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

Investigation Report

**Leduc Fire Services  
Report #4  
Systemic Issues and  
Other Related Concerns**

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## 1. INTRODUCTION

The following report contains information received by the investigators that was provided by witnesses, complainants, and respondents at Leduc Fire Services, during investigation into individual complaints. Investigations were conducted into complaints made initially by two complainants. A third person made formal complaints during the process, which also been investigated. The investigators found some commonalities in the complaints, circumstances that led to the complaints and perceptions by complainants, witnesses and to some degree even respondents. These issues were thought to be long-standing and based on past and present practises, unresolved incidents, and some situations that the investigators believe were grossly mismanaged. As this is a report addressing systemic issues and concerns, it is important to note the credentials of the authors and Principal Director of Veritas Solutions.

The investigators and principal director have inserted their reasoned opinion where necessary. It is important to note that the analysis of all incidents and reports, while striving for objectivity, will contain a level of reasoned subjectivity. The investigators and principal director have carefully applied a "reasonable person test" to the evidence and information received.

The investigators and principal director have a combination of more than 100 years as members and investigators in first responder, male dominant, para-military organizations (policing and corrections) in addition to holding senior leadership positions. Further, the investigators also have extensive experience in workplace investigations in unionized and non-unionized environments.

This report is to be read in conjunction with:

Report #1 Complainant, Mindy Smith  
Report #2 Complainant, Christa Steele  
Report #3 Complainant, Tamara Osmak

The above three reports have concluded that allegations of harassment/bullying, sexual harassment, and discrimination based on the protected grounds of gender, sexual orientation and medical condition are founded to certain degrees.

**Important Note:** This report is ancillary to the varying allegations found in report 1,2,3. As the information received for this report was not all specific to the allegations found in 1,2,3 ( although some was) the standard of this report should not be construed as the same as an investigative standard. The concerns below and analysis are provided to the client for them to get the full scope of the serious systemic issues and allegations that were provided to the investigators. Unless otherwise noted in this report, these allegations were not tested to the standard of an investigation. This is primarily due to the concerns related to time, budget and scope that were relayed to the Veritas investigators/consultants.

## 2. EXECUTIVE SUMMARY

Veritas Solutions was contracted in June 2021 by the City of Leduc to investigate allegations from two complainants of harassment, sexual harassment, and discrimination, by members of the Leduc Fire Services. During the course of the investigation investigators interviewed approximately 25% of the employees of the Leduc Fire Services and the City of Leduc. The investigation identified

several other common issues with respect to the LFS culture from the people who were interviewed.

The investigators found four common areas of concern:

- 1) Respondent members engaged in sexual harassment, up to sexual assault which is identified at being at the highest level of the sexual harassment spectrum.
- 2) Harassment and bullying behaviors including isolation, disrespect, name calling, being ostracized and non-communication were identified on the harassment spectrum.
- 3) Actions, inactions, conversations, assumptions, and breach of health information activities related to a members' mental health were identified as discrimination on the grounds of mental disability.
- 4) Mismanagement through action or inaction, in negligent, reckless, or intentional manner, of the above noted areas of concern, further exacerbated and contributed to the findings of harassment, sexual harassment, and discrimination.

Over the past several years the mishandling of serious complaints of sexual assaults and the harassment that were not taken seriously or properly investigated has created a hostile or poisoned work environment for some women. The failure of management to effectively address the sexual assaults/harassment, harassment and discrimination has left many women fearful of retribution and concern that they will/can lose their jobs. The management within the Leduc Fire Services has demonstrated on several occasions that female employees are discriminated against when complaints are brought forward creating a work environment that is not safe from retaliation and free from condemnation. The management has failed to provide a duty of care to their employees, ensuring a safe environment to make complaints and ensure that unwanted/uninvited behaviours do not continue.

There are some witnesses who prefer to remain anonymous, therefore their allegations remain untested, meaning, respondents were not asked to give a response to a specific allegation in order to protect the anonymity of the witness. Other witnesses have been identified and their allegations have been presented to the respondents in each matter in order for the respondents to have the opportunity to respond to the allegations.

### **3. BACKGROUND**

The Leduc Fire Services is an integrated model of first responders who provide service as paramedics and firefighters and rotate from ambulance to fire engine. The employees are Paid on Call (POC) members or full-time employees, totalling 32 full time members and many more are POC members. There are three gay females within the ranks and SMITH was the first female to be elevated to the rank of acting Captain and Kristie KUHN is currently following SMITH's path. The members work 24-hour shifts, and it is common knowledge that the employees are very close and share personal information. Consequently, the culture is also known for having a robust rumor mill. There are two fire halls with management housed in Firehall 1.

The allegations are made about women's male colleagues, fellow firefighter/paramedics, who should be abiding by the Leduc Code of Ethics Policy and be of good standing in behavior on or off duty, as well as behaving professionally and respectfully as stated in the Respectful Workplace

policy, in addition to the requirements of legislation (Human Rights Act, Occupational Health and Safety Act, Health Information Act, Freedom of Information and Privacy Act)

This report is a collection of information that the investigators found to be causes or contributors of patterns of dysfunctional processes or actions. Although the investigation identified complaints by three complainants, it was found that there were several other members (male and female) that were experiencing similar treatment by co-workers, management, and overall leadership of the organization. Many of these statements provided by employees have identified long term problems.

