



COPY

Human Resource Risk Management  
Workplace and Regulatory Investigations  
Corporate Training  
Psychological Safety Management

# Investigation Report

## Leduc Fire Service

Complainant: Christa STEELE  
Respondents: Allan DIGNARD  
Chief George CLANCY  
Deputy Chief Gerald KELLY  
Deputy Chief Broderick MOORE  
Captain Dale WILSON

**Date:** December 13, 2021

**Submitted by:** Barb SexSmith  
Associate Investigator  
Veritas Solutions

Bob Stenhouse  
Principal Director, Veritas Solutions

## TABLE OF CONTENTS

	PAGE
<b>1. EXECUTIVE SUMMARY</b>	<b>4-5</b>
<b>2. SCOPE AND MANDATE</b>	<b>5-6</b>
<b>3. LEGISLATION - POLICY AND DEFINITIONS</b>	<b>6-7</b>
<b>4. METHODOLOGY</b>	<b>7-8</b>
<b>5. BACKGROUND</b>	<b>8-9</b>
<b>6. INVESTIGATION INTERVIEWS &amp; CREDIBILITY ASSESSMENTS</b>	<b>9-11</b>
<b>7. SOURCES OF INFORMATION</b>	<b>11-12</b>
<b>8. ALLEGATIONS</b>	<b>13-56</b>
<b>8.1 ALLEGATION: Discrimination based on Gender, Sexual Harassment, Workplace Harassment</b>	<b>13-17</b>
a) Background	13
b) Respondent: Allan DIGNARD	13
c) Policy	14
d) Witnesses Information	14-16
e) Analysis	16-17
f) Finding(s)	17
g) Aggravating/Mitigating Factors	17
<b>8.2 ALLEGATION: Discrimination based on Gender, Workplace Harassment</b>	<b>18-25</b>
a) Background	18-19
b) Respondent: Chief George CLANCY	19
c) Policy	19-20
d) Complainant Information	20-21
e) Witnesses Information	21-23
f) Analysis	23-25
g) Finding(s)	25
h) Aggravating/Mitigating Factors	25

**8.3 ALLEGATION: Discrimination Based on Gender, Sexual Harassment**

- a) Background
- b) Respondent: Chief George CLANCY
- c) Policy
- d) Witnesses Information
- e) Analysis
- f) Finding(s)
- g) Aggravating/Mitigating Factors

**8.4 ALLEGATION: Intimidation, Discrimination Based on Gender, Demeaning and Humiliating Behaviour**

- a) Background
- b) Respondents: G. KELLY; B. MOORE
- c) Policy
- d) Witnesses Information
- e) Analysis
- f) Finding(s)
- g) Aggravating/Mitigating Factors

**8.5 ALLEGATION: Discrimination based on gender, Sexual Harassment, Intimidation**

- a) Background
- b) Respondent: Chief G. CLANCY
- c) Policy
- d) Witnesses Information
- e) Analysis
- f) Finding(s)
- g) Aggravating/Mitigating Factors - N/A

**8.6 ALLEGATION: Discrimination based on mental Disability/Workplace Harassment**

- a) Background
- b) Respondents: G. CLANCY; G. KELLY; B. MOORE
- c) Policy
- d) Witnesses Information
- e) Analysis
- f) Finding(s)
- g) Aggravating/Mitigating Factors

**8.7 ALLEGATION: Workplace Harassment**

- a) Background
- b) Respondents: G. CLANCY, B. MOORE, Leduc Fire Services, City of Leduc
- c) Policy
- d) Witnesses Information
- e) Analysis
- f) Finding(s)

g) Aggravating/Mitigating Factors

**1. EXECUTIVE SUMMARY**

On June 7, 2021, Veritas Solutions was contracted to conduct investigations regarding allegations of sexual harassment, discrimination and workplace harassment brought forward by Complainant STEELE against the Respondent(s): Allan DIGNARD, Chief George CLANCY, Deputy Chief Gerry KELLY and Deputy Chief Broderick MOORE.

The Complainant, Christa STEELE, is referred to as STEELE throughout this report.

The Respondent, Allan DIGNARD, is referred to as DIGNARD throughout this report.

The Respondent, Chief George CLANCY is referred to as CLANCY throughout this report.

The Respondent, Deputy Chief Gerald KELLY, is referred to as KELLY throughout this report.

The Respondent, Deputy Chief Broderick MOORE, is referred to as MOORE throughout this report.

An investigation was conducted which included interviews of STEELE, DIGNARD, CLANCY, KELLY, MOORE, and several witnesses. There was also documentation reviewed including letters, performance evaluations and emails.

Witness A. Spencer MICHELSEN is referred to as MICHELSEN throughout this report.

Witness B: Chad BUGNET is referred to as BUGNET throughout this report.

Witness C: KELLY FLEWELLING is referred to as FLEWELLING throughout the report.

Witness D: [Redacted] is referred to as [Redacted] throughout the report.

Witness E: Chris RIEMANN is referred to as RIEMANN throughout the report.

Witness F: Harry KRABBES is referred to as KRABBES throughout the report.

Witness G.: [Redacted] is referred to as [Redacted] throughout the report.

Witness H: Mindy SMITH is referred to as SMITH throughout the report.

Witness I: Doug BRITTON is referred to as BRITTON throughout the report.

Witness J: Tamara OSMAN is referred to as OSMAN throughout the report.

Witness K: Jay CAVANAGH is referred to as CAVANAGH throughout the report.

Witness L: Dale WILSON IS referred to as WILSON throughout the report.

Witness M: [Redacted] is referred to as [Redacted] throughout the report.

Witness N: Paul NICHOLS is referred to as NICHOLS throughout this report.

STEELE has submitted a list of allegations which will be dealt with individually. An additional allegation of systemic harassment will also be addressed in a supplementary report #4 which is to be read in conjunction with this report, as well as Report #1 ( Complainant SMITH) and Report #3 (Complainant OSMAN)

Respondents DIGNARD, CLANCY, KELLY, and MOORE have denied the allegations and have varying responses absolving themselves from responsibility and/ or denying the incidents occurred. Therefore, it was necessary for the investigator to conduct credibility assessments and weigh the evidence of all parties.

The standard of proof utilized in this investigation is the 'balance of probabilities'. A two-pronged test was administered:

- 1) Did the alleged misconduct occur - on the balance of probabilities?
- 2) If so, did the misconduct fall within the definitions as outlined by policy and legislation noted in this report

Within this test each allegation will conclude with a determination of founded, unfounded or inconclusive. Unless otherwise indicated in the details below, the allegations of sexual harassment, general harassment/bullying and discrimination on the protected grounds of gender and disability, are **founded** on the balance of probabilities.

## **2. SCOPE AND MANDATE and Ancillary Concerns**

- 2.1 This report documents the results of a formal investigation into allegations made by STEELE of *inappropriate sexual comments, sexual assault, harassment, discrimination, bullying and creating a toxic and discriminatory culture against STEELE and other employees.*
- 2.2 The objective was to conduct an impartial, fact-finding investigation into the allegations and to submit a report to the City of Leduc that would include conclusions and determinations of whether the evidence supports a finding that contravenes policies or legislation such as the Occupational Health and Safety and the Alberta Human Rights Act.

This investigation was conducted at the same time as two other Complainants made allegations against some of the Respondents in this file, all who are employed at Leduc Fire Services (LFS). These are referenced in Investigation Report #1 and 3. Some witnesses that were interviewed were asked questions about more than one allegation against more than one Respondent and on allegations by more than one Complainant. Due to the multiple-faceted interviews with many interviewees, the Investigators learned of interpersonal relationships among LFS members, including alliances and shared biases. This exposed Investigators to various subtle and seemingly inconsequential information that may have supported (or disputed) other information. In cases where contradictory information came to light, the Investigators sought out further information. These entangled interviews allowed Investigators to further test the validity of testimony.

With interviewing this many people and investigating this many allegations, the Investigators saw patterns of causes of allegations and patterns of perceptions and behaviours that can be reasonably assessed as causing a hostile or poisoned work environment, primarily towards women, and their male supporters. The Investigators found that these patterns constituted systemic issues that we believe will continue to perpetuate behaviour that is damaging to the workplace. The fourth report identifies those issues.

As a result, the multiple people interviewed and the sensitive nature of the interviews, the Investigators witnessed strong emotion from Witnesses, Complainants and Respondents. Leduc Fire Service, as a first responder organization exposed to trauma frequently, it was noted that many are struggling emotionally from day-to-day stressors but also the concerns brought forward in these reports. It is important to note that harassment has far-reaching effects, and more so in an organization where members tend to spend extensive periods of time together and rely on each other for ongoing mental health. As well, they are dependent on each other

for their safety, and potentially their lives. There are multiple reasons that a person is reluctant to come forward with harassment complaints. These include fear it will get worse, fear they will lose their job, fear there will be retribution, isolation, fear that no one will act to defend them and a stigma that mental illness is a weakness. An additional burden on an organization such as LFS, there is fear that they may find themselves at serious risk if they come forward, as they may later depend on the Respondent to save their life. Therefore, it should be noted that the psychological health and safety and the ability to work in a respectful, positive workplace is tantamount to their safety (and by extension, the safety of the community).

The four separate, yet inter-related, investigations and reports have taken the above into account.

### **3. LEGISLATION - POLICY AND DEFINITIONS**

**(Appendix 1: City of Leduc Respectful Workplace Policy No. 12.06:20 (March 13, 2019))**

To come to a conclusion on these allegations, it is necessary to define the terms used and link them to legal definition, policy, or interpretation, where possible. The following definitions will be utilized to assess any behavior that has been determined to have taken place.

The following definitions are taken from the Workplace Violence Prevention Policy and the Respectful Workplace Policy of the City of Leduc:

The and the Respectful Workplace Policy of the City of Leduc outlines the following definitions:

**Disrespectful Workplace Behavior** may include, but are not limited to:

Can be intentional or unintentional and is offensive and/or unwelcome. Disrespectful behavior(s) are reflected in employee conduct, attitudes, comments, actions, threats, or violence, and contribute to an uncomfortable and/or hostile work environment.

Examples of this may include but are not limited to:

- bullying
- workplace harassment
- sexual harassment
- discrimination
- sabotage
- damage to City property

**Sexual Harassment** is any unwelcome behaviour, sexual in nature that adversely affects, or threatened to affect a person's job security, well-being, working conditions or prospects of for promotion or earnings, or access to the goods, services, or facilities of the City of Leduc. It is considered discrimination on the grounds of gender and is prohibited as per the Alberta Human Rights Act.

Sexual Harassment can take many forms. It can be subtle or obvious and may occur once or many times. Sexual Harassment can occur as behaviour between individuals regardless of whether they are the same or different genders.

Sexual Harassment may include but is not limited to:

- Unwanted sexual attention, advances and verbal/non-verbal communication or comments that re made by a person that knows, or reasonably ought to know, that such acts are unwanted;
- The promise of a rewards or reprisal for the acceptance or refusal to comply with sexual requests or demands;
- Any form of unwanted physical contact such as touching, pinching, patting, rubbing, or leaning against;
- Displaying or distributing sexually explicit or sexually related materials, pictures, posters, or jokes.

**Workplace Harassment:** is defined as the abusive, unwelcome, unfair, or demeaning behaviour, including actions or gestures, towards a person or group that has the purpose or effect of interfering with a person's or group's dignity, well being, status, or performance, or creating a hostile or intimidating working environment. Incidents of harassment may involve bullying, the abuse of power one individual has over another, or unwelcome conduct including threats of and/or acts of physical violence.

The *Workplace Violence Prevention Policy* of the City of Leduc outlines the following definitions:

**Violence:** whether at a workplace or work-related, means the threatened, attempted, or actual conduct of a person that causes or is likely to cause physical or psychological injury or harm.

Examples of these behaviours include:

- pushing, shoving, poking, hitting, slapping,
- assault - including sexual assault, psychological attacks, harassment, intimidation, fighting, forcible confinement, possession of a dangerous weapon, destruction of property, robbery, throwing objects at an individual, threatening behaviours or,
- uttering verbal threats of violence and domestic violence.

#### 4. METHODOLOGY

The process utilized to come to conclusions on the investigation included interviews with Complainant Christa STEELE, a Firefighter Paramedic at Leduc Fire Service.

**The Respondents are:**

Allan DIGNARD, a Firefighter Paramedic at Leduc Fire Service.

George CLANCY, Leduc Fire Service Chief.

Gerald (Gerry) KELLY, Leduc Fire Service Deputy Chief.

Broderick (Bo) MOORE, Leduc Fire Service Deputy Chief.

There is one allegation that includes Leduc Fire Services, City of Leduc Human Resources, however the Director has not been identified as a respondent to the allegations.

Twenty-nine (29) members and past members were interviewed. Many witnesses asked that they remain anonymous, this Investigator has not required their testimony as any conclusions have also come from identified witnesses.

Within the context of these interviews, the investigator was also required to assess the credibility of all parties, particularly where viewpoints and perspectives differed between them. Credibility assessments are identified in this report as part of the analysis of information.

Numerous documents were provided to the INVESTIGATOR and examined for evidence and weight. Some historical Performance Appraisals (for Christa STEELE) were provided by City of Leduc Human Resources (HR) were reviewed for the purpose of corroboration, context, or timeline evidence.

## **5. BACKGROUND**

Leduc Fire Services began as a volunteer fire service, Leduc's paramedic support was a rural ambulance service. Chief CLANCY had been a paramedic in Edmonton, and when he moved to Leduc Fire Services, he was one of the few paid members. In 2004, he was a Deputy Chief, STEELE was a Paid-on-call (POC) Dispatcher training to become a Firefighter/ Paramedic.

As the Service has grown, about one-fifth of the members are Full-time members. The remainder are paid-on-call, and many of those work at other organizations. The Full-time positions are not available very often, competition for these positions from paid-on-call members is fierce.

Although full-time members have a higher expectation of job security, there is general concern among members that they could be fired for reasons that would not be acceptable under Alberta and Canada labour laws. It was found that many members have the impression that they can be fired for attendance issues or behavioural issues, without undergoing a progression of coaching, assessing culpability, discipline or meeting other criteria.

Accommodation for disabilities is an unknown concept among members, which becomes problematic for those with workplace psychological injuries. This perception is subtly reinforced by management. In an Officer's meeting on Sept. 23, 2019, minutes indicate the Chief and Deputy Chiefs discuss 'getting rid of people', the Chief is well known, among staff, to use the phrase: "if you don't like it there's the door". (Chief CLANCY admits to making this statement but only in the context of members complaining about being required to work ambulance and firetruck, whereas most other fire and paramedic services are separated). This information is relevant, as some of the allegations by STEELE and others relate to this perception.

Allegations of harassment and bullying are often not witnessed. Historical allegations, and/ or allegations of patterns of bullying may be witnessed by others who may not recall or may seem minor as one instance of a pattern; on its own it may seem too minor to note. Harassment complaints that are not brought forward until months or years later will not likely have indisputable 'evidence' (and possibly never did). However, it is likely that a complainant shared the information or experience at the time of the incident, or sometime after the incident. Witnesses who the complainant told of incidents of harassment and/or bullying are not considered 'eyewitnesses' to the incident, however, they add credibility to the allegation because they are indications that the incident occurred. If a complainant confided in a friend or co-worker in the past, it is less likely that



the complainant fabricated an allegation (particularly to support or boost credibility in a more recent allegation). These witnesses are "Confidante Witnesses". Since many of the allegations in this file occurred many years ago, Confidante Witnesses have been identified by STEELE and interviewed for the purposes of determining if their evidence corroborate or refutes STEELE's allegations.

STEELE and two other members made allegations against a POC firefighter named Vince BRAUN, in April of 2019. The investigator (Karen SCOTT) in that case stated: **"She indicated that she loves her work and is happy working for the City and in the Fire Service. Other than her interactions with Mr. Braun, she feels safe and comfortable at work. She indicated that the staff in the Fire Service tend to be quite "close" with one another and do engage in teasing, pranks and "brother/ sister" joking around. However, the jokes do not involve physical contact between males and females."**

This statement is contrary to STEELE's allegations in this case, as the allegations in this case are that many of the incidents occurred before that investigation, and she had an opportunity to discuss these at that time. STEELE was asked about the incongruence of her stated feelings now, versus then. She told Investigator SCOTT, at the time: **"She was also reluctant to report her concerns because, when she reported something in the past, her concerns were not properly addressed, and she ended up feeling humiliated and like things were worse for her after."**

When this Investigator asked her why she did not come forward with that information at the time of the BRAUN investigation, she stated that she knew that she could not make a complaint against the Chief unless she knew she wasn't coming back, because regardless of what happened to him (as a result) she would be required to work with his children and other supporters and would also wonder if they might 'leave her in a burning house.'

## **6. INVESTIGATION INTERVIEWS & CREDIBILITY ASSESSMENTS**

### **Overview of the Interviews**

Over the course of this investigation this Investigator interviewed twenty-nine (29) people, some multiple times. As well, multiple documents were collected by the investigator. This included policy, investigations, agreements, performance evaluations, recruitment and promotion documents, employment offer letters, supervision notes, training records, emails, texts, schedules, social media, and meeting minutes.

Each of the interviewees was provided a preamble to the interview and was invited to provide an initial free narrative of their concerns/perspective. This would be followed by a focused discussion on a range of specific questions led by the Investigator. The interview would conclude with the interviewee being invited to share any concluding thoughts, reflections, or concerns or to address any important topic yet unaddressed. Interviewees were informed that they could take a break at any time during the interview. Interviewees were also instructed to keep the contents of the interview confidential to protect the integrity of the investigation.

