater than 98 per cent. Mr. Speaker, Sir, that is what it seems like to me. But this is an imaginative piece of legislation [which is] geared to protect the ordinary person out there, [it is] geared to let people know that they can pursue their dreams no matter what happens. Mr. Speaker, Sir, it is not going to stop the discrimination, what is going to happen is that it is going to let persons who would want to discriminate understand clearly that we have placed a law in place to protect people from that kind of discrimination. Mr. Speaker, with those few words, I am obliged to you.

Mr. SPEAKER: The Honourable Member for St. Thomas, you have the Floor.

Hon. Miss C. Y. FORDE: Mr. Speaker, Sir, I will try to be as brief as possible. I acknowledge what is happening on the outside, but we know that this is a very important piece of legislation and therefore I would want to say from the outset my wholehearted support in respect of this legislation brought by the Honourable Member for St. Peter who is new in the political arena but extremely dynamic and because the Honourable Member has that excellent religious and spiritual background the Honourable Member has put forward these aspects of the Act in a way that most people would understand. Mr. Speaker, Sir, I am not going to dwell on what the Leader of the Opposition [has] said, I believe that human rights are important and [that] people choose to go the route they would want to with their own lives and [therefore] I am not going to get too caught up in some of what the Leader of the Opposition has said, but I would wish to say that I do support this aspect of it.

Mr. Speaker, Sir, as a young girl during the 1950s and 1960s, I never saw women wearing pants. Sir, females did not wear pants unless they went into the cane fields with the pants of their husband or partner to stop centipedes or cane prickles, but over time we have seen that evolved where women [now] wear slacks in church and wherever they go and it is an acceptable thing right now. We did not have women who were managers, bus drivers, police officers, et cetera, in the past either and that strong powerful piece of legislation that came into this country when the then former Honourable Member for Christ Church West, now Sir Henry, in 1976-1977 was able to come with the Commission on the Status of Women legislation to bring women to the fore because women always had the potential but they were suppressed. Therefore over the years we have seen women climbed to the top and are being supportive by men. We only had one female in Parliament in the 1950s and now we have so many females in Parliament and in high offices in this country. We have females managing our schools and numerous institutions. Therefore things will evolve and we cannot keep dashing or badgering new things that come to the fore but we need to think through them properly and I know that the Honourable Minister of Labour and Social

Partnership Relations with his team has had extensive consultation with the various partners in the country such as the Social Partnership, faith-based groups, community groups and others to be able to bring this kind of information here to us today [to be able] to bring about change in this society. We cannot always sit down on what held well for us as traditions in the past, we need to change as the rest of the world that is changing and therefore this is why we have come here. Therefore nothing is cast in stone and so I have a serious difficulty when people speak about sexual orientation and so on because I know of persons who have been stoned, shot at or beaten brutally because of their sexual orientation. We know of some of those singers who have sung the most ridiculous and disparaging songs to hurt human beings. We are all human beings with feelings. We are all human beings with emotions. We have certain ideals and I want to make a really loud clarion call today for us in our schools, homes, communities and villages to get right back to values education and adults and others setting examples for the youths to follow. Mr. Speaker, Sir, despite whatever we do, sometimes we cannot change the way that our children, students and neighbours may want to choose and to make their lifestyles. After they get a certain age we have to let them go, they have become adults.

Mr. Speaker, Sir, I want to say that I believe once we emphasise values education, not only by talking but also by demonstrating it too, [then] we are not going to be able to achieve those goals that we would want to have set for our children and others who are growing up in our neighbourhoods and in our island as a whole. We know that cultural penetration has brought us to a stage where there are so many things we know are unacceptable and we speak out against them but sometimes our children, because of their young minds, cannot determine the difference between right and wrong and therefore sometimes they are all led astray. There are some people born and when you look at them as young children you can tell by their antics and so on that they may become interested in having other preferences, other than what we know and have grown accustomed to and what the bible speak about and therefore it is our duty to work with them. Sir, I am concerned, however, about the mal-treatment being meted out to our disabled persons. There are many of them who have the capacity to work. It is only that disability perhaps or they may be differently able persons, let me say. For example, they may have a withered hand but many of them can use that one hand. I saw a video on my phone yesterday, Sir, with a woman who has no arms at all; they are cut off at the shoulders but she is using her feet and manipulating the steering wheel and driving like anybody else. The mechanisms are there. Why are we taking our disabled people and shunting them into a corner? That was what happened in the past, where children in the neighbourhood who were disabled did not do well because of various disabilities, and people took

them to run at the shop and pick up things. Some teachers do not know to treat to them in the classroom, so they give them a book to pass the time or carry messages from classroom to classroom. Disability is not inability.