Although the complaints came from three individuals, the complaints are overlapping, inter-twined and have common causes and conclusions. The investigators found that the complaints are symptomatic of serious systemic issues.

Chief CLANCY stated repeatedly that he felt that the most significant systemic problems were as a result of the culture. He states that his predecessor was a 'narcissist', and he has fought to make some changes. The investigators found that the culture was responsible for some of the most significant problems, but also that the significant problems began with individuals and practises which created the culture, Chief CLANCY among them.

#### **BRAUN Incident**

The investigators will refer to the "BRAUN incident" throughout. In this incident, an outside investigator found that former member Vincent BRAUN was found to have sexually touched and harassed female employees (and one male employee) in the Spring of 2020. The choice of LFS to engage an outside investigator was an important, positive response to sexual harassment at LFS, and had the potential to bring forward some open discussions about the culture. However, there were several issues around both the investigation and an incident that occurred approximately three months later.

When the initial allegations came out against BRAUN, then DC CHRISTENSEN, who was good friends with BRAUN, breached confidentiality and gave BRAUN information about the complainants and complaints. The members did not appear to be aware of this, however, the managers did become aware shortly after. As well as this serious violation of policy, CHRISTENSEN is said to have been a bully, particularly toward women, long before this incident. Investigators asked Chief CLANCY how CHRISTENSEN was dealt with over this breach, he stated that HR Director TOBIN met with him and resolved it, and he was unaware of the discussion and/ or consequences for his behaviour. TOBIN stated that he did not address this with CHRISTENSEN and that Chief CLANCY dealt with CHRISITENSEN regarding the breach. Therefore, no one informed CHRISTENSEN that this behaviour was inappropriate.

Approximately three months later, a public fundraiser was organized by LFS, and involved a motorcycle Rally with a BBQ after. CHRISTENSEN was Acting Chief and although claimed to have not invited BRAUN, did admit (in a statement to the Chief) that he met BRAUN at a gas station, and that they arrived together. (It was later identified by MOORE that BRAUN was invited by a Captain).

BRAUN showed up in a LFS dress uniform, even though he had been terminated from employment due to the sexual harassment incidents. BRAUN was positioned to be in the group photos, which caused the women, including those that made complaints, to be very upset that he was there. A/ Captain SMITH had difficulty getting anyone to force BRAUN to leave. A/ Captain SMITH contacted

DC MOORE who ordered that BRAUN leave. Some members, including CHRISTENSEN (and a former Deputy Chief) were angered, and voiced objections, saying BRAUN was innocent and that the women were liars. CHRISTENSEN refused to get BRAUN to leave and eventually a Captain (that invited him) told him to go.

Chief CLANCY did not view this incident as being a cause for distrust of the organization. In an email to the staff, Chief CLANCY apologized for the 'mistake' (of inviting BRAUN) but did not recognize the most hurtful aspect which was a passive (and to some degree active) refusal to make him leave, and the name-calling and accusations by the most senior person there. As a positive response, Chief CLANCY ordered MOORE to investigate how BRAUN got invited, but did not investigate CHRISTENSEN's actions as Acting Chief. Chief CLANCY did get a statement from CHRISTENSEN where he denies inviting him but acknowledges attending with him. The most obvious question (about his refusal to make BRAUN leave and his public treatment of the female members), was not mentioned.

This one example demonstrates a lack of understanding of what the real issues are, which is foremost in creating a safe and healthy workplace.

The following is a description of the most problematic patterns that are the most significant contributors to the current culture. These are:

- Physical and Personal Boundaries
- Management of Complaints
- Systemic Harassment and Discrimination
- Nepotism
- Favoritism
- Chief CLANCY leadership and responses

**a) Physical and Personal Boundaries**

Physical and personal boundaries are often a minor issue in a workplace, whereby different levels of comfort in touching (in positive or negative ways) and in disclosing personal information exist. In a stressful 24-hour operation where employees remain isolated with each other for long periods of time, it can become a bigger problem, as boundaries are violated.

At Leduc Fire Service, gossip and disclosure of personal information is common. Most interviewed noted that "everyone knows everything" about each other. They disclose personal problems, intimate issues about their personal relationships and even about their intimate sexual relationships. They touch and 'hug' and slap and grab at each other, with no regard for personal comfort levels in the receivers, and without differentiation between touching that is meant to be affection and touching that is aggressive and hostile.

**Physical Boundaries**

The complaints alleged by T. OSMAK (Report #3) and by C. STEELE (Report #2) in two of the accompanying reports are related to inappropriate touching. As well, several of those interviewed state that they are naturally people who enjoy friendly touching. Others note they are uncomfortable with touching. This is apparently not understood at LFS. Chief CLANCY identifies himself as 'a hugger', and it was noted by witnesses that he often hugs people.