Many of those were interviewed as witnesses, complainants, and respondents. Many of the interview summaries contain information and responses that pertain to one or more of the three other investigative reports on Leduc Fire Service. Each interview includes a synopsis of the interview with bullet points to highlight specific information provided by the persons interviewed.

***Each summary will include a brief description of their position and work history, summary of the interview and major points.***

Some interviews include transcript excerpts to ensure some messages were made clear. The summaries of relevant interviews are attached in the appendices, and transcripts have also been preserved in documents. Several witnesses were interviewed by this Investigator and Investigator Patty McCallum when interests and/ or witnesses overlapped. Therefore, one or both have completed summaries used in all reports.

Interviews with Complainants, Respondents, and some witnesses (who had key information that could alter the outcome of complainant and respondent information) were assessed for credibility.

### **Credibility Assessments**

To come to a finding on the balance of probabilities, it is necessary to assess the credibility of the persons interviewed. This is particularly important where there is no independent or corroborative evidence available when there is a discrepancy or conflicting evidence between parties.

Credibility is assessed with respect to the evaluation of two basic concepts: honesty and reliability. Honesty concerns *whether the interviewee is likely to share what they believe to be true*. Reliability concerns *whether the interviewee's belief regarding what is true is likely to be accurate*. Note that reliability can be undermined either by rebutting evidence (i.e., grounds to believe the interviewee is unreliable) or by undercutting evidence (i.e., lack of grounds to believe the interviewee is reliable).

Credibility assessments are completed for the Complainant, Respondents and Witnesses according to the following 12 hallmarks as a guide to evaluate the credibility of all interviewees with respect to honesty and reliability:

- a. **Initial Credibility:** Did the interviewee impress as one who was telling the truth?
- b. **Motive to Deceive:** Did the interviewee have any particular reason not to tell the truth? Do they have a motive to falsify, exaggerate or deny the incident(s)? Do any of the interviewees have a special loyalty to - or grudge against - any of the individuals involved?
- c. **Personal Interest:** Did the interviewee have a personal interest in the outcome of the case which could skew their perspective?
- d. **Accurate Memory:** Did the interviewee seem to have a good memory? Did the interviewee have the opportunity and ability to recall accurately the things he or she testified about?
- e. **Comprehension and Directness:** Did the interviewee appear to understand the questions clearly and answer them directly? Did they exhibit frankness in their responses or were they evasive?

- f. **Specificity and Detail:** How general or specific was each person's statement? If an interviewee gave a detailed statement, were those details supported by other evidence? Did the Respondent deny the allegations in detail or generally?
- g. **External Corroboration:** Are there witnesses or documents that support one side of the story? Does the evidence contradict one person's statements? Do the witnesses support the person who proposed that they be interviewed? If there are conflicts, are those conflicts minor or significant?
- h. **Stability of Testimony:** Was each person's story consistent throughout questioning or on second telling? Did any of the interviewees contradict themselves during the interview? If so, did the change involve a minor issue or a matter of substance?
- i. **Appropriateness of Affect:** How did the interviewee present or act during the interview? Was their affect appropriate to the subject matter?
- j. **Notable Omissions:** Did anyone leave out important information during the interview? Is there a sensible explanation for the omission? Did the respondent or JONES(s) admit an important detail only after being confronted with it?
- k. **Nuanced Analysis:** Did the interviewee include nuance in their descriptions which does not necessarily support their case? Did they include embarrassing details (i.e., criterion of embarrassment) which may testify to a nuanced recall committed to accuracy and truth?
- l. **Coherence or Collusion:** Did the interviewee's testimony exhibit a natural fit with the testimony of other interviewees? That is, did that testimony cohere on the main relevant points while exhibiting a distinct perspective, interest, and emphasis? Or did that testimony exhibit an unnatural fit? That is, did that testimony cohere both on main points as well as perspective, interest, and emphasis in a way that was suggestive of collusion or coordination of testimony?

## 7. SOURCES OF INFORMATION

<b>Appendix 1</b>	City of Leduc Respectful Workplace Policy No. 12.06:20 (March 13, 2019)
<b>Appendix 2</b>	2021 07 22 - Interview Summary Complainant Christa STEELE
<b>Appendix 3</b>	Credibility Assessment Complainant Christa STEELE
<b>Appendix 4</b>	2021 08 11 – Interview Summary Witness <span style="background-color: black; color: black;">Redacted</span>
<b>Appendix 5</b>	2021 10 04 – Interview Summary Witness L Dale WILSON
<b>Appendix 6</b>	2021 08 11 - Interview Summary Witness I Doug BRITTON
<b>Appendix 7</b>	2021 09 29 – Interview Summary Respondent Allan DIGNARD
<b>Appendix 8</b>	Credibility Assessment Respondent Allan DIGNARD
<b>Appendix 9</b>	2021 09 16 - Interview Summary Witness A Spencer MICHELSEN
<b>Appendix 10</b>	2021 10 08 – Interview #1 Summary Respondent Chief George CLANCY

<b>Appendix 11</b>	Credibility Assessment Respondent Chief George CLANCY
<b>Appendix 12</b>	2021 09 29 - Interview Summary Witness B Chad BUGNET
<b>Appendix 13</b>	2021 09 22 - Interview Summary Witness F Harry KRABBES
<b>Appendix 14</b>	Officers Meeting Minutes Sept 23, 2019
<b>Appendix 15</b>	2021 08 12 & 13 - Interview Summary Witness D <span style="background-color: black; color: white;">Redacted</span>
<b>Appendix 16</b>	2021 08 05 - Interview Summary Witness H Mindy SMITH
<b>Appendix 17</b>	2021 10 20 - Interview #2 Summary Respondent Chief George CLANCY
<b>Appendix 18</b>	2021 08 17 - Interview Summary Witness C Kelly FLEWELLING
<b>Appendix 19</b>	2011 06 22 G Kelly to RIEMANN Letter
<b>Appendix 20</b>	2021 09 16 - Interview Summary Respondent Gerry KELLY
<b>Appendix 21</b>	Credibility Assessment Respondent Gerry KELLY
<b>Appendix 22</b>	2021 10 18 - Interview Summary Respondent Bo MOORE (Part 1 and 2)
<b>Appendix 23</b>	Credibility Assessment Respondent Bo MOORE
<b>Appendix 24</b>	2021 09 20 - Interview Summary Witness E Chad RIEMANN
<b>Appendix 25</b>	Workplace Investigation Report April 2019
<b>Appendix 26</b>	MOORE August 9 Investigation
<b>Appendix 27</b>	CHRISTENSEN statement Rally
<b>Appendix 28</b>	2021 08 17 - Interview Summary Witness J Tamara OSMAK by McCallum)
<b>Appendix 29</b>	2021 10 14 - Interview Summary Witness O Paul NICHOLS
<b>Appendix 30</b>	MOORE/TOBIN email STEELE Meeting
<b>Appendix 31</b>	2021 11 20 - Interview Summary Witness Chris TOBIN
<b>Appendix 32</b>	D. BRITTON Email Union Rep
<b>Appendix 33</b>	Excerpt from email Bo MOORE)
<b>Appendix 34</b>	2021 08 23 - Interview Summary Witness Jay CAVANAGH
<b>Appendix 35</b>	Excerpt D. BRITTON Transcript Re: STEELE/ MOORE)
<b>Appendix 36</b>	2021 08 21 - Interview Summary Witness <span style="background-color: black; color: white;">Redacted</span>

## 8. ALLEGATIONS

### 8.1 Allegation: Discrimination based on gender, Sexual Harassment, and Workplace Harassment

(Appendix 2: Interview Summary Christa STEELE Complainant, July 22, 2021)

(Appendix 3: Credibility Assessment Christa STEELE Complainant, July 22, 2021)

(Appendix 4: Interview Summary Witness G [Redacted] Aug 11, 2021)

(Appendix 5: Interview Summary Witness L Dale WILSON, Oct 4, 2021)

(Appendix 6: Interview Summary Witness I Doug BRITTON, Aug 11, 2021)

(Appendix 7: Interview Summary Respondent DIGNARD, Sept 29, 2021)

(Appendix 8: Credibility Assessment Respondent DIGNARD Sept 29, 2021)

(Appendix 9: Interview Summary Witness A Spencer MICHELSEN Interview, Sept 16, 2021)

(Appendix 36: Interview Summary Witness M [Redacted] Aug 21, 2021)

#### a) Background

Between 2004 and 2005 STEELE completed training and had to compete for a position as ACP/ Firefighter. During either a "ride along" or as a student, Allan DIGNARD and Spencer MICHELSEN were her preceptors. STEELE was in the back of an ambulance in an ambulance bay checking supplies with DIGNARD when he began asking her what her panties looked like. She attempted to brush him off, saying that it was none of his concern, that they were "granny panties". He then began describing his underwear, and then pulled down his pants and exposed his penis. She attempted to look away and said, "that's not necessary." She left the ambulance and told MICHELSEN. Over the next few years, she told several other co-workers. On another occasion, according to STEELE, several people were in the gym and DIGNARD grabbed her and kissed her and, on another occasion, asked her if she wanted to have a "three-some" with him and his wife. (This is a term that means three people having sex at once). She stated he later apologized for the kiss.

Several years later, STEELE was asleep in the women's dorm while on shift. DIGNARD came into the women's dorm and tried to crawl into bed with her. She states she 'kicked him out' and he did leave. STEELE says she reported this incident to their Captain at the time, Dale WILSON, but all that happened was that DIGNARD was moved to a different platoon.

DIGNARD denies the allegations. He stated that on occasion people open their pants (including unzipping) to tuck in a shirt and that sometimes he doesn't wear underwear. He does not have an explanation for any of the other allegations but denies they occurred.

STEELE alleges that Allan DIGNARD sexually harassed her by exposing his penis to her, tried to crawl into bed with her, asked her to engage in a sex act and kissed her. By definition, Sexual Harassment constitutes Discrimination based on gender as is prohibited by the Alberta Human Rights Act.

#### b) Respondent: Allan DIGNARD

**c) Policy: The Respectful Workplace Policy of the City of Leduc**

**Sexual Harassment** is any unwelcome behaviour, sexual in nature that adversely affects, offends, or threatened to affect a person's job security, well-being, working conditions or prospects of for promotion or earnings, or access to the goods, services, or facilities of the City of Leduc. It is considered discrimination on the grounds of gender and is prohibited as per the Alberta Human Rights Act.

Sexual Harassment can take many forms. It can be subtle or obvious and may occur once or many times. Sexual Harassment can occur as behaviour between individuals regardless of whether they are the same or different genders.

Sexual Harassment may include but is not limited to:

- Unwanted sexual attention, advances and verbal/non-verbal communication or comments that are made by a person that knows, or reasonably ought to know, that such acts are unwanted;
- The promise of a rewards or reprisal for the acceptance or refusal to comply with sexual requests or demands;
- Any form of unwanted physical contact such as touching, pinching, patting, rubbing, or leaning against;
- Displaying or distributing sexually explicit or sexually related materials, pictures, posters, or jokes.

**d) Witnesses Information**

**From Christa STEELE Interview Summary, July 22, 2021**

- 2004 STEELE was Practicum Student at Leduc Fire Services, preceptors were Allan DIGNARD and Spencer MICHELSEN. While in the back of the ambulance checking supplies with DIGNARD, he asked her colour of her panties, then described his underwear, then exposed his penis to her. MICHELSEN was in front of ambulance. He did not witness the incident, but STEELE reported incident to him at the time. STEELE did not report it as she felt it would negatively impact her being hired on full time.
- Around 2007 while working on Platoon two, STEELE states that one night while she was on shift, sleeping in the women's dorm DIGNARD crawled into bed with her. She pushed him out and reported it to their Captain at the time, DALE WILSON. She states DIGNARD was moved to another shift as a result, but does not believe he was disciplined for this.
- Another time, DIGNARD asked STEELE if she would participate in a three-some with him and his wife.
- Once, in the gym, while complaining about his wife, DIGNARD kissed (me).

**From Spencer MICHELSEN Interview Summary, September 16, 2021**

- MICHELSEN was asked about the Allan DIGNARD allegation of him exposing himself to STEELE. MICHELSEN stated that STEELE did tell him about DIGNARD exposing himself to her in the back of the ambulance, while it was parked in the ambulance bay. MICHELSEN recalls that he was not in the ambulance at the time, but STEELE did tell him what occurred. MICHELSEN was not sure if she told him immediately after it happened or a short time later.

**From [Redacted] Interview Summary, August 11, 2021**

- DIGNARD lifestyle: wife swapping, everyone talks about it, but thinks it was more DIGNARD making out with other people's wives vs several involved in swapping.
- 5-7 years ago, STEELE told him about DIGNARD exposing self.

**From Dale WILSON Interview Summary, October 4, 2021**

- Does not recall STEELE telling him DIGNARD tried to crawl into bed with her.
- Says he does not recall moving him for that reason, but they move people platoons all the time for various reasons.
- Does recall STEELE telling him about a different time with DIGNARD (many years ago). Said she said he exposed himself while tucking in his shirt, had no underwear on and he exposed his penis.
- (Re: reporting to WILSON that DIGNARD crawled into bed with her and that all he did was move him platoons): Says if STEELE had reported that to him, he absolutely would have 'moved it up the chain' (told managers) and he also would have followed up.

**From Doug BRITTON Interview Summary, August 11, 2021**

- Also heard from STEELE that DIGNARD was trying to crawl into bed with her, does not recall details or where he heard it from.

**From Allan DIGNARD Interview Summary, September 29, 2021**

- Recalled STEELE when she was Dispatcher, does not recall being her preceptor but also may have been and doesn't recall.
- Believes that if he was in the ambulance doing check his partner (MICHELSEN) would have also been in there, since they check it at the same time for accountability, plus he believes that there would have been many others around because they all do that at shift change.
- Said he may have talked about panties, but it was because when he first started, he got a lot of teasing about a call: he was young and didn't know what an Afghan (blanket) was, and when an old lady at the call was talking about her Afghan, he thought it was a person from Afghanistan. It was not long after 9/11, so for years later he got teased about it, included getting "pink, oversized 'grandmother' panties", put in his locker and gear (also pictures of Bin Laden and many other related things). Says this became a source of bullying and later included having his helmet changed for an old yellow one 'like a dunce cap', and that DC CLANCY told nurses at the hospital etc.
- Says that they frequently changed their pants in front of each of each other (changing to and from gear) and therefore it was not uncommon to undo pants to tuck in shirt or other adjustments, but fully denied exposing his penis.
- Said when STEELE was Dispatch, she wore civilian clothes and dressed 'provocatively' with low-cut tops and her thong underwear showing at the back of her pants. Said she was touchy in a friendly way and was not a bit shy about discussing sex, what sex she enjoyed/ had tried/ sex with her husband.
- Was MICHELSEN's partner when MICHELSEN and STEELE had the affair and he said that he saw that as a very bad decision. Said both were open about marital problems they were having and feels they got together because they commiserate and shared issues.

- Said MICHELSEN talked non-stop about STEELE (during the affair) and said he loved her and couldn't stop thinking about her and wanted to marry her. (Said MICHELSEN is very religious and thought his wife was the first experience for him and that was why it was such a big deal to him).
- Was stuck in between because MICHELSEN was partner, MICHELSEN had moved out of house and was staying at a friend's house close to DIGNARD's and MICHELSEN would call him in the middle of the night because STEELE's husband was sending him death threats and would want to come to DIGNARD's.
- Said that because of this experience was stayed away from STEELE.
- Said after the affair he stayed away from her, he felt she was trouble and did not want to engage in anything that may end up the same way.
- Felt very confused about the complaint because she 'friended' him on Facebook, and she would send him messages like: "happy birthday buddy!" Also said she has hugged him and hugs a lot of people; doesn't think she would do that if afraid of him.
- Denies asking STEELE for a three-some. Says STEELE talks very openly and freely about sex, (including three-some's) her experiences, her preferences etc. and that they joke about sex, but never has he thought it made her uncomfortable, in fact she makes him feel uncomfortable sometimes.
- Fully denies crawling into bed with her, or trying to, ever. When asked if WILSON ever told him he was moving him platoons because of an allegation, said absolutely not, they all frequently get moved platoons but never has anyone said he was getting moved for disciplinary reasons of because someone wanted to be away from him.

From Redacted Interview Summary, August 21, 2021

- Denies that DIGNARD ever did anything to her
- Has heard stories about him, rumours.
- Heard that story didn't know it was about STEELE, but was so disgusting she didn't want to hear it
- The version she heard was that it was DIGNARD in the back of an ambulance with STEELE and that nobody needs to see that.

#### e) Analysis

The credibility assessment this Investigator completed on STEELE found her to be forthright and consistent. She may not be entirely reliable in specific descriptions of incidents, as reports by other witnesses varied in some manner in more historical incidents. This does not cause this Investigator to doubt the reliability of the testimony of STEELE and other witnesses, as some incidents are several years old. STEELE gave detailed descriptions of specific incidents that she found to be emotionally painful. As is common, recalling months or even years of incidents can be elusive. She was generally consistent in describing incidents more than once. This investigator also found her to be emotional throughout the interview, which was appropriate to the topic.