Therefore, Sir, many members of our population who are differently able can work. Their brains are bright and they have got certificates but that disability stops them. I am happy to see that some workplaces are facilitating them, and I think that is critical because that is the message which will be sent to other workers: Give these persons a chance. Do not judge them by their looks but judge them by their performance and their capacity to carry out the job as effectively as others. I know that we are coming close to home, Sir, and that is why I am trying to condense what I want to say. I am conscious of some of the things that happen to persons in the workplace, and that is why this legislation should help to empower them and to cause those leaders in departments or the owners of businesses to back off and give them a chance.

Sir, I agree with what the Honourable Member for St. Lucy said; that people are discriminated against because they want to form a union. Unions have always been a part of our country's history. Way back from the Barbados Workers' Union, and now we have union after union representing the interests of people in the workplace, so as time evolves that will happen. I believe that the whole notion of women having to give sex to get promotion or to do things which are not in keeping with the standards of the workplace because they want to be able to keep that job -- or men, for that matter, having to do those things -- is wrong. Therefore, this legislation should help.

The Honourable Member spoke about the National Insurance Scheme (NIS). I am not going to refer to that but it is a natural thing that is happening in a number of areas. The money is being extracted from their wages or their salaries every time, but then when they fall ill or have to go on maternity leave or paternity leave, for that matter, they are not able to get the funding that is necessary to help them over it. Mr. Speaker, the other thing is that I always loved to hear two calypsonians, females in particular, because I believe that the larger percentage of those who are suppressed in the workplace are women or females. They are young girls. *Die With My Dignity* is one calypso that I adore, because my mother and people of her era and I as a woman now tell young people that *Something for Something* cannot work. If you give something or they give you something, like a tablet, a ring or a pair of earrings, something for something, this is not to be happening but it is happening in some of our workplaces. People are enticed by those who want to take advantage of them, particularly their bodies, and then use them as footstools. It is not only men who are doing it; it is both sexes. Of course, there is also our female calypso queen Rita's song, *Can't Do That*, and the reason is because she had become familiar too with

what had been happening in the workplace at that time, and it has become even worse now.

Sir, I have a problem with paedophiles, and I know the Honourable Member spoke about certain things but we need to monitor our children with the televisions and the telephones and the various pieces of literature that they read, because those too can help to confuse their minds and may have some impact on them when they grow older. Parents and guardians and particularly grandparents must help us raise our children in the villages and in the homes to be able to make the difference, and our teachers must have impeccable characters. Unless we have teachers with impeccable characters who are training and shaping those young minds, we will not be able to achieve some of the goals which we know we have worked so hard to upgrade as a result of those young people getting older. We know of it happening in too many institutions, and it must stop.

Sir, as I come to a close I also want to indicate that Barbados has its standards, and human rights are always at the forefront and the promotion of human rights acknowledging that everybody is somebody who needs to be treated with love, respect and tolerance and whatever else has to come his or her way. I know that this Barbados Labour Party -- having been able to pilot so many different aspects of legislation across this country for all the years that we have been a Government and for all the years we have been in Opposition -- has stuck to the rigid principles to make sure that whatever we do or whatever is projected is above-board and helps to enhance and upgrade our moral standards and our values. Therefore, Sir, I believe that a matter of this nature in terms of the two per cent which the Honourable Leader of the Opposition spoke about, whenever that time comes, we will treat to it as a matter where the People's Assemblies and other public fora will treat to the matter of same-sex and sexual orientation and so on. It is not beyond us as a people to continue to have that community dialogue to make sure that at the end of the day we are all singing from the same hymn sheet and that, whatever the outcome, we have given people a chance to contribute towards whatever the outcome will be. There will be no hard-and-fast effort to push anything down anybody's throat. We are going to have the community dialogue, we are going to work with the agencies, faith-based organisations, the community groups and, as I said just now, with the People's Assemblies for people to be able to come and vent their feelings and thrash out ideas in order for us to collate the information necessary and to go forward to be able to make a change in this country.