STEELE, who has made complaints related to inappropriate touching, has noted she is also 'a hugger'. The acceptance of this behaviour has consequences, as there are different levels of comfort regarding touching, and there are no checks in place to ensure it is welcome. The following are examples of levels of touching that have been identified by individuals in the level of comfort:

- STEELE's (and other's) allegations that RIEMANN has touched them inappropriately
- STEELE's allegations that DIGNARD tried to crawl into bed with her
- STEELE's allegation that the Chief sexually assaulted her
- OSMAK's allegation that SKINNER sexually assaulted her
- Redacted and Redacted allegation that SKINNER sexually assaulted Redacted
- The sexual affair between MICHELSEN and STEELE
- The sexual affair between FOX and KUHN

In his interview, Captain WILSON identified the risks of engaging in physical contact, particularly in a leader – subordinate role. He stated that he 'is a hugger', but when he became a Captain, he understood that it was inappropriate to engage in physical contact with others. Although he could not articulate why, he did say that he felt as a supervisor or leader, touching/ hugging/ affectionate touches is a boundary breach. He also stated that when he became a Captain, he had difficulty getting his subordinates to understand that he should not be hugging them without offending them. He said he initially tried to joke about it, and when it persisted, he had to clearly explain to some people that it was inappropriate.

In an interview with Redacted she described a workplace that disregards the boundaries that are regularly crossed in physical touching in the workplace:

Redacted said people touching, in some way, occurs frequently. She said she would not describe it as 'consensual' but that it was 'accepted.' As examples, she said: "I've had my butt grabbed by a captain. I didn't consent to it. And I would rather he hadn't. But it's just the way it is." As another example, she says: ". The guys slapping each other's dicks. That is consensual, because that's a joke that they all have amongst each other. And I don't think that will ever stop because that's who they are." She did note that since the investigation began, the touching has decreased significantly because "people are scared." This suggests that there is an understanding that this behaviour crosses boundaries.

This investigator interviewed Allan DIGNARD as Respondent in allegations of inappropriate touching. He appeared shocked at the allegations, stating that he thought they were friends, that she hugged him once, that she sent him a message on Facebook on his birthday saying: "happy birthday Buddy." This response is not uncommon for a person that does not understand personal space and appropriate touching, (and that does not respond to social cues) and in a workplace where inappropriate touching occurs regularly, without intervention. It is not surprising that less socially aware people cross the line of appropriate behaviour.

This investigator heard from several witnesses that ACP/ Firefighter Chris RIEMANN has been inappropriate with peers and patients. In 2011, three coworkers (two men and a woman) made allegations of sexual harassment (by the two women) and bullying by the man. The response by DC KELLY is the subject of an allegation in this investigation. RIEMANN received a letter on his file identifying that three people had made allegations, and the

resolution was that RIEMANN was to contact "Employee Assistance Program." The statements made by complainants were lost, and KELLY does not recall who the complainants were and what the allegations were. At least one of the complaints was that he grabbed a female firefighter off a truck (as she climbed down a ladder) and sat her on his knee, and touched (and made comments about) her buttocks). Part of the allegation against KELLY was that he grabbed RIEMANN's arm and 'dragged' him over to the complainant, in front of other people, and said: "apologize." After a mumbled apology, KELLY said to the complainant: "are we good now?"

When this investigator interviewed RIEMANN, he minimized the allegations from 2011. He was also very surprised to hear that the complainant asked that she not be forced to work as a partner with him (and was denied). It was obvious that he lacked understanding of how offensive behaviour was. If he was not adequately confronted on his behaviour, and apparently doesn't have the basic wherewithal to understand the cues, the behaviour will not stop.

Deputy Chief Kelly's mismanagement of the complaints was further exacerbated by the forced apology.

The following is an excerpt from an interview with [Redacted] (when she was partnered with him) about a subsequent incident involving RIEMANN: "...it was three or four months ago-ish, that we had a patient she was 50 years old. And it was my patient. ...I had asked him to start an IV on her. ...I had been warned that he has been inappropriate with people at the hall (and) with patients and stuff before, so I was kind of on the lookout for it. So, when I noticed that he grabbed her hand to go do her IV. He's like, "don't tell your husband, I'm down on one knee about to propose to you." And she just kind of giggled, and then he's like, "oh, you're such a beautiful lady." And then he kissed her hand. That's not appropriate to me. It's not like he touched her inappropriately. ...it was uncomfortable for me. And you could tell it the patient was uncomfortable. So, I told him later, I was like, You can't be kissing patients' hands. Like that's, that's gross. And it's inappropriate. He said, Oh, you're right. You're right. I won't."

To illustrate the leadership/systemic mismanagement, this young woman [Redacted] was more effective in educating RIEMANN (and preventing future inappropriate behaviour) than the leadership group at LFS has been for this employee with very problematic and ongoing behaviour.

#### **b) Personal Boundaries/Friendships**

Although common in a small organization in a small city, coworkers become friends. Although many organizations identify limits in relationships (of all sorts) between leaders and subordinates, LFS is concerned with sexual relationships (Fox-Kuhn), and unconcerned with inappropriate friendships.