This Investigator completed a credibility assessment on Respondent DIGNARD. He did appear to be telling the truth, although he has some reasons to not tell the truth as being accused of serious allegations of sexual harassment and could face severe consequences. He said he did not harbour a grudge against complainant, said he thought they were friends. He does have a personal interest in the outcome, as he could face serious consequences. He did not appear to have a skewed perception he did not pick up social cues that STEELE didn't like him or avoided



him. He denied the allegations and attacked STEELE's credibility by saying she dressed provocatively (when she worked dispatch) and had an affair. He subtly attempted to discredit her when he presented that STEELE was trouble and he purposely avoided her. He did not recall being STEELE's preceptor (but says he has had many students along the way), does recall STEELE when she worked Dispatch but did not recall any of the situations that are alleged to have occurred. He does seem to have a good memory of times he felt stress, such as when MICHELSEN was having affair with STEELE and DIGNARD was his partner (and things MICHELSEN said and did during that time), and he recalls vividly when he was picked on or bullied. In this Investigator's experience this is not abnormal memory. Confidante witness MICHELSEN does not corroborate his statements, which detracts from his credibility.

DIGNARD has obvious reasons to deny the allegations. DIGNARD posed alternative scenarios that were not realistic, such as: discussion around 'panties' after an incident was common-place as he was teased about it; they often open their pants to tuck in their shirt; they change pants in front of each other. As well, he made disparaging remarks about her that did not offer relevant information, such as: she dressed provocatively, she often discusses her sexual behaviour and mentioned her affair (in 2004) and stated that caused him to avoid her. He also said she has wished him happy birthday on Facebook messenger and hugged him once, and that behaviour was inconsistent with her claims.

The Confidante Witnesses, BRITTON, and [Redacted] recall hearing the complaints from STEELE in past years. BRITTON stated the first incident was before his time, but acknowledges she discussed other incidents with him. This gives credibility to BRITTON's claim, as he is not simply supporting all of her claims.

Dale WILSON is the one interviewee that denies that STEELE reported the incident of DIGNARD crawling into bed with her. Although WILSON did present in a forthright manner, he does have reason to claim to be unaware of the incident, as he would have been irresponsible to respond to the complaint in the manner described by STEELE. WILSON also recalled being told by STEELE about the first incident, the penis exposure.

MICHELSEN was the most compelling witness, because he and STEELE continue to have animosity toward each other as a result of the affair from 2004, yet he does recall STEELE telling him immediately after the incident occurred, and he does recall asking her if she 'wanted to do anything about it.'

#### **f) Findings**

The investigator finds that the allegation of sexual harassment against Allan DIGNARD is **FOUNDED** on the balance of probabilities. The allegation against DIGNARD of discrimination based on gender is therefore also **FOUNDED**. Further, the investigator finds that the version of events provided by Dale WILSON is not believable when tested against the credible version of events provided by STEELE and corroborated by several witnesses. WILSON is found to have abdicated his responsibilities as a supervisor and contributed to the sexual harassment/gender discrimination allegations by his inaction.

#### **g) Aggravating/Mitigating Factors**

Through the course of the interview, DIGNARD became tearful and stated that he had been bullied his whole career at LFS. He stated he was teased endlessly after a call to an elderly lady's house, and other circumstances. He stated the Chief has been the most

aggressive bully who routinely says mean things to him, including telling him he would never be as good as his son (after observing him tying ropes). He is disliked by many, and the Chief also stated (without prompting) he had an intense dislike for him. DIGNARD declined to make a complaint, as he "has young children to think about". This does not explain or excuse his behaviour toward STEELE, however it does speak to the normalizing of harassment and bullying in this workplace.

Captain Dale Wilson's inaction on the complaint made by STEELE to him is an abdication of supervisory responsibilities.

## **8.2 ALLEGATION: Discrimination based on gender, Workplace Harassment**

(Appendix 2: Interview Summary Complainant Christa STEELE, July 22, 2021)

(Appendix 3: Credibility Assessment Complainant Christa STEELE, July 22, 2021)

(Appendix 4: Interview Summary Witness [Redacted] Aug 11, 2021)

(Appendix 10: Interview Summary #1 Chief CLANCY, Oct 8, 2021)

(Appendix 11: Credibility Assessment Chief CLANCY, Oct 8 & 21, 2021)

(Appendix 12: Interview Summary Witness B Chad BUGNET, September 29, 2021)

(Appendix 13: Interview Summary Witness Harry KRABBES, Sept 22, 2021)

(Appendix 14: Officers Meeting Minutes Sept 23, 2019)

(Appendix 15: Interview Summary Witness D [Redacted] Aug 12 & 13, 2021)

(Appendix 16: Interview Summary Witness H Mindy SMITH, Aug 5, 2021)

### **a) Background**

About 2004, STEELE engaged in an extramarital affair with co-worker Firefighter/ AC MICHELSEN. Both STEELE and MICHELSEN were married at the time. Although most of the focus of this affair occurred in the approximate year after the affair, gossip about this affair continued for years, many people discussed it and many state they were told about it when they first started working an LFS. The worst of this occurred in approximately 2005. The general consensus was that STEELE somehow forced MICHELSEN to have the affair.

Some of the unwanted attention she has received is a result of this continued discussion and gossiping about the affair. She believes that some of the unwanted sexual attention is men who think she is open to sex with anyone. She phrases it as: "you did him (MICHELSEN) so do me too." STEELE experienced bullying in the form of name-calling, derogatory remarks and being the subject of rumours. She states she has been called names such as "home wrecker", "slut" and "whore". In about 2005, she made a formal complaint to Human Resources against who she felt was the worst offender: Glen HUNKER. HUNKER is no longer an employee at Leduc Fire Services. STEELE states she made a formal complaint to HR, and HR would not meet with her privately over her complaint, but insisted that HUNKER be in the meeting, which made her very uncomfortable. She states HR did not believe her allegations, that they spoke as if HUNKER was unjustly accused, that he 'wouldn't say those things' (she thinks because he was known to be religious). She states that HR essentially told her 'to behave'. She states they implied she caused the harassment by having the affair. The investigator attempted to obtain HR records (on this situation and others) but was unsuccessful. Historical record keeping and record retention appears to have been problematic at LFS. However, many witnesses report learning of the affair early in their careers.

STEELE states DC CHRISTENSEN has bullied her numerous times, including yelling at her in front of others and speaking derogatorily to her. She alleges that CHRISTENSEN was telling other members that STEELE was “milking it” when she was trying to integrate back into her job after being on leave for PTSD. This was confirmed by NICHOLS who was managing her return-to-work plan after her PTSD leave. At the time CHRISTENSEN was the DC assigned to manage disabilities files, work with WCB and OH&S personnel to create a successful return to work plan. On one occasion he called her a “slut”. On another, he yelled “you should be fired for that” in front of other staff. DC CHRISTENSEN was asked to resign by the organization after a harassment incident involving several female members. Although he no longer works there, this allegation was investigated as a generalized allegation of bullying, harassment and not acting to provide or foster a safe work environment.

STEELE states she continued to be the brunt of bullying and malicious rumours by several members. She has named SENIO, KAMLAH, WILSON, HUNKER and others as saying she was having affairs with other members, was doing cocaine and other serious allegations. She states she reported these incidents to CHRISTENSEN who did nothing.

Witnesses [Redacted], [Redacted], and BUGNET all noted that STEELE is frequently gossiped about, and often made fun of (behind her back) for her poor attendance, although felt it was so common that they couldn’t recall who said what about her. [Redacted] noted that she is also set up to be embarrassed or shown to be incompetent, which she doesn’t complain about.

It is alleged by STEELE that the abusive behaviour was by DC CHRISTENSEN, with no apparent repercussions to him. STEELE alleges that this behaviour toward her by a senior leader provided tacit approval for abusive and bullying behaviours by others.

The allegation is that STEELE was bullied and harassed for many years, and the leadership at Leduc Fire Service (under Chief CLANCY) did not model appropriate behaviour or act in a meaningful way to deter abusive behaviour. It is alleged that Chief CLANCY was well aware that STEELE was being bullied and harassed by other members and DC CHRISTENSEN but did not act to stop it. STEELE alleges that she was subjected to abusive, unwelcome, unfair, or demeaning behaviour, that interfered her dignity, her well being, status or performance and created a hostile and intimidating working environment.

**b) Respondent: Chief George CLANCY**

**c) Policy: Disrespectful Workplace Behavior**

**Disrespectful workplace behaviour** may include, but is not limited to:

Can be intentional or unintentional and is offensive and/or unwelcome. Disrespectful behavior(s) are reflected in employee conduct, attitudes, comments, actions, threats, or violence, and contribute to an uncomfortable and/or hostile work environment.

Examples of this may include but are not limited to:

- bullying
- workplace harassment
- sexual harassment
- discrimination
- sabotage

- damage to City property

**Workplace Harassment:** is defined as the abusive, unwelcome, unfair, or demeaning behaviour, including actions or gestures, towards a person or group that has the purpose or effect of interfering with a person's or group's dignity, well being, status or performance, or creating a hostile or intimidating working environment. Incidents of harassment may involve bullying, the abuse of power one individual has over another, or unwelcome conduct including threats of and/or acts of physical violence. The *Workplace Violence Prevention Policy* of the City of Leduc outlines the following definitions:

**Violence:** whether at a workplace or work-related, means the threatened, attempted, or actual conduct of a person that causes or is likely to cause physical or psychological injury or harm.

Examples of these behaviours include:

- pushing, shoving, poking, hitting, slapping,
- assault - including sexual assault, psychological attacks, harassment, intimidation, fighting, forcible confinement, possession of a dangerous weapon, destruction of property, robbery, throwing objects at an individual, threatening behaviours or,
- uttering verbal threats of violence and domestic violence.

#### d) Complainant Information

##### From Christa STEELE Interview Summary, July 21, 2021

- In 2004, approximately one year before STEELE was hired full time, she engaged in sexual relationship with MICHESEN, while both had partners. When the relationship ended, STEELE was subjected to bullying, name-calling, and blame. MICHESEN told their co-workers (Chad BUGNET, Michael VANAMEYDE, Redacted and others the affair was her fault, she made him do it. She states she was 'bullied' by her peers (including Glen HUNKER, retired DC Don DELANCY, Rick KAMLAH) She stated they called her names such as "whore", "home-wrecker", "slut", and heard from others that more coworkers (and some of their spouses) were calling her names.
- In 2007 she reported the bullying to HR, citing HUNKER as the "ringleader". As a result of this complaint, HR met with her and HUNKER together in what she thought was meant to be a mediation. STEELE stated she felt they were "accusatory and (berated) her" regarding the affair, and she believed the overall message from the meeting was to "tell me to keep my legs shut", and to "behave". She felt that HR did not believe that HUNKER was calling her names, and she states that the situation was made worse by reporting it. (HR has no record of this meeting as the department has an entirely new group). As a result, STEELE states she was reluctant to make complaints after that, as she felt humiliated from the experience.
- Her direct supervisor Jerry KELLY "suggested" she write letters of apology (for the affair) to several spouses of firefighters: (himself) KELLY, George CLANCY (Deputy Chief at the time), Glen HUNKER and to the spouse of the man she had the affair with (MICHESEN). She felt it was unfair that she received multiple consequences for the affair, but the other participant did not. (She repeatedly stated she did need to "own it" and that she should have consequences but noted that the consensus was that it was entirely her fault). She states she did not write letters but did call, or speak in person to some of the spouses, to apologize, including to MICHESENS'S spouse. This caused her to feel

depressed, scared to work, isolated, and that MICHELSEN received nothing, nor did it impede his later promotion.

- While working on Platoon 3, she was informed by four of her colleagues that Captain Ray SENIO (her Captain at the time), Dale WILSON, Glen HUNKER, and Rick KAMLAH spread rumours that STEELE was having an affair with Adam SLOAN and was doing cocaine with [Redacted] (two other coworkers). She reported this to DC CHRISTENSEN, who did not address the issue. As noted earlier, CHRISTENSEN no longer works there.
- Also, while on Platoon 3 when Captain Ray SENIO (was her Captain) and CHRISTENSEN (was a DC) she was repeatedly “belittled and embarrassed in front of (her) co-workers”. On one occasion CHRISTENSEN yelled at her and called her a ‘liar’. STEELE states that she was told repeatedly by co-workers and by SENIO to “watch herself” as she “had a target on her back”, making her feel like they were out to get her. She stated that he was referring to all the Deputy Chief’s. She stated DC CHRISTENSEN especially, who “hauled (her) in front of HR several times and threatened to fire her.” She believes CHRISTENSEN targeted her.

**e) Witnesses Information**

**From Gerry KELLY Interview Summary**

Letter of apology from Ms. STEELE re: affair with MICHELSEN.

- KELLY was not aware of any disciplinary action for Spencer MICHELSEN or Christa STEELE because the activity did not occur onsite.
- The notion of STEELE writing letters of apology to staff and their wives is a “complete fabrication.” Said it had nothing to do with him.
- KELLY said he went home and asked his wife the previous night and she could not recall an apology of any kind.
- KELLY said there was absolutely nothing on the matter; in fact, KELLY phoned Shane CHRISTENSEN the previous evening, who told KELLY there was no investigation and no discipline.

**From Chad BUGNET Interview Summary, August 2, 2021**

- Believes STEELE is truthful and not likely to make claims that aren’t true
- He offers to ‘do something’ about some incidents but STEELE feels that she needs to fight her own battles, like: “I’m a big girl I’ll fix my own battles”
- Knew she had made complaints in past and felt nothing came of it
- Has felt she should have taken some issues further than she did
- Affair happened long before he got there (4 years), still being brought up after he came
- Said STEELE always thought she was treated like it she was wearing a ‘scarlet letter’, yet MICHELSEN got promoted
- Does recall when he first got there someone (a supervisor but was not sure enough who so didn’t want to guess) told him “to be careful of her” in relation to the affair.
- MICHELSEN was his Captain and believes he may have alluded to the affair once, said something like ‘she initiated the affair’. (Says he told MICHELSEN “no one MADE him have an affair”)

- Believes she mentioned having to write the letters of apologies “in passing”. (All occurred several years before he got there).

**From [Redacted] Interview Summary, August 12 & 13, 2021**

- Within first 6 months had heard from several sources that Christa had affair with MICHELSEN, people believed it was “her fault”, knew MICHELSEN told people that as well
- Noted Christa has suffered consequences, but MICHELSEN is a Captain.
- Doesn’t recall specific incidents Christa said, but does recall that she was frequently picked on in subtle ways:
- “They” (doesn’t recall who but it was a usual event) would ask Christa to show them some equipment on a truck, even though that truck didn’t have that equipment, as they wanted to “see how long it would take her to figure it out.” On this occasion he told her “they’re trying to fuck you over”. She said, “ok thanks”.
- She then went out there and said, “this isn’t going to work because it doesn’t have a dual port” and they said, “ah shit”. It was a test that they fully expected her to fail.
- The training environment in general is not a team building.

**From Mindy SMITH interview Summary, August 5, 2021**

- ...at point in time, Christa STEELE had had numerous things happened to her because everyone knew she had an affair with Captain MICHELSEN.
- On September 23<sup>rd</sup>, 2019, we had an Officer’s meeting where I brought up concerns to all the officers, including Deputy Chief MOORE and Chief CLANCY, and stated, “the female staff do not feel welcome here.” Chief CLANCY asked the entire officer group to put up their hands if they had heard or seen something to make the female staff think this way. The entire room put their hands up. This was a group of approximately 12 Officers.
- I also asked if it was a requirement that bullying be reported to HR if we saw it, and he replied “yes”. I brought this up because I had at this point reported a couple incidents of bullying to DC MOORE who did not report it to HR. I could tell by DC MOORE’s reaction to the questions, he did not like that I brought this up. To my knowledge there were no steps taken to address the admitted harassment.

**From Chief George CLANCY Interview Summary, September 8, 2021**

- STEELE has a nickname of ‘6-8’ because every time she’s going to be off work it’s for 6 to 8 weeks.
- States he knows about the nickname but also has never stopped it.
- Told investigators that since she alleged that he pinned her against a wall while drunk and tried to kiss her at a party that he now doubts everything she said about BRAUN because she made up the story about him.
- Was not able to address any issues of harassment until he became Chief, but since he’s come in as Chief, everything is better, previous Chief was a ‘narcissist’.
- Believes he can’t stop people from gossiping.

- During this investigation, put several memes on his Facebook profile that implied he had been betrayed, admitted to investigators that he should be allowed to say how he feels, and he felt betrayed by her. ( See Report #4 for more information on the memes)
- Does not see that he can influence other to disbelieve complainants in this investigation.
- Believes that he has such a good relationship with female firefighters that they would bring allegations of harassment to him, and since they haven't, it (harassment) is not occurring.
- Believes his daughter would tell him if she was being sexually harassed (and says: "and she's younger!"), implying she is more likely to be a victim of sexual harassment. Since she hasn't told him she is sexually harassed, it must not be happening.
- Learned at an officer's meeting in Sept. 2019 (from A/Captain SMITH) that some women don't feel safe at work, during meeting he asked others if they were true, several members confirmed it. He admits has not made efforts to improve that situation.
- After BRAUN was found to have sexually harassed female members (March 2020), several recommendations came from investigation, none have been instituted but he has plans.
- DC CHRISTENSEN violated policy to support BRAUN which put victims at risk, there was no repercussions to CHRISTENSEN.
- In August of 2020, BRAUN attended the LFS Rally, invited by a Captain, and when it was learned by Captains and CHRISTENSEN that it caused trauma to other members, they did not take action to leave. Chief says he acted when he came back, had MOORE investigate and got a statement from CHRISTENSEN (supplied it to investigators).
- When DC MOORE was called and he ordered that BRAUN be sent away, there was much resistance and derisive comments to the women before a Captain finally made him leave (Acting Chief Christensen refused to ask him to leave).
- Asked CLANCY if he could have caused the problem at the Rally by not properly teaching/training/ coaching/ disciplining CHRISTENSEN (or even discussing it with him).
- Said he didn't think making CHRISTENSEN A/Chief 3-4 months after giving BRAUN the info from the complainants was an error of judgment.
- Said CHRISTENSEN had made changes; Cpt. Dale WILSON told him he was a lot better and he 'got religion.'

