



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

January 5, 2022

Workplace Investigations Summary

1. Introduction

Report #1

In June 2021 Veritas Solutions was contracted by the City of Leduc to investigate allegations of harassment, discrimination on protected grounds of medical condition and sexual orientation, by one complainant, Leduc Fire Services employee, Mindy Smith. The impetus for the internal investigation came from formal complaints that had been made through a Workers Compensation Board claim, as well as an Alberta Human Rights Commission complaint.

The investigation report generated from this initial complaint has been submitted as Report #1.

Report #2

Within weeks of the start of the investigation, Veritas Solutions was asked to investigate a second set of allegations brought forward by Leduc Fire Services employee, Christie Steele. The allegations were related to historical incidents of sexual harassment, general harassment and mismanagement surrounding the allegations.

The investigation report generated from this second complaint has been submitted as Report #2.

Report #3

Both complainants provided numerous witnesses and identified several respondents of the allegations. While interviewing one witness, an allegation was made by witness turned complainant Tamara Osmak of historical sexual harassment/touching and mismanagement at Leduc Fire Services.

The investigation report generated from the third complaint has been submitted as Report #3.

Report #4

The investigators, Patty McCallum, Bruce Pitt-Payne (who was unable to continue in the investigation after one month), and Barb Sexsmith interviewed approximately 35 persons involved or with information about these allegations and analyzed hundreds of pages of documents. During these interviews, there were further allegations made towards senior leadership. Allegations were centered around nepotism, cronyism, favoritism, unjust decisions, conflicts of interest, hostile work environment, sexism, and abuses of power by persons in leadership positions.

The systemic issues report generated from these allegations has been submitted as Report #4.

Report #5

During the investigation, two of the complainants had been made aware that LFS Fire Chief, George Clancy, had been posting Facebook memes allegedly portraying himself as one who has been betrayed and lied about (as a respondent to the allegations). Complainants Smith and Steele believed the memes were posted for the purpose of intimidating and discrediting them as complainants and were retaliatory in nature. As this was new information and allegations made against Chief Clancy that were serious in nature, he was provided an opportunity to respond to the allegations and explain his reasons for posting these memes in the middle of an investigation where he was a respondent.

The investigation report generated from these allegations has been submitted as Report #5.

2. Challenges during the investigation

What initially began with one complainant with allegations against a handful of senior leaders, escalated to several complainants, with serious historical and current allegations involving several employees, colleagues and senior leaders including the Chief and Deputy Chiefs of Leduc Fire Services. The following challenges and complexities surfaced during the investigation, thus extending the scope and duration of the varying investigations:

- Ongoing breaches of Smith's health information (access to her health records by senior leaders) during the course of the investigation
- Isolation of the complainants from information (leaving them off all staff e-mails)
- Potential interference/influence on the investigation and witnesses by Chief Clancy (seeking out support from other female employees and going on ride-alongs with frontline staff)
- Intimidation/retaliation – by posting memes related to betrayal, people who lie, two-faced etc.
- Increased anger/aggression towards the investigators and the investigations with threats made about making counter-allegations of harassment by the Chief and Deputy Chief.
- The key respondent of the allegations, the Chief, was perceived to be interfering with the investigation by expressing his displeasure and frustrations to Human Resources, or others, from his place of power as the senior leader and main respondent of serious allegations. This power dynamic and influence was often relayed back to the investigators or Principal Director, which contributed to the challenges related to scope and billable hours.
- Over five hundred pages of documentation were provided by the complainants, primarily Smith, requiring logging, analysis, and examination

3. Common themes and contributing factors

Investigators McCallum and Sexsmith were assisted by Veritas Solutions' associate Neil Lemay and Veritas Solutions' principal director, Bob Stenhouse in the analysis and report writing. Combined, the investigators/associates have over one hundred years of experience of investigations and senior leadership in first responder/paramilitary organizations. The findings and analysis of the multiple allegations and concerns were carefully weighed, debated, and agreed upon. The themes and contributing factors threaded through all five reports are as follows:

- Longstanding, deeply ingrained, sexist beliefs, actions and attitudes towards women as fire fighters
- Unaddressed bullying/mobbing/harassment towards complainant Smith
- Favoritism, blind loyalties, mismanagement, and cover-ups of historical complaints
- Poor processes, accountabilities, and "checks and balances" on leadership decisions
- Poor decisions and mismanagement – either in careless, negligent, reckless, or intentional ways
- Poor leadership and employee understanding of Post-Traumatic Stress Disorder, psychological health and safety, harassment, and bullying
- Poor personal and professional boundaries among colleagues and leaders
- Indiscreet expressions of personal negative opinions, towards some staff, by senior leaders
- Low emotional intelligence – particularly the components of self-awareness, self-expression and empathy by senior leaders

4. Findings

The investigators and associates applied the standard of proof, balance of probabilities, to determine findings. To weigh the evidence (which was often conflicting among the complainants and respondents) the investigators assessed and weighed credibility, documentary evidence, witness evidence (both direct and indirect), and corroborating/circumstantial evidence.

Report #1

Complainant SMITH, by all accounts, was at one point a very high performer who was highly respected by peers and leaders alike. As a result of job-related trauma, she was diagnosed with Post Traumatic Stress Disorder. When she returned from an extended leave she experienced a change in her status with senior leaders and colleagues that were detrimental to her health and career. While she identified numerous incidents that she perceived to be discriminatory, related to her medical condition, not all were founded to have met the threshold or accepted definitions of discrimination. While complainant Smith had dozens of specific allegations she brought forward, they were addressed in three main areas as follows:

Allegation 1: Discrimination/harassment based on protected ground of sexual orientation

This was found to have occurred and was exacerbated by mismanagement of her concerns by a senior leader which contributed to the harassment/discrimination

Allegation 2: Harassment/Bullying/Isolation by a group on Platoon 4

This was found to have occurred and was exacerbated by mismanagement of her concerns by senior leaders, which contributed to the ongoing harassment and psychological harm

Allegation 3: Discrimination/harassment based on protected ground of mental disability

Not all occurrences were deemed founded but some were. The more serious discriminatory behaviors alleged and founded to have occurred were;

- Multiple breaches of health and privacy information by colleagues and senior leaders
- Indiscriminate comments related to her mental health and addictions
- Removal of duties without consultation/discussion
- Promotional opportunities removed due to mental health
- Intimidation and retaliation for bringing complaints forward

Report #2

Complainant STEELE brought forward both historical and recent allegations of discrimination based on the protected grounds of gender and medical condition. Further allegations of sexual harassment and violence (including forced kissing/confinement), abuses of power and mismanagement of the complaints were identified.

The allegations were founded, by the investigators, to have occurred.

The more serious allegations that were founded are:

- Sexual harassment/forced kissing and touching by then Deputy Chief Clancy (2004) when the complainant was a 19-year-old dispatcher
- Shaming and bullying towards STEELE because of a consensual extra-marital affair with a colleague
- A colleague exposing his penis, forcing a kiss on STEELE and attempting to get in her bed. Reported to a Captain and mismanaged.
- Ongoing bullying and name calling related to medical condition/sick time (Chief Clancy offered to the investigator the STEELE's nickname is "six to eight" because she is usually off for six to eight weeks) Clancy did not consider that he should put a stop to the name calling/bullying.
- A colleague sexually harassing and touching STEELE between 2007 and 2011 that she reported. Deputy Chief Kelly mismanaged the case forcing the respondent colleague to apologize without an investigation or consequence to the harassment. STEELE was later forced to work with the respondent/colleague against her objections
- Mismanagement and actions by Chief Clancy related to the Braun/Christensen misconduct.
- Discrimination based on mental disability by arbitrary removal of a training initiative, without discussion with STEELE

Report #3

Complainant OSMAK reported a sexual assault by a colleague in 2014 to Deputy Chief Gerry Kelly. Kelly and Leduc Fire Services did not investigate the allegation or take corrective/disciplinary action. Kelly threatened OSMAK about her chances of a full-time position stating “you’re this fucking close to getting the full time position, just do the mediation”. Kelly intimidated/forced OSMAK into a mediation with the offending colleague – with an untrained or experienced mediator (chaplain).