Sir, I therefore close by saying I am proud to be a part of this institution today, where I have seen the forward thinking and the planning and negotiations, the dialogue, the discussion, the tripartite approach and so on to be able to bring all of the stakeholders on board to say to the people of Barbados: We are coming with this particular

Bill to be able to make sure that at the end of the day we can all work with it. Where it needs to be tweaked, we will tweak it to be able to make sure that we continue to uphold and point towards those values and the systems necessary which we as a proud, independent nation can tell the rest of the world, "We can do it and we can do it with pride, ensuring that we embrace all and sundry in the exercise", because at the end of the day we have to live here and every human must have the dignity that is necessary to be able to continue to make his or her or contribution to the growth and development of this country. Mr. Speaker, with those comments I am obliged. Thank you, Sir.

Mr. SPEAKER: Honourable Member, would you please turn off your microphone? Honourable Member for St. Peter.

Hon. C. E. JORDAN: Thank you very much, Mr. Speaker. I want to thank those who contributed to the debate on what I consider to be a very important matter this evening. Mr. Speaker, I start my wrap-up by saying to you that I am, above and beyond everything, a Christian. Now I do not say that to have to reinforce anything but I am saying it to give a little bit of context to what I will say next. In Matthew, Chapter 5 there are a number of things that I want to commend to Christians all across Barbados and the World. That fifth chapter ends with an encouragement for people to become perfect like God is perfect. The few verses before that final verse says something that too many of us do not want to accept. Mr. Speaker the verses talk about God allowing the sun to shine on the just and unjust and the rain to fall on the just and the unjust.

I started by saying I am a Christian and it is because maybe unlike some of colleagues, I believe in right and wrong, so there are some things that I believe are right and there are some things that I believe are wrong. However, I take my queue from scripture and therefore while I hold certain views on actions or even thoughts, because when Jesus came he talked about murder. He said, they are some people who are guilty of it that have not stabbed or shot anyone yet, but I do not know if they did not have guns at that point, but there was bows and arrows. However, you can do it in your mind. I believe, Colin Jordan from Rose Hill that there is right and there is wrong, but like I said I take my queue from God and scripture and scriptures God that I believe in.

Whether a person is right or wrong God is saying to me they have to be treated fairly. Let me use the one with the tares and the wheat. Jesus said, let them grow together, because if you go in to pull out those tares you may pull up some wheat along with those tares. Leave that situation until we harvest.

Mr. Speaker, I want to be very clear that acknowledging a reality is not condoning a practice. It never has been. I tell my children all the time when it gets a certain time of day or evening, close the windows, because somebody may come in. I am not condoning theft but acknowledging that there are crooks. I have worked in business long enough and I know a ton of them, I have had to fire a few. Acknowledging something is not the same as condoning the thing.

Mr. Speaker, let me also say that as a person of faith, I do not use and I do not believe my God wants me to use the legislature of a country to enforce my beliefs on the people of the country. You know when I push my beliefs and try to encourage people? Every Sabbath we do zoom church but we are going back to church on Sabbath coming. The Honourable Member for St. Michael South Central spoke to my affinity for stewardship and that what I have talked about for most of the shutdown, most of the period when we were not in church. I believe in tithing, I have a lot of Christian brothers and sisters who do not believe in tithing. I do not come to Parliament or go to Cabinet to try to say there should be tithing. Those are matters that are encouraged by people like me in a particular area of activity. That is to say, when I am in an Evangelistic activity that is when I do that, and I can share your views here as well, but a Parliament is not a place to enforce through legislation my own views.