**g) Analysis**

The credibility assessment this investigator completed on STEELE found her to be forthright and consistent. She may not be entirely reliable in specific descriptions of incidents, as reports by other witnesses varied in some manner in more historical incidents. This does not cause this Investigator to doubt the reliability of the testimony of STEELE and other witnesses, as some incidents are several years old. STEELE gave detailed descriptions of specific incidents that she found to be emotionally painful. As is common, recalling months or even years of incidents can be elusive. She was generally consistent in describing incidents more than once. This investigator also found her to be emotional throughout the interview, which was appropriate to the topic.

This investigator completed a "Credibility Assessment" of Chief George CLANCY. The writer found him to be verbose, answering simple questions with long answers that wandered and digressed, often needing to be asked the same question repeatedly. This investigator viewed this pattern of speech as an effort toward deflecting. He spoke about details that were not relevant to the topic and glossed over the actual response. As a result, questions were not directly answered unless pressed. CLANCY prefaced many answers with positive aspects of the topic in question, on occasion identifying how poorly the previous Chief's actions were and what positive changes he has made since becoming Chief. In discussing his authority as Deputy Chief, he presented as powerless and at the mercy of the decisions by HR and the previous Chief. CLANCY is critical of current Deputy Chiefs and members. He speaks in a dynamic, passionate manner, and freely expresses his anger and frustration. CLANCY is critical of members of LFS, for example, he informed the Investigators that a recent audit of skills among full-time members revealed that 18 ACP/Firefighters failed basic competency skill tests, but he distances himself from the responsibility of causing this or improving this. This investigator found CLANCY misdirected and deflected in answering questions. On occasion, he presents himself as a victim in response to allegations of irresponsibility. For these reasons CLANCY's credibility is deemed to be problematic.

The investigator found many witnesses describe bullying by other members and DC CHRISTENSEN toward STEELE, as well as evidence that the Chief, both as a Deputy Chief and as Chief, was made aware of allegations (by STEELE and others) and took no action to rectify the harassment and bullying.

BUGNET, [Redacted] SMITH and [Redacted] described witnessing harassment and bullying by members, as well as being told of harassment and bullying by STEELE, in years past. Some described incidents that they saw that were not mentioned by STEELE but would constitute bullying. This speaks to how common the acts occurred.

Chief CLANCY was Deputy Chief for the first years STEELE was employed (2004 to 2015). He was acting Chief for several months before he became Chief in 2015. He has been Chief since that time. DC CHRISTENSEN bullied her (and others) as confirmed by witnesses. As noted, STEELE's attempt to report harassment and bullying placed her in a worse position than if she hadn't.

In September 2019, SMITH speaks at the Officer meeting about women feeling unsafe. Chief CLANCY stated, at that time, that complaints must be written in order for HR to 'do anything about it'. He reported to investigators that the complaints must be in writing "to show they are serious". As noted in the transcript excerpt above, he very clearly believes that the complaints must be in writing, and that HR is entirely responsible for managing all complaints. Chief CLANCY has neglected to respond to complaints of bullying and harassment. The Investigator notes that this meeting and discussion occurred less than a month after the incident at the Rally.

Chief CLANCY does not actually deny that he has repeatedly stated that no action can be taken on complaints unless they are in writing. This is in direct opposition of the policy, which states:

*"All reported incidents of harassment will be investigated, and corrective actions will be taken to address the incidents."*



The Chief also believes that all complaints are the responsibility of HR, and that HR make all decisions around harassment complaints and investigations. In the September 2019 meeting minutes, he is credited with saying that the complaint has to be in writing "so HR can do something about it." In the case of DC CHRISTENSEN, he violated trust and policy for disclosing full information to a subordinate respondent when three female members made sexual harassment and sexual assault allegations against him, risking the health and safety of the complainants.

Chief CLANCY claimed that the response to these actions by CHRISTENSEN were dealt with by HR Director, Chris TOBIN, and he was not made aware of the consequences for CHRISTENSEN. Chris TOBIN stated that Chief CLANCY dealt with CHRISTENSEN. TOBIN believes that this responsibility falls under the Chief. Both stated that they believed that the other actually acted. There was no action taken by anyone. This inconsistent assessment of who is accountable would reasonably be assessed as a dereliction of duty and serious mismanagement that resulted in psychological harm to STEELE.

**f) Findings**

The allegation that Chief CLANCY, by action and inaction in his role as Chief and previous role as Deputy Chief, contributed to the harassment and bullying towards, Christa STEELE is **FOUNDED** on the balance of probabilities.

**g) Aggravating/Mitigating Factors**

The investigator found that the length of time this behaviour was allowed to continue was an aggravating factor. Also, an aggravating factor was that this incident negatively impacted other male and female members and could have been prevented.

**8.3 ALLEGATION: Discrimination Based on Gender, Sexual Harassment**

(Appendix 2: Interview Summary Complainant Christa STEELE, July 22, 2021)

(Appendix 3: Credibility Assessment Complainant Christa STEELE July 22, 2021)

(Appendix 10: Summary of Interview #1 with Respondent Chief George CLANCY, Oct 8, 2021)

(Appendix 11: Credibility Assessment Chief George CLANCY, Oct 8 & 2021)

(Appendix 17: Summary of Interview #2 with Respondent George CLANCY, Oct 21, 2021)

(Appendix 18: Interview Summary Witness C Kelly FLEWELLING, Aug 17, 2021)

**a) Background**

In December 2004 STEELE was on shift as a Dispatcher. She was neither a full-time employee nor a firefighter/ paramedic but hoped to be so one day. She was working alone, in the Fire Hall while a LFS sponsored Christmas party with alcohol was taking place in the same building. STEELE states that at some point in the evening, an inebriated CLANCY (who was a Deputy Chief at the time), came into the office, stood behind her and started "petting" her neck. He entered the office a second time and pinned her against the wall and tried to kiss her and requesting sex. STEELE states she was physically trapped and was trying to talk him out of kissing her.

STEELE believes that this incident occurred because some men she worked with used their knowledge of the extramarital affair she engaged in with a co-worker, as an indicator she was willing to have sex with others. As she stated, it was a prevalent attitude of: "you 'did' him, now you can 'do' me." She believes this incident contributed to her getting a full-

time position shortly after and that it was a subtle reward for her silence, which causes her shame.

STEELE alleges that George CLANCY was in a position of power over her and subjected her to unwelcome behaviour, touching and forced kissing/confinement, that was sexual in nature. She alleges that CLANCY was in a managerial position with the ability to wholly influence her possibility of employment and potentially years of supervision, which threatened her job security, well-being, working conditions and/ or prospects of for promotion or earnings. Steele alleges that CLANCY sexually harassed her and alleges that this constituted discrimination on the grounds of gender as prohibited by the Alberta Human Rights Act.

**b) Respondent: Chief George CLANCY**

**c) Policy**

Respectful Workplace Policy of the City of Leduc:

**Sexual Harassment** is any unwelcome behaviour, sexual in nature that adversely affects offends, or threatened to affect a person's job security, well-being, working conditions or prospects of for promotion or earnings, or access to the goods, services, or facilities of the City of Leduc. It is **considered discrimination on the grounds of gender and is prohibited as per the Alberta Human Rights Act.**

Sexual Harassment can take many forms. It can be subtle or obvious and may occur once or many times. Sexual Harassment can occur as behaviour between individuals regardless of whether they are the same or different genders.

Sexual Harassment may include but is not limited to:

- Unwanted sexual attention, advances and verbal/non-verbal communication or comments that re made by a person that knows, or reasonably ought to know, that such acts are unwanted;
- The promise of a rewards or reprisal for the acceptance or refusal to comply with sexual requests or demands;
- Any form of unwanted physical contact such as touching, pinching, patting, rubbing, or leaning against;
- Displaying or distributing sexually explicit or sexually related materials, pictures, posters, or jokes.

**d) Witnesses Information**

**From Christa STEELE Interview Summary, July 22, 2021**

- December 2004 STEELE was on shift as a Dispatcher. She was neither a full-time employee nor a firefighter/ paramedic but hoped to be so one day. She was working alone, in the Fire Hall while a LFS sponsored Christmas party with alcohol was taking place in the same building. At some point in the evening, an inebriated CLANCY (who was a Deputy Chief at the time), came into the office, stood behind her and started "petting" her neck. STEELE stood up and turned around to keep him from being behind her, CLANCY continued to say, "you have pretty lips...you have pretty eyes...I want to

kiss you..." STEELE was saying: "...haven't you learned from my mistake (the extramarital affair with MICHELSEN) ...you don't want to do that, you're married".

- The incident was interrupted by a 911 call that STEELE had to answer. CLANCY left the office.
- Not long after, CLANCY returned to the office. When CLANCY entered the office STEELE stood up and backed against the wall/ window to keep him in front of her, he then pinned her against the wall/ window (pinned is described as using hands and body to restrain her).
- STEELE says he was more aggressive when he returned, and she could not push him away. He was trying to kiss her, and STEELE was continuing to say: "...you don't want to do this, you're drunk..."
- A co-worker, KELLY FLEWELLING (who was her supervisor) came down the hall. FLEWELLING was just coming in to go to the party and stopped in to check on STEELE. He had not had anything to drink. STEELE believes that CLANCY heard his steps, disengaged, and left the office. STEELE told FLEWELLING what had happened.
- STEELE says that FLEWELLING stayed near her until the end of her shift.
- STEELE says after her affair with MICHELSEN the prevalent attitude by some of the men there that of: "you 'did' him, now you can 'do' me." She believes this incident contributed to her getting a full-time position shortly after and that it was a subtle reward for her silence. This causes her shame.

#### **From Kevin FLEWELLING Interview Summary, August 17, 2021**

- At the time was Captain of the dispatch centre located at Leduc Fire Services.
- Trained Christa STEELE, at the time George CLANCY was a Captain at the time.
- Quit in August 2019 and is now at Edmonton Fire.
- Early years firefighter did not really work at the Firehall, they came from their homes, some volunteers, P/T or POC, firehall was more of a gathering place for after calls
- Firehall had many parties/ celebrations like St. Patrick's Day, Christmas, family events
- When they (fire section) took over ambulance they started not having parties there.

#### **Incident**

- Worked with Christa on his shift, then on her own, small group
- When I went to firehall gatherings I would check on my coworkers "because it was a bad situation, having to work in the same building that a party was going on."
- I believe I checked in when I first came into the building (as a practise).
- When I went in, she was visibly upset, said Chief CLANCY tried to kiss her
- She did appear visibly upset: "And that is when I went into the room, she explained to me that she was she was upset, but she did say something about George CLANCY had tried to kiss her. And then he had been drinking and, and he wasn't getting..."
- Says: "...she did appear visibly upset. I asked if she was okay. And I offered to stay with her till the end of shift."
- Doesn't remember much after that, isn't sure if he stayed with her or how long he stayed there.

- In response to the question did he see him at or near the office: "He may have been coming out when I was going in and we said hi. But I, I can't recall with absolute certainty."
- Recalls asking her if she to tell anyone, does remember asking her if she wanted to talk to anybody about it?
- "And I know she said she didn't because she was afraid that you know something might happen with her job or because George was, I think he was a captain at the time..."
- Said it's a paramilitary organization and says the attitude was, "as in military is a military its even more so because the people... that it's not just the job, you're certain rank, you're referred to as a rank so..."
- Said in paramilitary environment rank is respected and can be intimidating, hard to approach anyone of rank.
- Does not recall if he knew or saw CLANCY attempt a second time, or if that was the second time.

**From Chief George CLANCY Interview Summary, Sept. 21, 2021**

- States: "I went into that dispatch, myself, and Christa, From my perspective had a friendly relationship. I went in to speak to her on that night we sat down. Dispatch was quiet, we had a conversation I was there for a few hours. I get up I hugged her, and I hugged all females. I, that's who I am, I'm a hugger... And then we kissed, when we kissed that was mutual, (it) wasn't a force issue."
- Denies all other aspects of STEELE's description of the incident.
- Denies touching her hair or neck, denies pinning her against the wall and did not ask for sex.
- Knew it was a mistake immediately and was sorry he did it.
- Said he was only in there once (although it was 'for a few hours').
- Very indignant about this allegation.
- States now he doesn't believe her about the BRAUN allegations because this is not true.
- Saw STEELE like his daughter, STEELE reminds him of his daughter (played basketball was athletic). (His is at least 10 years younger than STEELE).
- Feels betrayed by her.
- Says he is a 'hugger', hugs everyone.

**e) Analysis**

The credibility assessment this investigator completed on STEELE found her to be forthright and consistent. She may not be entirely reliable in specific descriptions of incidents, as reports by other witnesses varied in some manner in more historical incidents. This does not cause this Investigator to doubt the reliability of the testimony of STEELE and other witnesses, as some incidents are several years old. STEELE gave detailed descriptions of specific incidents that she found to be emotionally painful. As is common, recalling months or even years of incidents can be elusive. She was generally consistent in describing incidents more than once.

This investigator also found her to be emotional throughout the interview, which was appropriate to the topic. As well, STEELE stated she was afraid that she may have gotten her full-time job several months later as a result of this incident, causing her to wonder if she was hired for herself or to make up for this or silence her. This causes her shame. This indicates a 'criterion of embarrassment' which may testify to a nuanced recall committed to accuracy and truth.

This investigator completed a "Credibility Assessment" of Chief George CLANCY. The writer found him to be verbose, answering simple questions with long answers that wandered and digressed, often needing to be asked the same question repeatedly. This investigator viewed this pattern of speech as 'deflecting' attention from the topic. He spoke about details that were not relevant to the topic and glossed over the actual topic. As a result, questions were not directly answered unless pressed. CLANCY prefaced many answers with positive aspects of the topic in question, on occasion identifying how poorly the previous Chief's actions were and what positive changes he has made since becoming Chief. In discussing his authority as Deputy Chief, he presented as powerless and at the mercy of the decisions by HR and the previous Chief. CLANCY is critical of current Deputy Chiefs and members. He speaks in a dynamic, passionate manner, and freely expresses his anger and frustration. CLANCY is critical of members of LFS, for example, he informed the Investigators that a recent audit of skills among full-time members revealed that 18 ACP/Firefighters failed basic competency skill tests, but he distances himself from the responsibility of causing this or improving this. This investigator found CLANCY misdirected and deflected in answering questions. On occasion, he presents himself as a victim in response to allegations of irresponsibility. For these reasons CLANCY's credibility is deemed to be problematic.

Chief CLANCY admits to embracing, then kissing STEELE while she was on-duty in 2004. He denies the details she describes; however, the policy was violated when he kissed her.

**f) Findings**

Based on the credibility assessments, the "confidante" witness of FLEWELLING admission of kissing STEELE but denial of using force or intimidation, the investigator prefers the evidence and recall of STEELE over that of CLANCY.

The allegations by Christa STEELE that George CLANCY sexually harassed/assaulted STEELE and discriminated against STEELE based on gender is **FOUNDED** on the balance of probability.

**g) Aggravating Factor**

It is an aggravating factor that STEELE was only 19 years old, she was working as a Dispatcher in hopes of becoming a full-time Firefighter/ Paramedic with Leduc Fire Service, and then Deputy Chief CLANCY was in a role of authority and had the power to impact her opportunity for full-time employment, or dismissal as a Dispatcher.

It is further aggravating that CLANCY has publicly posted on Facebook several memes indicating his belief that he is the victim and is being betrayed. He confirmed this to the investigators. This has occurred in the middle of this investigation (See Investigation Report #4)

#### **8.4 ALLEGATION: Intimidation, Discrimination Based on Gender, Demeaning and Humiliating Behaviour**

(Appendix 2: Interview Summary Complainant Christa STEELE, July 22, 2021)

(Appendix 3: Credibility Assessment Complainant Christa STEELE, July 22, 2021)

(Appendix 4: Interview Summary Witness [Redacted], Aug 11, 2021)

(Appendix 6: Interview Summary Witness Doug BRITTON, Aug 12-13, 2021)

(Appendix 13: Interview Summary Witness Harry KRABBES, Sept 22, 2021)

(Appendix 19: G KELLY RIEMANN Harassment letter 2011)

(Appendix 20: Interview Summary Respondent Gerry KELLY, Sept 16, 2021)

(Appendix 21: Credibility Assessment Respondent Gerry KELLY)

(Appendix 22: Interview Summary Respondent Bo MOORE, Oct 18, 2021)

(Appendix 23: Credibility Assessment Respondent Bo MOORE)

(Appendix 24: Interview Summary Witness Chad RIEMANN, Sept 20, 2021)

##### **a) Background**

In 2007, Christopher RIEMANN was hired as a paid on-call firefighter. Between 2007 and 2011 STEELE formally complained that RIEMANN sexually harassed and assaulted her numerous times. She states he touched and slapped her buttocks numerous times, made comments about her buttocks and on one occasion as she was coming down off a ladder, grabbed her around the waist and sat her on his lap. This was reported to DC KELLY, along with a complaint of harassment by another unknown female firefighter/ ACP and bullying by an unknown male firefighter/ ACP.