This became apparent when BRAUN was investigated, and allegations were founded, for sexually abusing coworkers. He was good friends with DC CHRISTENSEN, who violated the Code of Ethics policy by disclosing details about the complaints and the complainants to BRAUN. Unaddressed behaviour such as this has potential to become serious, as it did when CHRISTENSEN arrived at the LFS function with BRAUN, and not only did not consider the

trauma to victims, but he also exacerbated it by engaging in and inciting others to defend him and verbally attack the victims in a public forum.

MOORE and WIERENGA are close friends, MOORE has allegedly ignored reports of historical sexual abuse and harassment by WIERENGA, and did not report those allegations, even though he participated approving his entry into the Leadership Development Program (LDP) and the promotion of WIERENGA.

After the close personal relationship between SMITH and KUHN failed (they were 'best friends'), KUHN was accused of disclosing medical (mental health) information to Leduc Fire Service (LFS) managers, one of which she is at least 'good friends' with and is accused by many members of being in a sexual relationship with him. This information was not investigated or tested, but is highlighted to illustrate the perceptions and suspicions of very close personal friendships that cause disruption and reduces trust among many members of the LFS.

These are three very serious examples of the pitfalls of personal leader-subordinate/relationships at LFS, and as will be discussed below. This impacts the negative aspects and optics of nepotism (which is explained further in this report), favoritism, as well as leaders who do not observe professional distances.

### **c) Favoritism**

Witnesses have commented on favoritism as an ongoing issue at LFS. Most witnesses spoke about 'being in a (certain) circle'. The entitled circle is said to be led by Chief CLANCY and managers, specifically Chief CLANCY's or DC MOORE which allows one to have preferential treatment. Witnesses suggest DC WIERENGA was promoted to Deputy Chief as a predicted action, that supports the 'circle.' It is commonly thought that benefits to being in the 'circle' include training, conferences, being trainers, acting Captain hours (which is related to money) and that they may avoid consequences for mistakes and/ or performance issues. Regardless of whether it true, this is what is perceived by most members interviewed by the investigators.

The investigators heard from interviewees that MOORE favored KUHN and WEIRENGA, and they were chosen to attend sought-after conferences and MOORE told the owners of a fire training company, and LFS members, ( see later in the report, conflict of interest) to let KUHN be a trainer despite KUHN not having the qualifications. They believe MOORE allows some members to get overtime to do training on their days off, but others who provided training did so while on shift, which they saw as extra work on shift while others relaxed while waiting for a call. One witness alleged that MOORE told him that he was going to send him to the conference in New Orleans but not if he quit training while on shift.

There is significant anger around who gets Acting Captain time (which amounts to more money) based on being favoured by MOORE or not. SMITH asked MOORE to give her extra time Acting Captain because her partner had been laid off over COVID and was told that they can't provide opportunities based on who needs more money, but they believe Jeff BLACK got more Acting time because he was laid off from his other job as a pilot. As well, BLACK is a POC that is not trained as a PCR/ ACR and by some loophole in a policy, he gets significantly more shifts as an acting Captain on the Firetruck, because (he can't work as a paramedic). Although Chief CLANCY is adamant that his members keep up their skills in



order to work both ambulance and fire, BLACK has been allowed to act as a Captain while not being qualified as a paramedic. Witnesses see this as BLACK getting significant benefits for not being a full-time member and not being qualified to work on the ambulance. (There is strong preference to work on the firetruck because they are far less busy).

Chief CLANCY readily admits that he frequently states: "if you don't like it, there's the door" when people complain that they are required to work equally time between paramedic and firefighter, because that's the mandate of the combined service.

The complaints about the inconsistency of the assignment of A/Captain shifts has resulted in a new policy to address the inconsistent application of the policy, which demonstrates that there is an issue with how the assignment of officer shifts have been managed to date. Unfortunately, this arrived only after SMITH made a formal complaint.

An allegation in the SMITH report, DC MOORE stated that KUHN got the position of trainer over SMITH, who was not allowed to instruct, because she did not want to give up the Clinical Educator Committee, but documentation showed she was willing to switch training streams as required. Regardless, KUHN got the position.

Shane CLANCY (Chief CLANCY's son) was still on probation when he was sent to Abbotsford with Paul NICHOLS for specialized "Nozzle Forward fire training course", this caused further concern among members who believed that there is favoritism occurring in this process. Again, it is a small thing that captures the attention of colleagues because they perceive the lack of fairness in who got to go or if there was a message sent out to advertise the training opportunity.

**d) Conflict of Interest**

Captains Spencer MICHELSEN and Shawn MURPHY are full time employees of the LFS, as well as founders, owners, and instructors of Direct Attack Fire Training, which began its contracting with LFS in February 2014. This company was contracted by LFS to manage the training of recruits for LFS. However, as full-time employees of LFS, there is cause for concern that this clearly constitutes a conflict of interest. The concern is that fulltime employees of LFS are also a contracted company that delivers direct service to LFS. They employee other members, and as noted above, MOORE feels comfortable directing them to hire people he chooses. It is further conflicting that the owners are Captains. Having rank at LFS while training people members further causes issues of authority as contracted trainers.