Now, I just thought that I needed to say that because I feel very strongly about faith, and because I feel strongly about faith I grew up hearing people get upset when people of faith speak about things that are blatantly not right. Some people use those opportunities to leave the church. I have never been like that. I always knew that my relationship with God had to be a personal relationship, it could not be based on what other people were telling me even though it could be influenced by that, and so that is why from time to time I try not to over quote in this Honourable Chamber, but from time to time you will me refer to the basis on which I take my guidance.

To be perfect, God expects me not to discriminate. I follow his example, he has said to me I do not. I like him acknowledge that there is good and bad. I believe that there is just and unjust, so I know that some people do not like to judge. I reserve the right, that is my view, but I also know that having come to a conclusion in my mind as to what is right or wrong, I cannot say to the person who I think is wrong, you cannot enjoy the benefits that I enjoy in this society, it simply is not right, it is not Christian.

A couple of things I just want to speak to.

Asides.

Hon. C. E. JORDAN: Have persons been discriminated in employment in Barbados due to sexual orientation? The answer to that question is yes straight up. If you have reason to speak to persons in some of the civil society organisations that have been set up to address matters related to persons of sexual orientation different from mine. They will tell you and they have told me that they have suffered that before.

I also want to say something. I surprised a Muslim friend of mine when I said to him that I belong to a denomination who or that believes in religious liberty. I feel strongly and my colleagues know this, about Sabbath observance, but Seventh Adventist Attorney from our headquarters in Michigan attended court a few years ago to represent as a friend of the court, an amicus

Mr. SPEAKER: Amicus Curiae.

Hon. C. E. JORDAN: Amicus Curiae, to represent a Muslim man who was having problems getting in his employment being able to observe prayers on a Friday. For Muslims, Friday is the day. For Seven Day Adventists, Saturday Sabbath is the day, but we recognise that everybody has the right to make their own choice. Now, if I am in a crusade I will be preaching all over Pinelands and anywhere, encouraging people to observe Sabbath, but if a person is observing Friday, that person has a right to be able to observe it according to the dictates of their character. This is just how human beings operate.

Not everyone in my denomination understands those things but I try to do a bit of teaching whenever I can. Persons have been discriminated against. I have been loathed to speak to this matter in public and it is because as a Christian I am really speaking to other Christians. The word is hypocrisy. One day while I was President of the Barbados Hotel and Tourism Association (BHTA), a reporter came to me knowing my religious background to ask whether I was opposed to gambling. The discussion at the time was casino gambling. I asked the gentleman if he was referring to one-arm bandits. The interview stopped because he recognized the inconsistency and hypocrisy.

I said to him even though he kind of backed off that I am opposed to gambling and that I am not opposed to casino gambling. I believe that a person should have principles, so I am not differentiating between one or the other. Now, a country can decide to do it but my personal view is that I am opposed to gambling. This is what I told the gentleman. The conversation was an illustration of the kind of hypocrisy that sometimes exist in our society where persons would be talking about the mafia and all kinds of evil. I do not believe in big sin and small sin. The bandit, scratch card and the casino is the same thing for me. I have a similar view to anything that is outside a marriage between a man and a woman but I do not understand a

society that appear to accept a man and a woman who are not married living together, but cannot accept anything other than that.

If that is your perspective, is one worse than the other? I do not understand principles that are not straight and are wavy, wavy. I think it is hypocritical. In any case though, Mr. Speaker, whether are not a person agrees, we live in a country where there can be no discrimination. A person cannot be subject to a detriment because they do something that I do not believe is the correct thing. I could not be a part of a Government pushing an agenda that seeks to discriminate against anyone just because I do not agree with them. I cannot do it. It is unprincipled for me. I came to office and the route to coming to office is getting votes. The people of St. Peter know that I WILL not just talk and say sweet stuff to get votes.

I stand for principle. People know my family. We have always stood for principle and I will not be part of a hypocritical approach to the matter of governing and how we interface with people in this country. I cannot do it. The matter of whether or not sexual orientation should actually be stated, I have thought about that since the Honourable Member for St. Michael West mentioned it. I wonder what would be the purpose of a Bill that seeks to prevent discrimination in employment if those possible areas of discrimination are not mentioned.