DC KELLY acknowledged this complaint and issued a letter that was placed on RIEMANN's file, that was not disciplinary. STEELE states that RIEMANN was made to apologize to her, however, this was done in front of receptionists and that KELLY grabbed RIEMANN by the arm, physically pulled him over to STEELE and said: "apologize!" Which he did. RIEMANN and KELLY deny this occurred; however, other employees recall that the past employee Connie DUPUIS (former employee) received the same kind of apology for similar behaviour. They add that in DUPUIS's case, after the (forced) apology, KELLY stated to DUPUIS: "are we good now?"

STEELE alleges that RIEMANN's behaviour constituted Workplace Violence under the Workplace Violence Policy and Sexual Harassment (causing psychological harm). She alleges the unwelcome sexual behaviour adversely affected her working conditions and well-being. She alleges that these behaviours constituted discrimination on the grounds of gender and is prohibited as per the Alberta Human Rights Act.

STEELE alleges that when she reported this to DC KELLY, he responded by referring RIEMANN to the Employee Assistance Program. DC KELLY did not suggest or provide help of any sort to STEELE. It is alleged by STEELE that KELLY's cursory response to these sexually harassing behaviours seriously diminished RIEMANN's actions to the extent that the response to her complaint was more emotionally harmful than if he had done nothing. As well, STEELE alleges that KELLY's 'forced' apology in front of their peers was demeaning and offensive to both STEELE and RIEMANN. STEELE alleges the whole experience was harassment and created a hostile work environment and was an abuse of power.

In 2018, DC MOORE assigned RIEMANN to work as STEELE's partner. STEELE was informed of this action by her Captain Harry KRABBES. In 2011 STEELE had previously made a complaint of sexual harassment against RIEMANN for several incidents. RIEMANN was made to apologize in a disingenuous and demeaning way that left STEELE unwilling to be alone with RIEMANN and convinced that LFS would not act to keep her safe. STEELE voiced her objections (via Captain KRABBES) to working with him considering the history, MOORE denied the request and told KRABBES to tell STEELE she was "to be the bigger person."

KRABBES recalls that MOORE assigned RIEMANN to partner with STEELE, and that STEELE voiced her concern, but does not recall the exchange between himself and MOORE (and does not recall the statement "be the bigger person.") Confidante witnesses recalled STEELE telling them about the incident as described, around the time the incident is alleged to have occurred. DC MOORE denies ever assigning partner placements, in spite of overwhelming evidence to the contrary. STEELE was forced to work as partner to RIEMANN for the duration of his term (approximately one year).

STEELE alleges that DC KELLY harassed her and abused his authority and that DC MOORE harassed her and abused his authority by actions and inactions and created a hostile and intimidating work environment by forcing her to work with RIEMANN who had sexually assaulted her years earlier.

**b) Respondents: G. KELLY; B. MOORE**

**c) Policy**

**Disrespectful Workplace Behavior** may include, but are not limited to:

Can be intentional or unintentional and is offensive and/or unwelcome. Disrespectful behavior(s) are reflected in employee conduct, attitudes, comments, actions, threats, or violence, and contribute to an uncomfortable and/or hostile work environment.

Examples of this may include but are not limited to:

- bullying
- workplace harassment
- sexual harassment
- discrimination
- sabotage
- damage to City property

**Workplace Harassment:** is defined as the abusive, unwelcome, unfair, or demeaning behaviour, including actions or gestures, towards a person or group that has the purpose or effect of interfering with a person's or group's dignity, well being, status or performance, or creating a hostile or intimidating working environment. Incidents of harassment may involve bullying, the abuse of power one individual has over another, or unwelcome conduct including threats of and/or acts of physical violence.

**d) Witnesses Information**

**From Christa STEELE Interview Summary, Sept 21, 2021**

- From 2007 to about 2012, Chris RIEMANN, a Firefighter, “touched and slapped my buttocks on multiple occasions.” This included: “...when I would descend a ladder at work. Mr. RIEMANN would make comments about my buttocks while I was ahead of him walking in the hallway. She states that during training, he would make comments about her buttocks, one time grabbed her around the waist and pulled her onto his lap and one time put his hand on her leg under the table and ‘left it there’. She states she reported these incidents to Human Resources (HR), and that Deputy Chief KELLY had been told by HR to ‘deal with it’. She states he did this by grabbing RIEMANN by his arm, forcibly, in front of the reception area, and dragged him over to her and said “apologize!” She said RIEMANN did apologize on that occasion but doubts he understood why and appeared embarrassed as well.
- In 2018 Captain KRABBES told her she was being assigned to partner with RIEMANN. She said: “no”, not considering the history.
- She says KRABBES said he went back to MOORE and told him she didn’t want to partner with RIEMANN in light of the history with him.
- She states KRABBES told her that MOORE made her, anyway, told her to “be the bigger person” and they were glad she “had shown growth and maturity”. She relented very reluctantly and partnered with him as she felt she had no choice.
- STEELE described some behaviour by a former employee Vince BRAUN, that was physically threatening and sexually inappropriate. She also stated that after BRAUN was fired for these behaviours (and similar behaviours to other females and one male). These allegations were founded violations of policy. Of note, BRAUN was found to have touched STEELE’S breasts under the guise of measuring her for a uniform radio sash, when this method of measuring was not required. As well, he was found to have touched and smelled her hair and grabbed STEELE from behind by the hips and simulated a sex act. Subsequently to his termination, BRAUN attended a fundraiser (community event) put on by Leduc Fire Service, and his friend and former co-worker, Deputy Chief Shane CHRISTENSEN publicly verbally abused STEELE and other female Firefighters when they objected to his presence. CHRISTENSEN is no longer employed with Leduc Fire Service, and therefore, the allegations made have been founded, or impossible to investigate, given the respondents are not available. STEELE included these incidents as they represent a pattern of behavior of senior leadership in LFS.

**From Gerry KELLY Interview Summary, Sept 16, 2021**

***Re: Chris RIEMANN’s sexual misconduct with Ms. STEELE and the management of the behavior.***

- KELLY had supplied a letter that was dated on June 22, 2011, and signed by DC KELLY, Captain Rod INGRAM, and Firefighter (FF) Chris RIEMANN. According to KELLY, the letter was put on the HR personnel file.
- The letter outlines the conversation between FF RIEMANN and DC KELLY on the morning of June 22, 2011 “to discuss several allegations of inappropriate aggressive and bullying behaviour made against him, these allegations came from male and female co workers. The complaint documents are available upon request.” FF RIEMANN acknowledged that his behaviour has been inappropriate, and he will seek help from the Employee Assistance Program (EAP).
- KELLY said he does not have the referenced complaint documents.



- KELLY does not recall who made complaints or what they were.
- KELLY said that DC CHRISTENSEN initially received the complaint. The letter was the only document on file.
- KELLY recalls talking with RIEMANN and the letter was put on his HR file.
- When asked about RIEMANN and his behavior toward STEELE, he said it was a “he said/she said” and he did not know what RIEMANN did. Rod INGRAM was involved because he was RIEMANN’s Captain.
- When put to KELLY about him grabbing RIEMANN’s arm and pulling him in front of STEELE and other employees in an Administration area, KELLY has no recall of that.
- KELLY said the department is more educated now and RIEMANN would be dealt with more severely.

**From Bo MOORE Interview Summary, Oct 18, 2021**

- Re: forcing her to work with RIEMANN - was never in the role of scheduling, would have been CHRISTENSEN.

**From Harry KRABBES Interview Summary, Sept 22, 2021**

Initially said he didn’t really recall, said DC MOORE makes decisions about placing partners and it was MOORE who assigned RIEMANN to work with STEELE.

**From Chris RIEMANN Interview Summary, Sept 20, 2021**

- Very protective of DC KELLY (as the one who wrote the letter), i.e. The letter said KELLY would monitor his mental health progress, he said he did, when asked what that was, said “he would say ‘how’s it going?’”
- Re: who assigned him to work with Christa? (Investigator observation: he tried several times to side-step this question) he replied that it’s on an electronic schedule, he just shows up and finds out she’s his partner, yes there was a letter and it said (goes into details of dates, length etc.), yes but who writes the letter? Well probably Shane CHRISTENSEN (no longer there. When asked who took over after CHRISTENSEN left he said Bo MOORE, who was there before but he didn’t have it on his portfolio. (Note: The deflections and indirect answers indicate to the investigators that he did not want to disclose who assigned him.)

**From Chad BUGNET Interview Summary, Aug 2, 2021**

- “Example was RIEMANN grabbed her butt, she reported it, there was a “minor investigation” and didn’t know if anything even happened from it. Doesn’t even think HR was involved.
- BUGNET thought the worst part was that they made her work with him as partner a couple of years later, when she complained they told her to be the bigger person, thought that was very inappropriate and she should have escalated it
- Has felt she should have taken some things further than she did.
- Also thinks there have been similar complaints.
- RIEMANN is also a “touchy” guy
- There was a couple of guys who were handsy and awkward” (also referring to BRAUN).
- Has not seen anything but STEELE told her immediately after the incident.

- Wasn't sure he recalled correctly but thought she was coming off of truck when he "grabbed" her. She told him right after it happened.
- Said she was upset, also reluctant to report because of how she was treated on another occasion she reported.
- Making her work with him after 'was bad'. When she was told to "be the bigger person" as a response from leaders when she complained, he encouraged her to escalate the complaint, but she was reluctant to.

**e) Analysis**

The credibility assessment this investigator completed on STEELE found her to be forthright and consistent. She may not be entirely reliable in specific descriptions of incidents, as reports by other witnesses varied in some manner in more historical incidents. This does not cause this Investigator to doubt the reliability of the testimony of STEELE and other witnesses, as some incidents are several years old. STEELE gave detailed descriptions of specific incidents that she found to be emotionally painful. She was generally consistent in describing incidents more than once. This investigator also found her to be emotional throughout the interview, which was appropriate to the topic.

**KELLY**

A credibility assessment was completed on DC KELLY. This investigator found that he had motivation to be deceptive, as there were several serious allegations against him. KELLY stated he could not recall specifics, but the specifics of the incident were significant, and this investigator finds it unlikely that recall of innocuous parts of the conversation would be less likely to be recalled than the serious violations. To further describe this: KELLY met with RIEMANN in 2011 to discuss 'serious allegations' against RIEMANN. The letter KELLY had written at the time identified male and female coworkers being bullied and touched by RIEMANN. In the letter, he described the behaviours as: "...inappropriate, aggressive and bullying behaviour". However, he cannot recall any of the actual incidents, nor who the complainants were, yet recalls part of the discussion with RIEMANN. This investigator finds that it is implausible that he could not recall anything about the behaviours or the complainants. KELLY was open about his perception of complainants, harassment, and his responsibility in creating a respectful workplace. However, his perceptions of harassment and his responsibility in creating a respectful workplace flawed and reflect is lack of understanding of harassment policy.

This investigator has found that KELLY minimizes harassment issues and his efforts toward remedy are perfunctory. On occasion, he reversed the roles of victim/ offender, for example, in the OSMAK case (Investigation Report #3) he expressed anger that OSMAK continued to be unsatisfied with resolution of her sexual assault complaint, and stated that she was harassing him, and that she wanted a 'pound of flesh' from him. In that case, he said "I don't recall" multiple times, regarding his actions that may makes him appear unfavorably, but recalls specific details of his discussion with SKINNER.

The investigator prefers the testimony of the complainant, STEELE over DC KELLY for the reasons described in the credibility assessments, and by the corroborating confidante witness information.

The investigator had difficulty corroborating the claim that KELLY asked STEELE to write apology letters for her affair to several male members and their wives. One confidante

witness stated, 'I think she mentioned it in passing.' This investigator did not find a sure person that recalled her telling them this, or her writing the letters. MICHELSEN, who this Investigator found to be a credible witness (based on his testimony that favoured STEELE when it was apparent MICHELSEN dislikes STEELE) was allegedly a recipient of a letter, yet he does not recall anything related to that. Although this investigator does not doubt that STEELE was intentionally made to feel responsible for the affair, and that the manner in which she was treated was demeaning, it is believed that this instance may have been recalled in an exaggerated memory. This Investigator finds this specific allegation inconclusive.

#### **MOORE**

A credibility assessment was completed on DC MOORE. He presented as very straightforward with appropriate affect. He was well-prepared and appeared to have a good memory of certain incidents. His memory, however, indicated that he was being selective. He recalled specific details on some things but not on others that were somewhat indefensible on his part. He did appear to be mostly reliable in some of his statements. There have been several statements that, when checked, were not corroborated with significant differences. This includes this allegation. STEELE's allegation is that he assigned her to work with a member that she had previously made a formal complaint against, for sexual harassment (several incidents of sexual touching). She alleged that her Captain told her she was going to be partnered with him and that she said she was uncomfortable with that and did not want to partner with her harasser/assaulter. She alleges that the decision was made by DC MOORE, and the direction passes through Captain (KRABBES). Both STEELE and KRABBES stated that the direction came from DC MOORE. He states: "So the operations deputy chief for it, security chief, and he would figure out how to go about, excuse me for filling this vacancy." He has significant motivation to deceive as some allegations against him are serious.

The writer prefers the testimony of STEELE over MOORE. MOORE denied being responsible for assigning staff, yet it is confirmed that it is within his portfolio. The writer suspects KRABBES was protecting MOORE when he stated he did not recall a discussion with MOORE.

KRABBES did note that MOORE assigned RIEMANN to be STEELE's partner. He admitted to speaking to STEELE about her being uncomfortable with RIEMANN but denies recall of following up with MOORE to pass on STEELE's concern in partnering with RIEMANN. This investigator has confirmation that she passed on her concerns to KRABBES, and believes that KRABBES would, under the circumstances, relay the concern to MOORE. Therefore, this investigator accepts that KRABBES relayed the concern to MOORE, and that MOORE ignored the concern.

RIEMANN was surprised to hear that STEELE had not wanted to partner with him, and had not wanted to be near him, until this Investigator interviewed him.

#### **f) Findings**

This Investigator finds on the balance of probabilities that G. KELLY, by action and inaction, violated the Respectful Workplace Policy by treating STEELE in an unfair, demeaning manner. As well, he did not take adequate action to ensure a safe working environment. This Investigator finds that KELLY's mismanagement of the initial

complaint, created a hostile work environment and his actions falls within definitions of harassment and discrimination.

This Investigator finds that on the balance of probability, Broderick MOORE created a hostile work environment for STEELE, by assigning her to partner with RIEMANN for a year, knowing RIEMANN had previously sexually harassed/assaulted her, and knowing she remained uncomfortable around him. As well, this investigator found that MOORE's action intensified feelings of intimidation and demeaned her when he responded with a derisive statement. Moore's actions and inactions created a hostile work environment for STEELE and fall within the definition of harassment and gender based discrimination.

**g) Aggravating/Mitigating Factors**

Aggravating factors in this situation include that the complainant did not know her complaint against RIEMANN had been acted on and believes (still) that it was another unheard complaint.

With the exception of the apology RIEMANN was forced to make in front of others (for which he may not have understood what he was apologizing for), STEELE is unaware that RIEMANN was held accountable for his behaviour.

By rank and seniority both KELLY and MOORE ought reasonably to have known that their actions and inactions surrounding the RIEMANN situation would negatively impact STEELE's psychological safety.

**8.5 ALLEGATION: Discrimination Based on Gender, Sexual Harassment**

**Intimidation:**

- (Appendix 2: Interview Summary Complainant Christa STEELE, July 22, 2021)
- (Appendix 3: Credibility Assessment Complainant Christa STEELE July 22, 2021)
- (Appendix 10: Interview Summary #1 Respondent Chief George CLANCY, Oct 8, 2021)
- (Appendix 11: Credibility Assessment Respondent Chief George CLANCY, Oct 8 & 21, 2021)
- (Appendix 17: Summary of Interview #2 with Respondent Chief George CLANCY, Oct 21, 2021)
- (Appendix 23: Interview Summary Respondent B MOORE, Oct 18, 2021)
- (Appendix 24: Credibility Assessment Respondent B MOORE)
- (Appendix 25: Workplace Investigation Report April 2019)
- (Appendix 26: MOORE August 9 Investigation)
- (Appendix 27: CHRISTENSEN statement Rally)

**a) Background**

From 2014 to 2018 firefighter Vince BRAUN was employed as a part time member. He is said to have ingratiated himself to Deputy Chiefs and Captains, becoming close friends with some, including DC Shane CHRISTENSEN, who is no longer employed with LFS. During that time, BRAUN received several privileged opportunities to be on committees and special projects. BRAUN was founded to have sexually harassed and sexually assaulted several female members in an investigation conducted by a third party, lawyer Karen Scott in April 2019.

The allegations were made by STEELE, OSMAK and a third female firefighter and included touching breasts and vaginas under the guise of measuring them for radio sashes, smelling their hair and, and while STEELE was kneeling, grabbed her hips from behind and simulated intercourse. As well, he licked a male firefighter's neck. BRAUN was dismissed by the City of Leduc. There was much conflict as a result of this, many male members did not believe the allegations and felt that they were fabricated. It was well known that CHRISTENSEN was openly defending BRAUN, and previous sexual harassment allegations had been seriously mismanaged. Two female complainants and STEELE were interviewed by the investigator.