Interviews with Chris TOBIN, the Director of Human Resources revealed that he was unaware that the Captains were conducting secondary employment within the LFS. MOORE stated that he was aware of it because when he arrived in the fall of 2014, he learned that MICHELSEN and MURPHY did all the training. MOORE stated they only conducted training of the recruit classes, but he then admitted that they also conducted some speciality training as well.

**The Collective Agreement speaks to Additional Employment in Article 34:**

*34.01 If an Employee engages in additional employment the following conditions shall prevail:*

- (a) The additional employment shall not interfere with the work he is required to perform for the Employer.*
- (b) The additional employment shall not create a direct conflict of interest with the business of the Employer.*
- (c) The Employee shall notify the Fire Chief prior to taking additional employment that may be in conflict with his duties with the Employer.*

*34.02 An Employee shall not conduct personal business while on duty or use the Employer's property for such use.*

**The City of Leduc's Code of Ethics includes Outside Employment, which states the following:**

- 1. Employees may engage in outside work or in a business undertaking as an employee providing their involvement does not or does not appear to:
  - a) interfere with, influence, or otherwise adversely affect their regular performance of their duties;*
  - b) derive any advantage from their civic employment that is not readily available to the public;*
  - c) suggest that their involvement is an official act or that it represents an official policy or opinion.**
- 2. For all employees, including all supervisory and managerial staff, 'additional employment' must be reported to the employee's supervisor prior to the commencement of the employment.*

In addition, the Code of Ethics Policy states:

**DEALINGS WITH RELATIVES AND/OR FIRMS AN EMPLOYEE HAS AN INTEREST IN**

- 14. An employee will not, without permission from the City Manager or Director, allot any work to or order supplies from:
  - a) an immediate relative;*
  - b) a firm or partnership in which an employee, or an immediate relative, alone or with other relatives, holds more than 25% interest;*
  - c) an incorporated company in which an employee or an immediate relative alone or with a spouse, parents, children, brothers, or sisters holds more than 25% of the issued capital stock of the company.**

When TOBIN was made aware of the company owned by Captains Michelsen and Murphy contracting to the City, he did not see the relationship as being different than firefighters who engage in employment outside of the business. He compared the situation to that of a firefighter that owned an ice cream business. Neither TOBIN nor MOORE displayed concern that there was a difference in employees running an unrelated business and the case of Captains contracting training to the Service they work for. Tobin stated: "I'm surprised that if it is in contravention of the collective agreement, that we haven't had a grievance on that. I'm

not sure how those things are set up. His concern about this additional employment is twofold:

**Is this a benefit that was available to the public, and is payment strictly for hours not on shift?**

TOBIN said he was not at Leduc in February 2014 when the arrangement was made, and he is unaware of the details. The investigators requested on two occasions a Request for Proposal (RFP) or an exemption letter that would indicate a fair process in contracting was pursued, and that justification was given in hiring this company, over other bidders. Sue ARMSTRONG, City of Leduc HR checked with purchasing and advised the investigators that there was no recollection of an RFP process for training and to which DFT would have been the successful bidder.

She noted she will look further to double check. As well, she noted the if the total value of a purchase is \$10,000-\$50,000 one has only to get three quotes and it does not have to go through the RFP process. As well, she checked the files of the two members to see if there was any type of declared conflict and noted and there was not. This would be required as per the policy, which states that an exemption of the policy is required if the employees have an interest of 25% or more. Each employee has a 50% interest in the contracted company.

Kari RESVICK, who works in Procurement at City of Leduc, informed investigators that there would be no requirement for a Request for Proposal for a contract that was between \$10,000 and \$50,000 in value, but typically there are three quotes obtained. There were no quotes or a contract on file that she could locate. She stated that both MICHELSEN and MURPHY declared no conflict of interest but this acquisition of service by members of LFS providing additional employment is a breach of the Collective Agreement, the Code of Ethics and the Outside Employment Policy.

Of note, MICHELSEN and MURPHY have hired a small group of trainers, which include Shane CLANCY, (Chief CLANCY's son), Kiren KELLY (DC KELLY's son) and a third member Redacted. The negative optics and apprehension of a serious conflict of interest and nepotism is contributing to the overall culture concerns of favoritism and possible corruption among the ranks.

Witnesses mentioned that when Captains MICHELSEN and MURPHY and their employees are teaching they wear their LFS uniforms (with Captain insignia). There is no distinction between when MICHELSEN and MURPHY are working as LFS employees rather than contractors with Direct Attack Fire Training. It is unknown if Direct Attack Fire Training has its own insurance or do, they rely on the insurance of LFS while they provide training.

To date, copies of the contract and the Request for Quotes have not been received by investigators as requested. This contract that was accepted by the City of Leduc Fire Department is a breach of policies and in addition to the systemic issues and misconduct, places the City of Leduc at legal risk.

TOBIN stated that members of LFS teach other agencies, which is not unusual for any agency. TOBIN stated, "some of the fire management team, particularly the ones who are medically trained, I think Scott (WIERENGA) is engaged by the Department of Anesthesiology at one of the universities or teaching hospitals because of his particular expertise and some dimension

of that and he goes back for whatever student intake it is to give them part of the course on that." The investigators are only concerned with the contractual relationship between member's companies and LFS in context of the Code of Ethics. It states: "An employee shall not accept any monetary or other payments from an individual or organization in return for any performance of civic duty or responsibility."