How do you do that? I confess that I am not an attorney and this kind of thinking now makes me sorry that I did not do what the Honourable Members for St. Michael South East, St. Michael North East, St. Joseph and St. James North studied. I am not learned in the law but if I want to prohibit something, then I want to be clear about want to prohibit. I want to prohibit 18 plus 1 possible areas of discrimination. I wrote this down and I could not believe it. I wrote it nonetheless. It stated subtle, behind the back and subversive. These were three terms I heard being used today. I do not know a nice way of putting it. I thought it was really unfortunate. I stood up in this Honourable Chamber because St. Peter people are strong. I stood up in this Honourable Chamber and identified very clearly those areas that I believe would be the subject of further conversation. I never hid from them. I never tried to gloss over any of them but you hear terms such as subtle, behind the back and subversive. I suspect that some of those terms are used to add an element of emotion to evoke a response from people. I believe that decision-making should be primarily in the frontal lobe.

I understand that there are emotional impacts to decision-making but I believe that the grey matter here is really where decisions should be made. I think it is unfortunate that these kinds of terms were used. I want to assure the people of the country though because it is alright to speak for five or six people under the breadfruit leaf.

However, I want to say to Barbadians generally that this Government has no intention of slight-of-hand. It has no intention of being subtle,

behind the back or subversive. Everything that we have done has been above board and very clear. We had two Bills here on cannabis. One was medical and the other, sacramental.

They were debates that lasted almost the entire day and were streamed live On Parliament's website and 100.7 FM radio because whatever we do will be in front of the people. We are not subtle or subversive, so I just want to make that very, very clear. There is another matter that I have given some thought to and actually spoke about it in my own church. The matter of recognizing that something is right but because it may appear to be the top of a slippery slope, we do not do it. Again, Mr. Speaker, you may not but others may fault me for this but I have to go back to scripture. The Bible is very clear. I believe that the Ten Commandments are binding but you know the Scripture also says: To him that knoweth to do good and doeth it not to him it is sin, and I am going to leave that right there.

I think that the Honourable Member for St. James North identified a matter that we had started to speak to but have not really fully exhausted it within the ministry and that has to do with the capacity of the Employment Rights Tribunal as we move forward because we have this Bill which is now adding to the pieces of labour legislation that are the subject of supervision by the Employment Rights Tribunal. We are working and we are coming to Cabinet very soon, actually maybe this Thursday I hope, with a Paternity Leave Bill. We did not put this in this Bill that we have but we are committed to bringing to Parliament legislation that would allow for paternity leave. We first will get the approval of the Cabinet on that matter but the intention of the Government as set out in its Manifesto is that we will have paternity leave legislation. What that looks like will be the subject of discussion at the level of the Cabinet. The Cabinet will consider what my ministry and I are proposing and we will be coming to Parliament on that matter. Mr. Speaker, with all that said, the Employment Rights Tribunal have to be looked at critically, we have to assess function, resources, volume of work and make some serious decisions as to how we move forward where those are concerned.

Mr. Speaker, addressing those matters I think that we have heard full input from many Honourable Members of this Honourable Chamber on the matter of discrimination generally but particularly this Bill speaks to discrimination related to employment, and I want to end where I started. A job, the ability to earn money, the ability to be able to sustain one's self is critical to the humanity of people. People feel or become fulfilled when they are able to contribute but there is a reward for that contribution, people

earn and people use those funds to support themselves including to buy food and to be able to live a decent life.

This Barbados Labour Party and this Minister will not subscribe to any view that will hinder any person in this country from being able to earn a living and support themselves, feed themselves and their families and be able to live a decent life in this country. Even people in prison, people who have murdered, are allowed to earn small money and get food. We are not going to allow anybody in this country not to have the opportunity to be able to gain employment and support themselves, and so Mr. Speaker, with that philosophy in mind I want to ask that this Bill be read a second time.

Hon. Miss C. Y. FORDE: I beg to second that, Sir.

The question that the Bill be read a second time was put and resolved in the affirmative without division.

On the motion of Hon. C. E. JORDAN, seconded by ..., the House resolved itself into Committee, Dr. S. E. BROWNE in the Chair.

COMMITTEE

MADAM CHAIRMAN: This House is in Committee.

Part I, Clauses 1 - 2 inclusive were called.