When STEELE's Captain (KRABBES) noticed STEELE coming out of the meeting with the investigator for the BRAUN investigation, he said: "you're not involved in this BRAUN-shit are you?"

When STEELE was off work on medical leave in May 2021, she visited the Fire Hall. Chief CLANCY called her in his office and asked her how she was, "appearing empathetic." She felt that the meeting became disingenuous and manipulating when he began asking her "You're staying out of the Mindy-shit aren't you?" (in relation to the complaints made by Mindy Smith)

In the Captain's meeting on September 23, 2019, Chief CLANCY discussed 'getting rid of negative people' by performance management. He also identified STEELE and [Redacted] [Redacted], another member, as being targets for dismissal based on poor attendance. SMITH states: "Have (heard and seen) on several occasions Chief and DC MOORE saying that they want to try and terminate Christa for using too much sick time." After this meeting, STEELE was also 'warned' by her Captain H. KRABBES. He became concerned about the talk about her sick time and asked her if she had a "Plan B", that he would rather see (leave the City of LEDUC employment) on her own terms. He believed, from the discussion by the management in the Officers Meeting, that STEELE could be dismissed for using her sick time.

STEELE alleges that these interactions were meant to prevent and/ or deter her from reporting harassment, and to cause her to believe she was going to be fired. It is alleged by STEELE that the Chief and Deputy Chiefs were harassing her when they engaged in behaviours and comments that were directly and indirectly intimidating. She alleges this contributed further to a hostile work environment.

DC CHRISTENSEN was friends with BRAUN, and he supported BRAUN throughout the harassment investigation (against BRAUN, openly expressing his belief that BRAUN was wronged.) It was learned by managers and Chief CLANCY that complaint details, including who made complaints and specific allegations was shared with DC CHRISTENSEN with BRAUN. DC CHRISTENSEN gave BRAUN all that information thereby creating great risk to the complainants.

Chief CLANCY stated that this serious violation was handled exclusively by HR Director Chris TOBIN, that he did not know if there was discipline, and did not know if there were expectations placed on CHRISTENSEN for future behaviour. HR Director Chris TOBIN denies having any discussion with DC CHRISTENSEN but noted that CHRISTENSEN had addiction issues (which were not addressed). In spite of not knowing if he was spoken to, what the discussion was if he was spoken to, if he was disciplined and what his response was, Chief CLANCY allowed CHRISTENSEN to be Acting Chief approximately three months later.

Under Acting Chief CHRISTENSEN's supervision, LFS held a public fund raiser in Leduc, which involved members going on a group motorcycle ride, followed by food and activities. Acting Chief CHRISTENSEN was "Duty Chief" that day, as well as participating in the fundraiser. (During the approximate two hours of the event that the group was riding motorcycles, DC MOORE covered off the "Duty Chief" role, as CHRISTENSEN would be unavailable).

BRAUN was invited to attend the event (by Captain Rod INGRAM). BRAUN was wearing his LFS dress uniform. Female firefighters who had made complaints against BRAUN had been told BRAUN would not be allowed on the property, causing great fear and stress to the female firefighters on shift. It was apparent that DC CHRISTENSEN and other members welcomed BRAUN, in spite of the reaction of the women. CHRISTENSEN admitted in his statement that he arranged to meet BRAUN at a gas station before the rally to arrive together). Mindy SMITH, a female firefighter, was Acting Captain that day, and asked Captains and DC CHRISTENSEN to tell BRAUN to leave, stating that his presence caused several other members (male and female) to be upset.

They refused to tell BRAUN to leave. Eventually, DC MOORE was contacted by SMITH, he ordered that BRAUN be told to leave, DC CHRISTENSEN continued to refuse and eventually Captain INGRAM made him leave. CHRISTIANSEN and other members (including a retired Deputy Chief) loudly objected, saying the women had set him up and were 'liars'.

MOORE states that when the Chief returned two days later, Chief CLANCY was not going to pursue the matter further, and MOORE said he threatened to resign if CHRISTIANSEN's behaviour was not addressed. A/ Captain Mindy SMITH also submitted a written complaint to HR. She was also concerned there would be no response if it was left up to the Chief. Chief CLANCY assigned DC MOORE to investigate the incident. This was completed (without a statement from CHRISTENSEN as he was a peer). Several (appropriate) recommendations came from it. As CHRISTENSEN's supervisor, CLANCY asked CHRISTENSEN for his statement. There was no mention in the statement of his refusal to remove BRAUN either when it was ordered by MOORE, nor when he realized the negative impact to male and female members that it was causing. There was no mention of his further disrespectful behaviour toward the women nor any mention of his refusal to prevent others from being disrespectful. This statement was accepted by the CHIEF without question, which undermines any appearance of a genuine effort to identify cause, accountability, and remedy.

In the 15 months since that incident, none of the recommendations have been initiated.

STEELE alleges that Chief CLANCY mismanaged CHRISTENSEN, that he knew, or ought to have known that he was abusive and disrespectful toward STEELE and other women. Further it is alleged that Chief CLANCY did not take adequate action after CHRISTENSEN violated the integrity of the investigation and jeopardized the harassment victims. Three months later, he then gave CHRISTENSEN total authority, with no indication that CHRISTENSEN would be ethical or responsible. Chief CLANCY was contemptuous of the BRAUN victims and implicit in CHRISTENSEN's degrading and humiliating behaviour and responsible for the emotional injury to the female members. STEELE alleges this is harassment and discrimination based on gender.

**b) Respondent: G. CLANCY**

**c) Policy**

**Discriminatory action:** any action or threat of action by a person that does or would adversely affect a worker with respect to any terms or conditions of employment or opportunity for promotion, and includes termination, layoff, suspension, demotion or transfer of a worker, discontinuation, or elimination of a job, change of a job location, reduction in wages, changes in hours of work, reprimand coercion, intimidation or the imposition of any discipline or other penalty.

**Disrespectful Workplace Behavior** may include, but are not limited to:

Can be intentional or unintentional and is offensive and/or unwelcome. Disrespectful behavior(s) are reflected in employee conduct, attitudes, comments, actions, threats, or violence, and contribute to an uncomfortable and/or hostile work environment.

Examples of this may include but are not limited to:

- bullying
- workplace harassment
- sexual harassment
- discrimination
- sabotage
- damage to City property

**Workplace Harassment:** is defined as the abusive, unwelcome, unfair, or demeaning behaviour, including actions or gestures, towards a person or group that has the purpose or effect of interfering with a person's or group's dignity, well being, status, or performance, or creating a hostile or intimidating working environment. Incidents of harassment may involve bullying, the abuse of power one individual has over another, or unwelcome conduct including threats of and/or acts of physical violence.

The *Workplace Violence Prevention Policy* of the City of Leduc outlines the following definitions:

**Violence:** whether at a workplace or work-related, means the threatened, attempted, or actual conduct of a person that causes or is likely to cause physical or psychological injury or harm.

Examples of these behaviours include:

- pushing, shoving, poking, hitting, slapping,
- assault - including sexual assault, psychological attacks, harassment, intimidation, fighting, forcible confinement, possession of a dangerous weapon, destruction of property, robbery, throwing objects at an individual, threatening behaviours or,
- uttering verbal threats of violence and domestic violence.

**d) Witnesses Information**

**From Christa STEELE Interview Summary, July 22, 2021**

- STEELE described some behaviour by a former employee Vince BRAUN, that was physically threatening and sexually inappropriate. She also stated that after BRAUN was

fired for these behaviours (and similar behaviours to other females and one male). These allegations were founded violations of policy. Of note, BRAUN was found to have touched STEELE'S breasts under the guise of measuring her for a uniform radio sash, when this method of measuring was not required. As well, he was found to have touched and smelled her hair and grabbed STEELE from behind by the hips and simulated a sex act. Subsequently to his termination, BRAUN attended a fundraiser (community event) put on by Leduc Fire Service, and his friend and former co-worker, Deputy Chief Shane CHRISTENSEN publicly verbally abused STEELE and other female Firefighters when they objected to his presence. CHRISTENSEN is no longer employed with Leduc Fire Service, and therefore, the allegations made against CHRISTENSEN has not been tested by this investigator, given the respondents are not available nor compellable. STEELE included these incidents as they represent a pattern of behaviour of senior leadership at LFS that has caused for harassment allegations and creating a hostile work environment for women.

**From Chief G. CLANCY Interview Summary, Oct 8 & 21, 2021**

On decision to appoint CHRISTENSEN as Acting Chief 3 months after he disclosed victim information on allegations to respondent BRAUN:

- (...because during the investigation because him (CHRISTENSEN) and BRAUN were pretty close friends. At that time, we watched some of the stuff that he had done, and we weren't happy with it, and we've had our conversations.
- Saw him progress over the months in between.
- When asked how: "He sort of became, I would say, religious if that's the word I could use in regard to his how he was approaching things,
- Said he was making those amends" ... "and putting him in that role of the Acting Chief was basically, my way of saying, Okay, let's see where this goes.
- Thought he had had "turned that corner and was going in the right direction." (The only evidence was that a Captain told CLANCY that CHRISTENSEN seemed better.
- States CHRISTENSEN was not aware of why Braun was let go. (Although it was established that CHRISTENSEN had the allegations and complainants' information that he gave to BRAUN, the investigators do not accept CHRISTENSEN didn't know).
- Back when I wasn't really receptive to because he was friends with Vince Braun

**From Bo MOORE Interview Summary, Oct 18, 2021**

**Rally 2020**

- MOORE was off at home, Christensen (acting Chief that day) asked him if he would cover 'duty' for a couple of hours since he wouldn't be available for call while riding motor bike on rally.
- I rec'd call from duty Captain from one house who had rec'd call from two house acting Captain (Mindy Smith)
- Next day when CLANCY had returned from vacay already had emails and Tobin showed up to discuss, all before I had a chance to talk to him
- CLANCY asked him a couple of days later to do investigation, CLANCY got statement from Christensen's statement.
- "Christensen and I had very different views on leadership and fire services and life"



- “We did not have conflict over that we had conflict over the entire Vincent Braun situation.
- “Yes, and he also took steps to undermine the process, which is what I had a huge conflict with. And at one point, tried to tender my resignation to Chief CLANCY over the whole situation. He was involved as a member of the leadership team, and was given an update and took it to Vince Braun and shared names of the complainants with Vince and I was super upset that I went in on a Monday morning and tried to tender my resignation that chief CLANCY because I said I couldn't be part of an organization that treated complainants like that there was no way that I wanted my reputation in the fire service to be aligned with that.”
- Said he thought CLANCY was shocked – believes CLANCY thought CHRISTENSEN was a good leader.
- Saw CHRISTENSEN as adversarial and did not agree with his leadership practises.
- Was disappointed that CLANCY gave CHRISTENSEN acting Chief opportunity because of the actions giving BRAUN victim info.
- Said re: CHRISTENSEN “I don't know about that. I know that that was the final straw in our civil working relationship. And things went downhill much further, much faster than they were previously.”

**e) Analysis**

The credibility assessment this Investigator completed on STEELE found her to be forthright and consistent. She may not be entirely reliable in specific descriptions of incidents, as reports by other witnesses varied in some manner in more historical incidents. This does not cause this Investigator to doubt the reliability of the testimony of STEELE and other witnesses, as some incidents are several years old. STEELE gave detailed descriptions of specific incidents that she found to be emotionally painful. As is common, recalling months or even years of incidents can be elusive. She was generally consistent in describing incidents more than once. This investigator also found her to be emotional throughout the interview, which was appropriate to the topic.

This investigator completed a “Credibility Assessment” of Chief George CLANCY. The writer found him to be verbose, answering simple questions with long answers that wandered and digressed, often needing to be asked the same question repeatedly. This investigator viewed this pattern of speech as an effort toward deflecting. He spoke about details that were not relevant to the topic and glossed over the actual topic. As a result, questions were not directly answered unless pressed. CLANCY prefaced many answers with positive aspects of the topic in question, on occasion identifying how poorly the previous Chief's actions were and what positive changes he has made since becoming Chief. In discussing his authority as Deputy Chief, he presented as powerless and at the mercy of the decisions by HR and the previous Chief. CLANCY is critical of current Deputy Chiefs and members. He speaks in a dynamic, passionate manner, and freely expresses his anger and frustration. CLANCY is critical of members of LFS, for example, he informed the Investigators that a recent audit of skills among full-time members revealed that 18 ACP/Firefighters failed basic competency skill tests, but he distances himself from the responsibility of causing this or improving this. This investigator found CLANCY misdirected and deflected in answering questions. On occasion, he presents himself as a victim in response to allegations of irresponsibility. For these reasons CLANCY's credibility is deemed to be problematic.

In this allegation, CLANCY claims that when he appointed CHRISTENSEN as Acting Chief the week of the Motorcycle Rally (August 2020), he stated that he believed CHRISTENSEN was not aware of the reason BRAUN was “let go”. The writer finds this implausible, as CHRISTENSEN actually provided BRAUN confidential information about the complaint and the complainants identities during or shortly before the investigation.

CLANCY admits that CHRISTENSEN had ongoing ‘interpersonal skills’ issues (the reason he removed him from being DC Operations to an Administrative management role), yet did not discipline him, did not speak to him about the issues, did not give him any indication that his behaviour was inappropriate, yet expected that he would treat female members differently.

Neither the CHIEF, nor HR Director TOBIN addressed CHRISTENSEN’s policy violation during the Braun harassment investigation. TOBIN believed CLANCY addressed the issue, CLANCY believed that TOBIN addressed the issue. Therefore, neither of CHRISTENSEN’s superiors (operations or HR) confronted or attempted to prevent CHRISTENSEN from future, similar behaviours. This is a failure of duty to care, and it caused further psychological harm to members of Leduc Fire Service.

KRABBES admits to statements that STEELE interpreted as threats. This investigator found that KRABBES was well-meaning but somewhat naïve. He maintains his intent was to warn STEELE of intention by management to dismiss her, based on her excessive sick time because he believed this was possible. Meeting minutes and statements by others indicate that the Chief and Deputy Chiefs talk freely about ‘getting rid of’ people for poor attendance and poor performance. In another allegation, KRABBES was asked if MOORE was singling out STEELE and ‘nitpicking’ her. MOORE denied ‘nitpicking’ STEELE, but Captain KRABBES admits MOORE identified small issues he was required to speak to STEELE about. KRABBES was somewhat defensive of LFS Managers, and KRABBES’ attempted to legitimize the behaviour of the Deputy Chiefs, in this case MOORE, as he explained that when STEELE pointed out that others were violated the same minor rules but in more obvious ways, he addressed it with them too, ‘to be fair’. He spoke as if his acts towards being fair and consistent compensated for the unfair and prejudicial behaviour of MOORE.

**f) Findings**

This investigator finds that G. CLANCY violated the Leduc Respectful Workplace Policy by allowing DC CHRISTENSEN to harass and bully STEELE and others, based on their gender, and knowingly jeopardizing STEELE’s mental health and safety by tacit support of CHRISTENSEN’s bullying and negligence in addressing it and appropriately adhering to his duty of care, as CHIEF.

**8.6 ALLEGATION: Discrimination Based on Mental Disability/Workplace Harassment**

(Appendix 2: Interview Summary Complainant Christa STEELE, July 22, 2021)

(Appendix 3: Credibility Assessment Complainant Christa STEELE July 22, 2021)

(Appendix 13: Interview Summary Witness D Harry KRABBES, Sept 22, 2021)

(Appendix 21: Interview Summary Respondent G KELLY, Sept 16, 2021)

(Appendix 22: Credibility Assessment Respondent G KELLY, Sept 16, 2021)  
(Appendix 23: Interview Summary Respondent B MOORE, Oct 18, 2021)  
(Appendix 24: Credibility Assessment Respondent B MOORE)  
(Appendix 28: Interview Summary Witness J Tamara OSMAC, Aug 17, 2021 - McCallum)  
(Appendix 29: Interview Summary Witness N Paul NICHOLS, Oct 14, 2021)

**a) Background**

In March of 2015, STEELE returned from medical leave. She had been diagnosed with PTSD, and medical advice from her doctor and WCB was that she was to return to regular duties on a graduated basis. Fellow Firefighter/ ACP member Paul NICHOLS volunteered to assist with this. On his own, he consulted Alberta Health Services (AHS) and Edmonton Police Service (EPS) who already had programs in place to assist their employees with PTSD. NICHOLS worked with STEELE on a one-to-one basis for several months in the manner. DC CHRISTENSEN (who was operations manager at the time) managed LFS plans for return to work and/ or accommodate disabilities, the expectation was that he would liaise with WCB and other medical resources to ensure compliance with medical advice. He was not required to follow the advice. CHRISTENSEN's portfolio also included the role of ensuring staffing was covered adequately. (DC MOORE currently has both of these roles). The roles are in conflict with each other, as the person who is supporting a gradual return to work or management of disabilities in a manner health professional deem appropriate, is also the person whose objective is to get positions filled as quickly as possible. As noted in Allegation 6.2, CHRISTENSEN had allegedly bullied STEELE and is alleged to have done so during STEELE's reintegration after her mental health leave. This included telling NICHOLS that she was 'milking it' and pressuring him to speed up STEELE's reintegration. STEELE alleges that this constitutes harassment on the part of CHRISTENSEN. He is no longer employed at LFS; however, Chief CLANCY was responsible for the management of CHRISTENSEN'S behaviour.