Whether someone complained to the Union or not, about the conflict of interest and favoritism, this continued practice by the organization continues to shape the perception of inequity that the membership has, and it has become the normal part of their culture. Members truly believe that favoritism exists in their work environment, and most will not raise issues anymore because they fear retribution. DC MOORE is the man who the membership sees as the person with the power, he is in charge of operations and for the members, they go through him for promotions, committees, funding approvals for courses and training and conferences. He wields a lot of influence, and he is the person that witnesses see as the person who abuses his authority. Witnesses state that that the Chief does as well, but DC MOORE is front and centre to everyday operations and the critical functioning of the fire halls.

**e) Management of Complaints**

Formal allegations have been made by members about other members, as well as management at LFS. The investigators found that the Code of Ethics Policy and the Respectful Workplace policy were not well known to members or management. Chief CLANCY is also unclear on (and has misinterpreted) many aspects of these policies, including the management of complaints (of harassment). He believes that a complaint isn't accepted, investigated, or meant to be 'taken seriously' unless it is in writing. This is significant, because there are many reasons a person is reluctant to bring forward complaints, and current policy (including LFS Policy) is developed with that understanding.

There were a few cases that were disclosed to the investigators that could not be addressed in the other reports for many reasons. These include stated reasons, such as being afraid they will lose their jobs, but also many other reasons that make any victim of sexual abuse and/ or sexual harassment come forward, such as fear of being isolated, shame, lack of response to previous complaints, a cultural code that deters reporting, a belief that this is a negative but required part of being employed in a predominantly male environment. This was discussed with Chief CLANCY. It was explained, by the investigators, that there are many reasons people don't report harassment, however he believes that if it was occurring, a person would be willing and able to come forward.

The following are excerpts of the City of Leduc Workplace Violence Prevention Policy:

*"Referrals to the EFAP will be made whenever a supervisor or member of Human Resources believes that there may be a benefit to an employee dealing with domestic violence, or to provide additional support to an employee who has come forward with complaints of harassment, violence or discrimination in the workplace."*

***Workplace Violence Prevention Policy***

*"The City of Leduc management pledges to respect the privacy of all concerned by maintaining confidentiality when investigating threats or reported incidents."*

*City staff involved in any way with the investigation will NOT disclose the following: -*

- *circumstances related to an incident of violence*
- *names of the complainant*
- *names of the individual alleged to have committed the violence -names of any witnesses*
- *personal information of any parties involved*
- *The only exception would be where necessary to:*
  - *investigate the incident*
  - *take corrective action*
  - *inform the parties involved in the incident of investigation results - inform the parties involved in the incident of corrective action taken - inform workers of a specific or general threat of violence or potential violence - as required by law"*

### **Responsibilities**

*All workplace parties have a role in preventing workplace violence. The City of Leduc has taken steps to identify potential sources of violence in the workplace and will train its workforce on the controls and procedures that have been implemented to*

### **Workplace Violence Prevention Policy**

*Eliminate or minimize any risk including a means of summoning immediate assistance. Any reported incident of violence will be investigated, and appropriate corrective measures will be taken to avoid future incidents.*

*Employees and Contractors are responsible for working in compliance with this policy and for reporting any incidents of workplace violence to the City of Leduc."*

*Every individual is responsible for:*

- *Conducting themselves in accordance with the principles stated in the City of Leduc's Code of Conduct.*
- *Attending and participating in training associated with this policy. · Refraining from engaging in any behavior or conduct that constitutes workplace violence, harassment, or discrimination.*
- *Immediately reporting (to a supervisor or Human Resource Staff) incidents or situations of which they become aware and could constitute a violation of this policy.*
- *Cooperating fully in any fact-finding process conducted pursuant to this policy. · Maintaining confidentiality of a complaint or investigation.*
- *Refraining from retaliation or reprisal against others who bring forward complaints in accordance with this policy.*
- *Refrain from making allegations that are known to be false. Such allegations may result in disciplinary action up to and including dismissal.*
- *· Identifying the hazard and risk of workplace violence on hazard assessments.*

- *Management is responsible for promoting a violence free workplace, ensuring that employees are aware of the violence prevention measures that pertain to their work and enforcing this Workplace Violence Prevention Policy.*
- *In addition, the CAO, General Managers, Directors, Managers and Supervisors will:*
- *Ensure this policy and the supporting documentation are implemented and maintained.*
- *Make certain all workers and supervisors will receive relevant information and instruction on the contents of the policy and procedures.*
- *Attend relevant training and ensure employees are provided the opportunity to do so as well.*
- *Foster an environment where individuals feel comfortable bringing forward complaints of workplace violence, harassment, and discrimination. · Take seriously and report as soon as possible, all incidents of workplace violence, harassment, or discrimination of which they become aware, formally, or informally.*
- *Participate in the resolution of issues as required in an unbiased manner. · Implement and act on the recommendations emerging from an investigation. · Ensure that when incidents or concerns arise, all employees for whom they are responsible are aware of and have reviewed this policy.*

#### **Workplace Violence Prevention Policy**

*Supervisors will adhere to this policy and processes. Supervisors are responsible for ensuring that measures and procedures are followed by workers and that workers have the information they need to protect themselves.*

*Human Resources is responsible for the administration of this policy and its recurring review every three years from the date of approval. A revision and/or update may occur at any time prior to the review date."*

#### **Complaints accepted only if in writing**

Historically, response to harassments complaints by LFS have been inconsistent. There is a belief, led by the Chief, that complaints must be in writing (as he says: "to show they are serious"). He also believes that the culture is responsible for the complaints but does not accept or concede that there may be individuals who are committing harassment, mismanaging harassment claims, and that the culture exists and has become hostile under his leadership, both as former Deputy Chief and now as Chief.