The allegations of sexual harassment/assault and subsequent mismanagement by KELLY and Chief CLANCY was found to have occurred.

Report #4

While investigating the allegations contained in Reports 1,2,3, the investigators spoke with dozens of Leduc Fire Services employees, mid-management, and leaders. Further allegations, complaints and concerns were provided to the investigators, that were inter-related to the culture and initial allegations.

These complaints/concerns/allegations are captured in Report #4, titled “Systemic Issues and other Related Concerns”

While there is sufficient evidence to support the allegations/concerns, they have not been tested to an investigation standard. In other words, the alleged misconduct has not been put to the respondents of the allegations. The systemic issues/concerns are:

- Sexism and sexual harassment and/or gender discrimination
- Harassment, bullying, isolation and ostracization
- Mental health assumptions and breaches of privacy and respect
- Historical mismanagement of complaints or concerns
- Hostile work environment towards women
- Nepotism by Chief CLANCY and his supporters
- Favoritism and preferential treatment
- Poor physical and interpersonal boundaries
- Conflicts of interest and abuses of power (training and assigning trainers to a private company owned by employees)
- Ongoing breaches of health information and abuses of power by Chief CLANCY

Report #5

Chief CLANCY was provided two opportunities to respond to the allegations related to his posting of memes that were believed to be retaliatory and intimidating towards the complainants. In the first opportunity he defended his right to feel betrayed and belief he is being lied about, and his right to express that publicly.

In the second opportunity he outright denied that the memes were related to his personal feelings and stated that they were put on Facebook to support others. He claimed that the perceptions that these were directed at the complainants were part of character assassinations, lies about him, and the perceptions of persons with paranoid ideologies.

The contradictory responses, victim shifting, deflection and self-serving responses were evaluated and the findings by the investigator (in this case Stenhouse) were that he had posted the memes for the purpose of retaliation, retribution, and influence on the complainants, witnesses and integrity of the investigations where he was a respondent to serious allegations.

5. Conclusion

The initial complaint of discrimination made by SMITH was the proverbial tip of the iceberg to a myriad of complaints, allegations, and gross mismanagement concerns with the common theme of psychological harm and absence of safety for employees, particularly women.

Many interviewees (complainants and witnesses) expressed fear of retaliation for speaking the truth on the issues under inquiry.

Unchecked abuses of power and authority, as discovered in arbitrary decisions, nepotism concerns and accommodations, conflicts of interests, favoritism, retaliation, and “cover-ups” of misconduct have the cumulative effect of high distrust towards management by those not in their favor.

Chief Clancy, in all allegations, was unwilling to concede or show any contrition where he had erred in actions/inaction, behaviors, decisions, and viewpoints. In effect, when given the opportunity to respond and accept responsibility, he doubled down on his denials and blame of others, be it the complainants, his leadership team, HR, previous Chief, or witnesses who he deemed to be out to assassinate his character.

This leadership response and attitude has had the effect of setting the tone and culture of high distrust and fear. While Chief Clancy was willing to blame the culture for what has been discovered in these allegations, he appeared not willing or able to consider that he, in his role, is the chief architect and influencer on that culture of fear, toxicity, and hostility – particularly towards women or persons struggling with psychological stress injuries.

6. Further Support

Veritas Solutions is a full suite HR/LR Risk Management firm. In addition to investigations our team are subject matter experts and consultants in the following areas:

- Psychological Safety Advisory
- Team Charter/Culture development
- Post-Investigation workplace restoration
- Leadership Coaching and Development
- Leadership/Management Consulting
- Corporate Training in Emotional Intelligence and psychological safety for the first responder
- Risk Informed Management Training
- Risk Management and Mitigation

Respectfully Submitted,

Bob Stenhouse
Principal Director, Veritas Solutions