The goal of managing return to work plans are meant to be based on a plan set up by clinician and client, are tailored to the individual's injury that are not specific to diagnosis. but the person deciding how that is instituted is under the authority of the person who has a goal of returning members to full time work quickly. plans are not specific to diagnosis. The Deputy Chief's don't have the expertise to manage these plans, and assumptions are being made about PTSD diagnosis. Managers having medical information about employees, and sharing it with others, is a breach of health information privacy.

Chief CLANCY admits that CHRISTENSEN had poor interpersonal skills (others call him a "bully") and states that is why he reassigned the position to MOORE when he was hired. STEELE alleges that Chief CLANCY did not treat her with respect when he allowed CHRISTENSEN access her to her medical information and allowed him to make decisions about her mental health return to work plan.

STEELE had been the key instructor and organizer of the "PARTY Program", a program delivered to school groups and classes that involves medical personnel, police and other relevant speakers who discuss graphic information on impaired driving incidents. She had been coordinating, managing, and facilitating this program for several years. Co-worker Tamara OSMAC was a cofacilitator. While she was on leave for PTSD, DC KELLY approached OSMAC several times and asked her to take over the program. OSMAC refused, stating she

felt the program was built and managed by STEELE, and taking the program and she did not want to be in a position to take it from her.

When STEELE returned to work, DC KELLY told STEELE that she would no longer be involved in the program, because he felt she couldn't handle it, (presumably based on her PTSD diagnosis). DC KELLY stated he did not take it away from her because of her mental disability (because he didn't even know she had PTSD), although he admits to telling her that was the reason.

He later states, in his interview, that the reason he removed her from facilitating the program was because she was using profane language with the students and the schools had made complaints. He stated that he could hear her using profane language from down the hall and thought it might have been her PTSD 'kicking in'. This is in direct contradiction to his earlier claim that he didn't know she had PTSD.

He admits that he did not tell her that she was removed from the program because of complaints of profane language. When asked if anyone discussed the specific issue or performance expectations with her, he stated maybe the community volunteer that took over the program may have spoken to her. On performance appraisals, STEELE has been recognized for her work in the program. STEELE alleges that KELLY's actions were not intended to be in her best interest and that the actions significantly and negatively impacted her mental health, and that she was discriminated against based on her mental disability.

When STEELE returned from PTSD leave, she believes MOORE began 'nitpicking' rules specific to her. She states on one occasion, MOORE told her Captain KRABBES to address her wearing shoes that weren't entirely black, and another that her socks were not black, as per expectations. STEELE admitted she was wearing shoes and socks that were not fully black, but that MOORE's good friend WEIRENGA (who was a firefighter/ ACP member), was wearing white Crocs and another good friend of MOORE's, KUHN was wearing coloured 'clown socks' and that KRABBES was not asked by MOORE to speak to them.

KRABBES agreed, it was only STEELE he was directed to speak to about this, that when STEELE pointed out to KRABBES what WEIRENGA and KUHN were wearing, he then addressed those issues with them. MOORE stated that the issue was about her need to wear shoes to allow her toe injury to have comfort, and that the issue was about the toe injury and fitness to work. This is Steele's allegation is that MOORE was bullying and disrespectful when he singled her to receive negative feedback, and since this coincided with her return to work from a mental disability leave, it was particularly hurtful.

**b) Respondents: G. CLANCY; G. KELLY; B. MOORE**

**c) Policy**

**Discriminatory action:** any action or threat of action by a person that does or would adversely affect a worker with respect to any terms or conditions of employment or opportunity for promotion, and includes termination, layoff, suspension, demotion or transfer of a worker, discontinuation, or elimination of a job, change of a job location, reduction in wages, changes in hours of work, reprimand coercion, intimidation or the imposition of any discipline or other penalty.

**Workplace Harassment:** is defined as the abusive, unwelcome, unfair or demeaning behaviour, including actions or gestures, towards a person or group that has the purpose or effect of interfering with a person's or group's dignity, well being, status or performance, or creating a hostile or intimidating working environment. Incidents of harassment may involve bullying, the abuse of power one individual has over another, or unwelcome conduct including threats of and/or acts of physical violence.

**Disrespectful Workplace Behavior** may include, but are not limited to:

Can be intentional or unintentional and is offensive and/or unwelcome. Disrespectful behavior(s) are reflected in employee conduct, attitudes, comments, actions, threats violence, and contribute to an uncomfortable and/or hostile work environment.

Examples of this may include but are not limited to:

- bullying
- workplace harassment
- sexual harassment
- discrimination
- sabotage
- damage to City property

**d) Witnesses Information**

**From Christa STEELE Interview Summary, July 22, 2021**

- STEELE states she received a work-related post traumatic stress (PTSD) injury in 2015 and was off work on medical leave as a result. When she returned to work in the fall of 2015, she states she was bullied as a result. She states that some of her colleagues accused her of "faking" trauma. STEELE states that for approximately 13 years she had delivered the "Party Program" (a community educational program for teens to prevent drunk driving). When she returned from medical leave for PTSD, Captain KELLY discriminated against her, and punished her by taking her off the program telling her that she "could no longer handle it" and "was not a good fit."
- STEELE stated that she was further bullied as a result of having PTSD, that DC MOORE began nitpicking at her constantly, one example was commenting on her white socks (when one co-worker was wearing "clown socks" and another was wearing tan coloured 'Crocs'). She states "on numerous occasions he asked my Captain to meet with him about (her). He has also denied (her) applications to take continuing education courses."
- STEELE admits she frequently called in sick as she was too upset or afraid to work with SENIO and MOORE.
- In December 2020, STEELE states that Captain KRABBES called her in to a meeting to discuss her excessive sick time being high. She states she told him that 'there was a lot going on that I'm dealing with psychologically.' Mr. KRABBES asked me if I had a 'Plan B' and said that 'he would prefer to see me go out on my own terms rather than let the city dictate how I leave.'" STEELE felt this was a not-so-subtle way of threatening her with dismissal, and/ or trying to get her to quit.

**From Gerry KELLY Interview Summary, Sept 16, 2021**

**Second allegation: STEELE being removed from the PARTY Program**

- KELLY said that STEELE returned from leave, and she was removed from the Program, both she and Tamara were. The Chief instituted the Program years before and it is near and dear to his heart.
- KELLY said the reason the two women were removed from the Program was because of the complaints of profanity used in the classes.
- KELLY said he heard STEELE "screaming at the kids, down the hall from his office." KELLY suggested that STEELE was reliving her PTSD issues so he thought she could not handle the Program. (Earlier in the interview he stated he did not know she had PTSD).
- The schoolteachers were not willing to send their kids back and the Program stopped for a while. The National Executive of the PARTY Program assisted LFS with the restructuring of the Program. They brought in a retired member, Captain Stiles, to take over the Program.
- There was no performance discussions or disciplinary action taken against STEELE
- KELLY does not recall having any conversations with STEELE about the complaints about her program delivery. It and he does not know if either woman (STEELE and OSMAK) was informed of the feedback.

**From Chief George CLANCY Interview Summary**

- Claimed he and Christa formed the program.
- Was very intimate in regard to getting that program in here.
- Believes Tamara got involved in it, those two ran with the program.
- Received complaints from the Leduc Junior High School that they wanted to pull the program.
- Found out from Gerry KELLY that there was profane language used and some of the 'day scenarios', and that it (profane language) was "too traumatizing for the kids."
- That was the deciding factor in regard to removing the individuals
- "So, from our perspective, we have to make that choice." (To take STEELE off the program to save it).
- Did not have performance discussions or talk to STEELE or OSMAK because there "was no fixing it". Says the school wouldn't return if they were teaching it.

**From Paul Nichols Interview Summary, Oct 14, 2021**

- "DC Christensen was non-supportive and then when Paul started reintegrating Christa on to the fire duties, Christensen (and to some extent Chief CLANCY) started objecting to how long it was taking. They believed that because CS's injury occurred on ambulance, that she should be fine to do fire.
- Christensen had many talks with Paul, demanding to know a date of return, what was taking so long and on one occasion said she was "milking" it.
- Paul faced lots of opposition but did not alter STEELE's program because of the pressure from Christensen and to some extent Chief CLANCY.

- Says CLANCY was new and did not object so much because he was trying to do it right but became less supportive over time.
- Does not believe Christensen or CLANCY have any special training that would contribute to their opinions on the process.
- Felt that Christa's treatment by her peers and her supervisors were contributors to her PTSD.
- "For some reason", She was not a strong firefighter, but no one would teach her or help her improve.
- DC Christensen had spoken negatively about her (and other females) for years, her Captain Senio was rude and dismissive of her, can't think of specific example but said his manner would be to say something like: "Just call in sick like Christa".
- While she was reintegrating after PTSD leave, lots of people would ask how she was doing, but said it was not in a caring concerned way, they would be asking so they could gossip about her or be critical.
- Harry Krabbes the only Captain she had that was trying to help her.
- the problem is that there is no training for supervisors to supervise, so they just do what they want.
- "The whole culture is such that if a person is struggling, no one helps them, they just make fun of them or dismiss them".
- Particularly bad because they talk about themselves as though they are a family
- When she did return from PTSD leave her confidence was low, she was worried a lot about what people were saying about her (because of PTSD or because of the reintegration process).
- She was very upset when she returned from PTSD leave and they took away her PARTY program, said she couldn't handle it, "without even consulting her".
- "That really took the wind out of her sails"; "She took it hard".

**From Chad BUGNET Interview Summary Aug 2, 2021**

- Said he knew STEELE was very proud of PARTY program, loved doing it.
- He says the program and STEELE got a lot of positive response from the community, lots of schools requesting it, STEELE loved doing it, put her mental health into it.
- Thinks she got chided for using a couple of swear words but felt in that kind of presentation making the point with harsh language is necessary.
- Felt that taking the Party Program contributed to her positive mental health and taking it away from her did not help her mental health, it hurt it.
- Thinks the excuse was to give it to someone else, but no one is doing it.
- It was well known without anyone needing to confirm that she was off for PTSD
- Everyone knew about the call she took, and she was "extremely rattled" and therefore put "two and two" together to know her subsequent medical leave was related.

**From Bo MOORE Interview Summary, Oct 18, 2021**

- She was off on PTSD leave when he got there.

- Said KRABBES was not her Captain until 2017 (KRABBES recalls being her Captain then and also recalls MOORE's direction to him about the shoes and socks). When she returned in 2015, from that leave Captain KRABBES was not her captain.
- Says he addressed a concern with KRABBES in June of 2019. About Christa wearing "black New Balance shoes with a pink lettering and pink shoelaces".
- Says the concern was not about the colour but that she was wearing non-issue boots (safety) while on calls, that she was wearing them because she had toe surgery and infections and boots hurt her toe.
- He asked if she was fit for duty – cause she couldn't not wear boots.
- "And that was why I was told that she was wearing running shoes, which I said, if she can't wear boots, she can't be going out on calls. And that was in July of 2019, when she returned, it was not returning from a mat leave or from mental health leave. It was from a toe surgery."
- Re: forcing her to work with RIEMANN – was never in the role of scheduling, would have been Christensen (Investigators note: this has been contradicted by witnesses, his primary role is assigning staff).

**From H. KRABBES Interview Summary, Sept 22, 2021**

- Does not believe anyone made comments about her faking or making fun of PTSD. Said everyone talks about her absences.
- Very proud of how LDS addresses mental health, now have Jeff Sych and they plan to reintegrate ppl back to work after stress leave. Can't explain or describe anything that they have done. 'But they are doing some training this year...' he thinks.
- Recalls CS leave as a result of call to cardiac arrest on someone she knows.
- Also said CS showed up at Mindy's recent event 'for some reason'.
- Getting picked on by DC MOORE after returning from PTSD leave:
- Does not believe MOORE picked on her, but does recall MOORE getting him to speak to her about her shoes having colour other than black on them:
- *"...So, DC MOORE had brought it to my attention that Christa was wearing... they were purple running shoes." (They can wear any shoes when 'not on the floor'). "So that being said, DC MOORE did come to me we want me to address the shoes with her. So, we did.*
- Says she bought correct colour running shoes.
- *"... but she also brought to my attention that I had another staff member on my staff who was wearing I believe at the time white crocs if I remember correctly, they weren't black, just another color..."*
- He admits DC MOORE did not ask him to address that with others. He does not recall if the same thing occurred with the socks issue.
- (Note: Essentially, he is saying that MOORE told him about CS' shoes, while someone was wearing white crocs that he did not mention. KRABBES felt this was not MOORE picking on her because he took it upon himself to address the same problem with all others who were also violating the dress code.
- Admits to saying to STEELE during the BRAUN investigation: "you aren't involved in this Vince BS, were you?"



- Admits he doubted the validity of the allegations against BRAUN.
- He said: *"The whispers in the hallway, stated that does sound like some people want to use this platform to maybe drive some of their own concerns and issues. I do recall Christa's name being dropped into those rumor mills. So again, based on the challenges Christa had experienced up to this point, I felt you know what, maybe just give her a little FYI. "*
- (Note/analysis) KRABBES appears to have a naïve and interesting view of organization, gives them credit for all the accommodations they have done for CS and Mindy Smith: *"They even sent and paid for Mindy to go get (alcohol/ drug addiction) treatment. (He feels that this was a charitable act by LFS rather than it being a responsibility of an employer.*
- Believes that they can outright get rid of a person who has high sick leave have a plan before the city decides for her.
- He believes that he was doing her a favour for telling her she should stay out of the "Vince shit" because he did see other women 'getting on the bandwagon'.
- He admits that MOORE told him to address CS for wearing purple shoes but did not say anything about others wearing white Crocs.

e) **Analysis**

The credibility assessment this investigator completed on STEELE found her to be forthright and consistent. She may not be entirely reliable in specific descriptions of incidents, as reports by other witnesses varied in some manner in more historical incidents. This does not cause this Investigator to doubt the reliability of the testimony of STEELE and other witnesses, as some incidents are several years old. STEELE gave detailed descriptions of specific incidents that she found to be emotionally painful. As is common, recalling months or even years of incidents can be elusive. She was generally consistent in describing incidents more than once. This investigator also found her to be emotional throughout the interview, which was appropriate to the topic.

**CLANCY**

This investigator completed a "Credibility Assessment" of Chief George CLANCY. The writer found him to be verbose, answering simple questions with long answers that wandered and digressed, often needing to be asked the same question repeatedly. This investigator viewed this pattern of speech as an effort toward deflecting. He spoke about details that were not relevant to the topic and glossed over the actual topic. As a result, questions were not directly answered unless pressed. CLANCY prefaced many answers with positive aspects of the topic in question, on occasion identifying how poorly the previous Chief's actions were and what positive changes he has made since becoming Chief. In discussing his authority as Deputy Chief, he presented as powerless and at the mercy of the decisions by HR and the previous Chief. CLANCY is critical of current Deputy Chiefs and members. He speaks in a dynamic, passionate manner, and freely expresses his anger and frustration. CLANCY is critical of members of LFS, for example, he informed the Investigators that a recent audit of skills among full-time members revealed that 18 ACP/Firefighters failed basic competency skill tests, but he distances himself from the responsibility of causing this or improving this. This investigator found CLANCY misdirected and deflected in answering

questions. On occasion, he presents himself as a victim in response to allegations of irresponsibility. For these reasons CLANCY's credibility is deemed to be problematic.

#### **KELLY**

A credibility assessment was completed on DC KELLY. This investigator found that he had motivation to be deceptive, as there were several serious allegations against him. KELLY stated he could not recall specifics, but the specifics of the incident were significant, and this Investigator finds it unlikely that recall of innocuous parts of the conversation would be less likely to be recalled than the serious violations. To further describe this: KELLY met with RIEMANN in 2011 to discuss 'serious allegations' against RIEMANN. The letter KELLY had written at the time identified male and female coworkers being bullied and touched by RIEMANN. In the letter, he described the behaviours as: "...inappropriate aggressive and bullying behaviour". However, he cannot recall any of the actual incidents, nor who the complainants were, yet recalls part of the discussion with RIEMANN. This Investigator finds that it is implausible that he could not recall anything about the behaviours or the complainants. KELLY was open about his perception of complainants, harassment, and his responsibility in creating a respectful workplace. However, his perceptions of harassment and his responsibility in creating a respectful workplace flawed and reflect a lack of understanding of harassment policy.

KELLY said he 'did not recall' fairly often. Although in other cases of similar nature, recalled specific details in a conversation several years ago. He was inconsistent. He denied outright some incidents, adamant it did not happen, yet he recalled very little overall. In some cases, his statements were not corroborated by other statements, and were contradictory on occasion. His credibility is problematic.

The writer prefers the testimony of the complainant over DC KELLY. KELLY removed STEELE from a program she enjoyed, after coming back from leave for PTSD. KELLY did not tell her why or have a performance discussion with her.

#### **MOORE**

A credibility assessment was completed on DC MOORE. He presented as very straightforward with appropriate affect. He was well-prepared and appeared to have a good memory (for the most part). Unfortunately, his memory was selective. He recalled specific details on some things but not on others that were somewhat indefensible on his part. He did appear to be reliable in his statements. There have been several statements that, when checked, were not corroborated with significant differences. He is motivated to deceive as some allegations are serious.

MOORE denies 'nitpicking' STEELE after her return from PTSD leave because he didn't work there at the time. KRABBES recalls the direction to address minor issues with STEELE, without recognizing similar issues with others, however, could not state the time frame this occurred.

This Investigator found statements made by MOORE to be uncorroborated by witnesses, which has caused this Investigator to question his credibility, however, he did not work at LFS when STEELE returned from PTSD leave. Therefore, the witness prefers MOORE's testimony over the reliability of STEELE and witness KRABBES in this case.