Chief CLANCY mentioned several times that he feels that the crux of the problems is "cultural" and that there should be a cultural review versus the current investigation. He stated he believes that a focus should be on the positive aspects of the culture, and that there should be interviews on the positive people. He implies that these should be a fresh start that does not look backwards.

It is the investigators analysis and view that the past unresolved issues are what perpetuates the current culture and the ongoing complaints. He and DC KELLY expressed impatience over the women who are unsatisfied with the lack of action (or in some cases, the mismanagement) of past complaints. Yet there continues to be a lack of understanding or will on how to manage problematic individual and group behaviours.

Thus far, complaints have not been responded to as directed in the Respectful Workplace Policy. The investigators are of the view that, when an investigation is ordered, the results are automatically accepted without question, and thus far, have not acted on any recommendations that arose from these.

### **OSMAK / SKINNER case – (Report #3)**

This is an allegation that employee SKINNER sexually assaulted his colleague, employee OSMAC. This is explained further in the OSMAC complaint report; however, the main points are:

- The incident occurred at an offsite LFS sponsored event but was initially not accepted as a complaint because as an offsite event there was no jurisdiction. This is incorrect in Labour and Employment law and jurisprudence
- The complainant made a verbal report but was uncomfortable with a written report, so it was not considered a report.
- Eyewitnesses therefore made the written report on her behalf, wrote eyewitness statements but the investigating Deputy Chief did not read the statements and did not ask for any sort of account of the event.
- A 'fill-in' union rep researched, through the union lawyer and Human Rights commission, the appropriate response for the organization, (both recommended an outside investigator), but that was denied.
- The investigating Deputy Chief, KELLY, yelled at the complainant and threatened that a complaint would 'screw-up' her chances at full-time employment (in an apparently very misguided intent to 'protect' her, which he still believes is was the correct response).
- In an action that raises a reasonable apprehension of bias, favoring the offender, the Deputy Chief told the respondent he thought he had PTSD, giving him a pat excuse, and ordered that they enter into a mediation, even after the complainant refused several times. (He admitted he was trying to save the career of the respondent).
- The complainant subsequently sought redress from first the Chief, then DC MOORE, then HR Director TOBIN, each time being dismissed.
- The complainant's efforts for a review of process were not only denied or disregarded, but the investigating Deputy Chief stated that these efforts of OSMAC seeking appropriate redress and remedy, constitute her harassing him.
- Chief CLANCY was very surprised when investigators told him that OSMAC lacks trust in the process and the organization, and that other women also express distrust because of the mismanagement of the incidents and

processes that seemingly favor the male respondents over the female complainants.

**Redacted – SKINNER ( as identified in Report #3)**

The subsequent investigation into the Redacted SKINNER incident was investigated, but the investigation (by Ms. MURRAY) had multiple flaws that were readily accepted:

- Credibility assessment was completed only on the 'victim' (not the respondent) and was based on a common fallacy that victims of sexual assault behave in a specific manner, which she did not.
- That the victim's version of the event 'was not supported by fact.' There was no facts established (except for who was at the event and when it happened), no facts had been established.
- That the incident with OSMAK was disregarded (which occurred under the same circumstances with the same Respondent and was very similar behaviour).
- A recommendation from the report was that they should debrief after critical incidents, implying the sexual assault occurred because the respondent had PTSD, yet also stating that the sex assault did not occur. Which was a contradiction in reason.

Findings of sexual harassment in cases such as the Redacted SKINNER case should be meticulously scrutinized because there are serious consequences for the respondent when allegations are founded. But the same amount of scrutiny does not occur when allegations are unfounded, even though the consequences for the complainant are at least as serious, if not more so. In this case, the multiple issues and flaws noted in this report were not considered by LFS and that it was accepted without question.

The practise at LFS is to manage complaints only if they are written (to show they are serious, as Chief CLANCY states), yet when the complaint does come in written form, there is no action. In cases where there was a response (RIEMANN in 2011), the complainant was never debriefed, allowing her to believe that it was not responded to at all.