MADAM CHAIRMAN: The Leader of the Opposition.

Bishop J. J. S. ATHERLEY: Madam Chairman, I would like humbly to request of the House that we separate the request for vote on Part I, Clauses 1 and 2 and call the clauses separately. I want to reiterate that I have serious concerns about the definitions of domestic partnership, domestic partner, domestic partnership status and family member under Clause 2 and I want to vote against Clause 2. I do not want to vote against anything else in the Bill except Clause 2 and I call for a separate vote on the two Clauses.

Clause 1 was called and passed.

Clause 2 was called.

Asides.

A division was called. The House divided as follows:

AYES:

Hon. D. D. Marshall, Hon. Miss S. J. O. Bradshaw,

Mr. K. D. Symmonds, Hon. Ms. C. S.V. Husbands

Dr. the Hon. W. F. Duguid, Hon. N. G. H. Rowe,

Hon. E. G. Hinkson, Hon. Miss C. Y. Forde,

Mr. G. P. Gooding-Edghill, Mr. R. A. Thorne,

Lt. Col. the Hon. J. D. Bostic,

Hon. I.A. Weir, Hon. C. McD. Griffith,

Hon. D. G. Sutherland, Hon. C. E. Jordan,

Hon. P. R. Phillips, Hon. J. A. King.

TOTAL: 17

NOES:

Bishop J.J.S. Atherley.

Clauses 2 was called and passed.

Clauses 3 -- 40, inclusive, were called and passed.

The First Schedule was called and is the First Schedule to the Bill. The Second Schedule was called and is the Second Schedule to the Bill.

On the motion of Hon. C.E. JORDAN, seconded by Hon. E.G. HINKSON, MADAM CHAIRMAN reported to His Honour the SPEAKER the passing of one Bill in Committee, and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motion of Hon. C.E. JORDAN, seconded by Hon. E.G. HINKSON, the Bill was read a third time, passed and cited as the Employment Prevention of Discrimination Act, 2020.

RECOMMITTAL OF GOVERNMENT NOTICES

Hon. Miss. S. J. O. BRADSHAW: Mr. Speaker, I beg to give notice of a Resolution to extend the Public Health Emergency.

ADJOURNMENT

Hon. Miss. S. J. O. BRADSHAW: Mr. Speaker, with that we have come to the end of today's Sitting. It has indeed been a long day but an eventful one nonetheless. I beg to move that the House be adjourned until August 4 at 10 a.m.

Hon. E. G. HINKSON: I beg to second that, Sir.

The question that the Honourable the House be adjourned until the 4th Day of August at 10 a.m. in the forenoon was put and resolved in the affirmative without division and MR. SPEAKER adjourned the Sitting accordingly.

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RESUMPTION

ORDER NO. 1 (resumed)

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AYES:

TOTAL: 17

NOES:

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ATHERLEY, Bishop J. J. S.**BRADSHAW, Hon. Miss S. J. O.****BROWNE, Dr. S. E.****CADDLE, Hon. Miss. M. K. A.****CHAIR, Madam****FORDE, Hon. Miss C. Y.****HINKSON, Hon. E. G.****HUMPHREY, Hon. K. D. M.****HUSBANDS, Hon. Ms. C. S. V.****JORDAN, Hon. C. E.****KING, Hon. J. A.****MARSHALL, Hon. D. D.****PHILLIPS, Hon. P. R.****SYMMONDS, Hon. K. D.**

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EDITORIAL NOTES — NOT PART OF THE REPORT

Prepared with the transcript; for checking against the recording and the Minutes.

EDITORIAL QUERIES

Points noted while preparing this report from the edited transcript. The text has not been altered except where stated.

Q1. Masthead. The session is not stated in the source, so no session line is printed.

Q2. Order No. 1, Representation of the People (Amendment) Bill. The Order heading gives the Bill as the Representation of the People (Amendment) Bill, 2020, while Mr. Speaker and the Minister refer to it as the '(Amendment) Bill, 2019'; the year in the title was amended to 2020 in Committee on Clause 1. Printed as in the source.