DC KELLY told STEELE that he was removing her from the program because she 'couldn't handle' it. In the interview with the writer, he intimated that that was essentially an excuse he used because the real reason was that she was using profane language. He admitted that no one spoke to her about this as an issue, and therefore did not give her an opportunity to improve. This amounts to discipline without cause and is demeaning. He then suggested that the profanity was a result of her "PTSD kicking in." If he believed it was a behaviour that resulted from a mental illness, he makes assumptions on her abilities (without any expertise, or in consultation with anyone with expertise).

KELLY made no accommodation for her disability. He stated he believed the profane language she used in delivering the course was a result of "...her PTSD kicking in." DC KELLY did not attempt to obtain insight, either from STEELE or from any mental health source. He then made assumptions about what was best for her and the organization and removed her from the program that she took great satisfaction from. He did not attempt to accommodate her in anyway. Witnesses stated this was very hurtful to STEELE, that facilitating the program was a stabilizing and confidence -building part of her job.

OSMAK reports that KELLY approached her several times while STEELE was still on leave for PTSD and asked her to take over the program. OSMACK refused, stating she did not want to be responsible for taking STEELE's program from her, realizing the negative impact it would have on her. Therefore, the decision to remove her from the program occurred before she returned to work, and before she was assessed by medical professionals to identify a plan to reintegrate in a healthy way.

Chief CLANCY used similar logic in explaining why STEELE was removed from the program.

Chief CLANCY stated STEELE was removed from the PARTY program because of complaints from the school about her profanity. He explains why, by commenting on his contribution, then speaks at length about background information and extraneous threads that are not relevant, which can be a way of diverting direct answers. On occasion, he subtly assigns blame. His explanation of this incident does both: he attempts to describe the school refusing to come back to the program under those circumstances, and that she was "traumatizing the kids". He also subtly mentions that he became aware of this problem when KELLY knew of the problem.

Both KELLY and CLANCY admitted they did not discuss STEELE's required improvements with her, they did not give her the opportunity to makes changes, and they did not consider the impact it may have on her mental health. They did not give her an opportunity to receive feedback and improve. KELLY and CLANCY did not attempt to provide an accommodation to her mental illness.

Her return-to-work plan included a goal (common to those returning to work after an extended absence) to regain confidence in skills and in their job. It has been identified by many, including STEELE's current Captain, that her confidence continues to be a barrier for her.

This Investigator found that the lack of consultation with STEELE, either to access and improve her performance and confidence or make an accommodation, or consider an

action meant to improve her mental health and her mental health reintegration plan falls short of basic expectations of an employer.

DC CHRISTENSEN had obvious dislike toward STEELE and was notably disrespectful to her, even prior to her return to work from mental health leave. Regardless, when she did return, he was allowed to manage her return-to-work mental health plan. NICHOLS, a firefighter/ACP peer, volunteered to partner with STEELE and to guide her recovery and return to work. To prepare, he sought out specialist information from Alberta Health Services and Edmonton Police Service to learn effective ways of doing that. NICHOLS attended meetings with STEELE's medical/ mental health caseworkers to discuss progress and plans. This is far beyond the efforts that Deputy Chiefs whose job descriptions require them to manage return-to-work plans. CHRISTENSEN was openly hostile throughout this process, CLANCY was passively oppositional and bullying, related to her mental illness was tacitly approved by LFS leadership.

MOORE denied 'nitpicking' STEELE upon return from PTSD leave, but Captain KRABBES admits he identified small issues he was required to speak to STEELE about. KRABBES attempted to legitimize the behaviour of the Deputy Chiefs, in this case MOORE, as he explained that when STEELE pointed out that others were violated the same minor rules but in more obvious ways, he addressed it with them too, to be fair. He spoke as if his acts towards being fair and consistent compensated for the unfair and prejudicial behaviour of MOORE. However, the timing of these behaviours does not support that the allegation that the treatment toward her occurred upon her return to work from mental health leave. Although this Investigator finds that on the balance of probability, MOORE did engage in this behaviour, it was not at the time STEELE was particularly vulnerable and was not aggravated by the disrespectful treatment by others.

**f) Findings**

On the balance of probabilities, this Investigator finds that MOORE did not harass or discriminate against STEELE when she returned from mental health leave in 2015.

On the balance of probabilities, this Investigator finds that KELLY did harass and bully STEELE when she returned to work after leave for a mental illness. Removing her from facilitating the PARTY program either because he believed "it was her PTSD kicking in", or to save the program is found to be discriminatory action against her, based on a mental/ emotional disability.

On the balance of probabilities, this Investigator finds that CLANCY did harass and bully STEELE when she returned to work after leave for a mental illness. Approving and removing her from facilitating the PARTY program either because he believed "she was traumatizing the kids", or to save the program is found to be discriminatory action against her, based on a mental/ emotional disability.

On the balance of probabilities, this investigator finds that CLANCY did not make a reasonable effort to manage disrespectful, harassing and bullying behaviour by DC CHRISTENSEN, who was responsible for ensuring a healthy and supportive environment on her return-to-work plan from mental illness leave. This Investigator finds that a reasonable person would identify CHRISTENSEN's harassing and bullying actions toward STEELE and his

disrespectful statements about STEELE (and her mental illness) were disrespectful and discriminatory, based on a mental/ emotional disability.

This investigator finds that Chief CLANCY did not prevent CHRISTENSEN and KELLY from engaging in harassing behavior towards STEELE and discriminatory action towards STEELE based on a mental illness. This Investigator finds that Chief CLANCY failed in his duty to care for STEELE and contributed to a hostile work environment.

**g) Aggravating and Mitigating Factors**

Aggravating factors include the following:

- Two of the four senior managers participated in the harassment, leaving no senior person to support her.
- Their behaviour was directed toward a particularly vulnerable person, and a particularly vulnerable time. This treatment further jeopardized her mental health. Increased sick leave, under these circumstances is predictable. Yet when her sick leave increased, it was viewed by the management team as more problematic behaviours.

**8.7 ALLEGATION: Workplace Harassment**

(Appendix 2: Interview Summary Complainant Christa STEELE, July 22, 2021)

(Appendix 3: Credibility Assessment Complainant Christa STEELE July 22, 2021)

(Appendix 10: Interview Summary #1 Respondent Chief George CLANCY, Oct 8, 2021)

(Appendix 11: Credibility Assessment Respondent Chief George CLANCY, Oct 8 & 21, 2021)

(Appendix 17: Summary of Interview #2 with Chief George CLANCY, Oct 21, 2021)

(Appendix 23: Interview Summary Respondent Bo MOORE, Oct 18, 2021)

(Appendix 24: Credibility Assessment Respondent Bo MOORE)

(Appendix 30: MOORE/ TOBIN email STEELE Meeting)

(Appendix 31: Interview Summary Witness Chris TOBIN, Nov 10, 2021)

(Appendix 32: D. BRITTON Email Union Rep)

(Appendix 33: Excerpt from email Bo MOORE)

(Appendix 34: Interview Summary Witness J. CAVANAGH, Aug 23, 2021)

(Appendix 35: Excerpt D. BRITTON Transcript Re: STEELE/ MOORE)

**a) Background**

In April 2021, DC MOORE asked STEELE to meet with him. She requested Union representation for the meeting. Initially, she asked Union President Doug BRITTON, who agreed, however on the date in question, BRITTON was on shift and DC MOORE stated he could not spare him. MOORE asked STEELE to give him a list of other possible dates to meet, she emailed him a list of dates as potential meeting dates, he did not reply.

MOORE states: "I was asked to set up a meeting with STEELE from Chief CLANCY and HR Director Tobin. A meeting was scheduled to discuss her attendance issues due to Covid book-offs, her appearance in a commercial non-essential store while booked off on Covid isolation, and the concerns that she had expressed to her Captain Cavanagh about driving a fire apparatus."

On April 19, 2021, Captain CAVANAGH requested STEELE to come into the gym. When she went into the gym, DC MOORE was waiting. The meeting occurred without her receiving her

union support. She stated she felt “ambushed” and deceived, and that the intent was to catch her off-guard and force her to meet without union support.

CAVANAGH stated that he had been working with STEELE to increase her confidence on the firetruck, that he wanted to help her practise and had discussions about why she lacked confidence (his notes stated that she did not know why). CAVANAGH’s intent for the meeting appeared to be an honest effort to problem-solve. However, CAVANAGH was not aware of the meeting until about an hour before the meeting. He apparently did not know about the previous plan (to schedule a time when she could bring a union representative), and that the plan included a meeting with DC MOORE, HR Director TOBIN, and Chief CLANCY.

DC MOORE supplied an email exchange between himself and HR Director TOBIN. They discussed lack of progress in choosing a date for the three senior managers to meet with STEELE and her union representation. The email identifies that the meeting was to confront her with a policy violation, and although a “Letter of Direction” had been discussed by the managers, they did not intend to present it at this meeting. However, under the circumstances, a reasonable person would suspect that it was disciplinary related, and that a “Letter of Direction” could presumably result in discipline at some further date.

**b) Respondents: G. CLANCY, B. MOORE, Leduc Fire Services, City of Leduc**

**c) Policy**

**Workplace Harassment:** is defined as the abusive, unwelcome, unfair, or demeaning behaviour, including actions or gestures, towards a person or group that has the purpose or effect of interfering with a person’s or group’s dignity, well being, status, or performance, or creating a hostile or intimidating working environment. Incidents of harassment may involve bullying, the abuse of power one individual has over another, or unwelcome conduct including threats of and/or acts of physical violence.

**Disrespectful Workplace Behavior** may include, but are not limited to:

Can be intentional or unintentional and is offensive and/or unwelcome. Disrespectful behavior(s) are reflected in employee conduct, attitudes, comments, actions, threats, or violence, and contribute to an uncomfortable and/or hostile work environment.

Examples of this may include but are not limited to:

- bullying
- workplace harassment
- sexual harassment
- discrimination
- sabotage
- damage to City property

**d) Witnesses Information**

MOORE states he acted on that letter as reasoning for denying her union representation. He states that he attempted to schedule a meeting between himself, Chief CLANCY, and STEELE. He provided an email chain where he was told to not include the union. From the email March 22, 2021, HR Director TOBIN states:

*Hello, Bo.*

*Regarding STEELE, my thought is that we have an open meeting, union free, with yourself, George and I.*

*Subsequent to the meeting we will be in a better position to construct a letter of expectation before her.*

*That still does not constitute discipline, and the union can only attend at your request. I am here for this week and next. End of day is best, so please just coordinate with me to suit Christa's on-shift schedule."*

Although TOBIN states in the email that "...the meeting was not disciplinary and that the union can only attend at your (MOORE's) request..." STEELE could reasonably be concerned about a request to meet with the Chief, the Director of HR, and a Deputy Chief, particularly because the meeting was about an allegation that she breached covid quarantine protocol as she was believed to have been shopping.

Section 26. 05 of the Collective Agreement states: "The Employee and the Union will be advised not less than twenty-four (24) hours in advance of any meeting the Employer is to have with an Employee that will result in discipline..."

It does not say that (or be construed to mean) that ...the union can *only* attend at your (Deputy Chief MOORE) request.

MOORE asks in the email exchange if they are presenting a "Letter of Direction" to her at the meeting.

When STEELE was led to the gym (which she found weird) by CAVANAGH to have a 'surprise' meeting with MOORE, she felt "ambushed". (CAVANAGH supplied an explanation as to why it was in the gym, he said the boardroom was in use and his office has thin walls). However, there was no explanation to STEELE as to why the meeting was in the gym, and she interpreted it as part of a deceitfully designed "ambush".

STEELE feels that she should have been allowed to have a union representative there or be allowed to have a reasonable explanation made to her. She alleges that if it was not a right to have a union representative that it would be the respectful and principled thing to do. STEELE alleges that being told to meet with the three most senior men in her organization about a policy violation and to be denied union representation, and then to be brought to the meeting in a deceitful manner was meant to be intimidating and disrespectful.

She alleges that this incident in addition to the history of bullying, intimidation, and disrespectful behaviour she has been subjected to is Workplace Harassment.

**e) Analysis**

The credibility assessment this Investigator completed on STEELE found her to be forthright and consistent. She may not be entirely reliable in specific descriptions of incidents, as reports by other witnesses varied in some manner in more historical incidents. This does not cause this Investigator to doubt the reliability of the testimony of STEELE and other witnesses, as some incidents are several years old. STEELE gave detailed descriptions of specific incidents that she found to be emotionally painful. As is common, recalling months or even years of incidents can be elusive. She was generally consistent in describing incidents more than once. This Investigator also found her to be emotional throughout the interview, which was appropriate to the topic.

A credibility assessment was completed on DC MOORE. He presented as very straightforward with appropriate affect. He was well-prepared and appeared to have a good memory (for the most part). Unfortunately, his memory was selective. He recalled specific details on some things but not on others that were somewhat indefensible on his part. He did appear to be reliable in his statements. There have been several statements that, when checked, were not corroborated with significant differences. He is motivated to deceive as some allegations are serious.

This Investigator completed a "Credibility Assessment" of Chief George CLANCY. The writer found him to be verbose, answering simple questions with long answers that wandered and digressed, often needing to be asked the same question repeatedly. This Investigator viewed this pattern of speech as an effort toward deflecting. He spoke about details that were not relevant to the topic and glossed over the actual topic. As a result, questions were not directly answered unless pressed. CLANCY prefaced many answers with positive aspects of the topic in question, on occasion identifying how poorly the previous Chief's actions were and what positive changes he has made since becoming Chief. In discussing his authority as Deputy Chief, he presented as powerless and at the mercy of the decisions by HR and the previous Chief. CLANCY is critical of current Deputy Chiefs and members. He speaks in a dynamic, passionate manner, and freely expresses his anger and frustration. CLANCY is critical of members of LFS, for example, he informed the Investigators that a recent audit of skills among full-time members revealed that 18 ACP/Firefighters failed basic competency skill tests, but he distances himself from the responsibility of causing this or improving this. This Investigator found CLANCY misdirected and deflected in answering questions. On occasion, he presents himself as a victim in response to allegations of irresponsibility. For these reasons CLANCY's credibility is deemed to be problematic.



CLANCY, MOORE, and TOBIN had planned to meet with STEELE about a potential policy violation. She asked to include BRITTON, the Union President. She provided dates to MOORE that both her and BRITTON could attend. MOORE emailed TOBIN and CLANCY an email asking if it was intended to present a letter of direction. TOBIN wrote: "Regarding STEELE, my thought is that we have an open meeting, union free, with yourself, George and I. Subsequent to the meeting we will be in a better position to construct a letter of expectation before her. That still does not constitute discipline, and the union can only attend at your request."

It is noted that the Collective Agreement allows for meeting without union representation, however, does not direct that this must occur. Although they ensured the meeting abided the Collective Agreement, it does allow for discretion. The plan to deny her union representation and have the three most senior members of her organization attend would not appear to be the most strategic way to elicit a meaningful discussion with a positive outcome.

This investigator finds that a reasonable person would have known, or ought to have known, that asking her to have a meeting about a performance issue, with three senior managers and deny her the opportunity to bring union representation, would appear to be intentionally intimidating.

This Investigator finds that a reasonable person would compare the manner that CLANCY and TOBIN treated CHRISTENSEN (a manager and in a position of trust) with a (serious) policy violation to the way they planned to handle (and did handle) STEELE over a potential policy violation. CHRISTENSEN was found to have taken confidential information about a serious harassment complaint against and gave it to BRAUN and putting several members at great risk. No one discussed what they should discipline CHRISTENSEN, if so, what would that be and who would do it, and what could LFS do to prevent a future violation, toward keeping women and complainants safe from workplace violence. This has the optics of a double standard towards serious misconduct by CHRISTENSEN versus STEELE.

STEELE was alleged to have been shopping when she should have been quarantining after a COVID contact. This warranted a plan to exclude union support and have her meet with the three most Senior Managers, and that the alternative action was to not inform her she was not allowed union support, but then surprise her with meeting with her Captain and a Deputy Chief (in a strange choice meeting place). This investigator finds that a reasonable person would consider this situation to be disproportionately harsh toward STEELE compared to the response to CHRISTENSEN, and this Investigator finds that STEELE was treated unfairly, and that their actions were intimidating and negatively impacted her dignity and well-being.

**f) Findings**

This Investigator finds that G. CLANCY, B. MOORE, and potentially others, engaged in a series of decisions, actions and inactions that formed a pattern of behavior that would reasonably be interpreted as bullying and harassment as alleged, on the balance of probabilities.

**g) Aggravating/Mitigating Factors**

MOORE is the third of four managers who subjected STEELE to harassing and bullying behaviours, either directly by them, or by allowing others to harass and bully her. As noted in this founded allegation, HR Director TOBIN was not her defender.

## **9.0 Conclusion**

The founded allegations in this report identify patterns of behavior and a cumulative impact on the complainant, STEELE. The senior leaders' actions/inactions and mismanagement over the years, of a variety of incidents, either through negligence, recklessness or intention are reasonably assessed as harassing and discriminating in nature and having caused a hostile or poisoned work environment for STEELE and other women.

See Investigation report # 1, 3 and 4 for further analysis and corroborating evidence related to overall systemic harassment, discrimination and other misconduct.

**Submitted by:**

Barb SexSmith, MA  
Associate Investigator  
Veritas Solutions

**Assisted by:**

Patty McCallum  
Bob Stenhouse  
Principal Director  
Veritas Solutions