Q3. Order No. 8, Hon. C. E. Jordan. A paragraph of the Minister's opening tribute breaks mid-sentence ('cognizant of the road that' / 'he has travelled and the path...'), so that it prints as two paragraphs. Printed as in the source.

Q4. Order No. 8, motion to go into Committee. The procedural sentence reads 'On the motion of Hon. C. E. JORDAN, seconded by ..., the House resolved itself into Committee'; the seconder is not named in the source. Printed as in the source.

Q5. Order No. 8, third reading. The Bill is cited on passing as the 'Employment Prevention of Discrimination Act, 2020', without the brackets used in the Bill's title, 'Employment (Prevention of Discrimination) Bill, 2020'. Printed as in the source.

Q6. Division on Clause 2. The division list gives 'TOTAL: 17' for the Ayes but no total for the Noes (Bishop J. J. S. Atherley). Printed as in the source.

DEBATE SUMMARY

(Editorial summary — not part of the record.)

The House of Assembly met on Tuesday, 28th July, 2020 at 10.16 a.m. at the Worthing Corporate Centre, Christ Church, with Mr. Speaker, His Honour A. A. Holder, in the Chair; prayers were taken by Reverend Mark Harewood. On the motion of the Leader of Government Business, Hon. Miss S. J. O. Bradshaw, the Minutes of 21st July were deferred and Standing Orders were suspended. No papers were laid.

Orders No. 14 and 15, Resolutions to approve the Public Service General Order, 2020 and the Public Service

Teachers (Amendment) Order, 2020, were taken as a cognate debate. Hon. D. D. Marshall, the Member for St. Joseph, said that while the Administration was criticised over a single post, as many as 200 posts had been created improperly between 2008 and 2018 and public servants placed in them; the Orders corrected 'our one error and all 200 plus of theirs', so that no one would have to repay salary. Bishop J. J. S. Atherley, the Leader of the Opposition, regretted that the matter had been framed as a contest between Administrations and urged that Government be a model employer. Hon. Miss Bradshaw, Hon. Miss C. Y. Forde, Hon. Ms. C. S. V. Husbands and Hon. J. A. King supported the Resolutions, which were agreed to.

Under Order No. 1, Hon. Miss M. K. A. Caddle, the Member for St. Michael South Central, moved the second reading of the Representation of the People (Amendment) Bill, providing for electronic transmission of the register of electors and wider use of technology by the Electoral and Boundaries Commission, since access to a register in 2020 meant more than a printed copy at a location. Bishop Atherley renewed his call for legislation on the public financing of elections and political parties. After the lunch suspension the Minister replied, and in Committee the title was amended from 2019 to 2020 and the fines in the new section 71 raised from \$250 to \$10 000; the Bill passed as the Representation of the People (Amendment) Act, 2020.

After a short suspension, Hon. C. E. Jordan, the Member for St. Peter, moved the second reading of the Employment (Prevention of Discrimination) Bill, 2020 under Order No. 8. He paid tribute to his late predecessor in St. Peter, recalled the uprising of 1937 commemorated on 26th July, and explained the Bill, including its definitions of domestic partnership, the duty of reasonable adjustment for employees with disabilities and the amendments to the Employment Rights Act. Bishop Atherley, likening the Bill to rat poison that is '98 percent okay', objected to protection for sexual orientation and lifestyle choices and asked whether such discrimination was a problem in Barbados. Hon. E. G. Hinkson, Hon. M. K.-A. Caddle, Hon. K. D. Symmonds, Dr. S. E. Browne, Hon. Miss Bradshaw, Hon. P. R. Phillips and Hon. Miss Forde supported the Bill, and Mr. Jordan replied that people had been discriminated against in employment because of sexual orientation.

In Committee, Dr. S. E. Browne in the Chair, Bishop Atherley asked that Clause 2 be voted on separately because of its definitions of domestic partnership and family member. On a division Clause 2 was carried by 17 votes to 1, Bishop Atherley alone voting No; Clauses 3 to

40 and both Schedules passed and the Bill was read a third time.

Hon. Miss Bradshaw gave notice of a Resolution to extend the Public Health Emergency and, seconded by Hon. E. G. Hinkson, moved the adjournment; the House was adjourned until 4th August at 10.00 a.m.