**Female A**

In another incident that was allegedly not formally reported illustrates the serious repercussions to the organization. The allegations about the actual incident have not been tested, because the female member interviewed has not felt sufficiently comfortable to bring it forward, however, the policy directs that, even under these circumstances, there needs to be concerted response regardless. Prior to Scott WIERENGA entering the Leadership Development Program, and subsequently being promoted to Deputy Chief, DC MOORE admits that a male firefighter (who will be called 'Male A') came to him and said that WIERENGA had touched a female firefighter and sent her 'gross' texts. MOORE recalls that Male A did not say anything more specific. MOORE states Male A had brought him information



on other things before, but that they were not always true. He states the female firefighter who was alleged to have been assaulted by WIERENGA (she will be called Female A) approached him and said that he should not believe the male, that nothing had happened. MOORE states that Female A had been interviewed by him during the BRAUN investigation, and although she admitted she had also been victimized by BRAUN, she would deny it if questioned. MOORE felt that because she presented differently between the two discussions about her being victimized, that he should believe that the WIERENGA assault was false. He did not admit to knowing specifics and admits he did not investigate or report this situation to the Chief or HR, even when WIERENGA was accepted for the Leadership Development Program, or even when he was promoted.

It is important to note that by all accounts, DC MOORE and WIERENGA are good friends. MOORE managing serious concerns surrounding WIERENGA's past and recent behavior (ie: sexual harassment/assault) would raise a reasonable apprehension of bias concern, where he should have reported the complaint and recused himself.

These are very clear violations of the Prevent Violence in the Workplace Policy:

"Immediately reporting (to a supervisor or Human Resource Staff) incidents or situations of which they become aware and could constitute a violation of this policy."

And:

"Take seriously and report as soon as possible, all incidents of workplace violence, harassment, or discrimination of which they become aware, formally or informally."

Female A and several other female witnesses stated they would not bring forward a sexual harassment complaint because they were concerned, they would lose their jobs, and/or that they would be outcasted or treated poorly. They state that the firefighter/ paramedic community is very small, and the information would follow them even if they left the province to work elsewhere.

#### **Female B**

The investigators were given information that a female firefighter/ ACP (who asked that she not be identified) had been discriminated against by a Deputy Chief. She appeared to be avoiding meeting with the investigators (not returning emails etc.). When questioned about the incident, she minimized (in the investigator's opinion) the incident to a degree that the investigator felt would not constitute discrimination. When the writer told her that these actions would not constitute discrimination (as she described), she said: "so is this going in the report? Because I don't want to lose my job." It was evident that she was concerned about her job status for speaking to the investigator, even when she minimized the incident to a non-event.

#### **Chief CLANCY response**

Chief CLANCY admitted there are many still employed who do not believe women deserve to be firefighters and will discredit and belittle them at every opportunity. He repeatedly identified the previous Chief as the main cause of the negative aspects of the culture. He does not, however, identify a plan or an intention to change the perception. The investigators found that his actions in the more serious incidents that have occurred, have not supported the women.

As an example, some members (that did not want to be identified) stated that Chief CLANCY felt the BRAUN allegations were a 'witch hunt'. It was well-known that DC CHRISTENSEN was openly denigrating complainants in that incident, and then at the Rally, yet he was allowed to maintain his position of authority (and then given more authority).

There were recommendations that came from the <sup>Redacted</sup> SKINNER investigation (even though it was inconclusive), and recommendations from MOORE's investigation after the motorcycle rally, and it would have been the conscientious thing to do if they had formulated recommendations from the BRAUN investigation. The witnesses state that none of the recommendations have been actioned.

In the Officer meeting September 2019, (See SMITH report #1) Chief CLANCY was told by most of the officers' present that they knew women did not feel safe. However, he denies that this is currently occurring because he believes they would tell him, that he has a working relationship with the women and that his "door is always open." He also believes that his daughter/ firefighter is a good barometer indicating the treatment and feelings of other female firefighters, because she would tell him if she was being harassed. (As noted, he does not acknowledge that his daughter likely receives different treatment than others due to the repercussions likely to come from the Chief himself).

The Chief states he has made efforts toward supporting having females in the workplace and compares the higher female to male ratio at LFS to other services as an example of success in this area. He also points to the efforts he makes to promote this information, by using pictures of groups female firefighters in the public Leduc Fire Service Facebook page. However, some of the female firefighters interviewed resent this practise, they feel the photos are not representative of the reality of the manner in which they are treated. They see these actions as cosmetic, and so a false representation of their status. Many male firefighters believed this as well. One male firefighter described several of the challenges women face that men don't , but LFS leadership does not attempt to mitigate those challenges.

One example he described is as follows: He stated that most men entering as firefighters have experience backing up a big truck, or using a chain saw, which women do not typically learn before they work as firefighters. But LFS does not train anyone in these areas, and when women make attempts to learn or practise these skills, they are mocked and ridiculed. He described an incident when he was riding an ambulance with a female member driving. When they returned to the firehall, she stated she didn't want to back the ambulance up in front of the members. He told her he would walk her through it so she could learn, but when she started backing up, a male member smacked his hand loudly on the driver side window with intent to startle her. He said this type of behaviour is very common.

Chief CLANCY tends to distance himself from responsibility for the behaviour of those under his authority. Following the motorcycle rally, the Chief's Update included this passage:

*"As fire chief, I can assure you that termination does have a lot of relevance. This will include no access to our property, facilities, and under no circumstances, becoming a member of our Alumni. On hearing of this serious error in judgement, I immediately asked DC MOORE to investigate and provide me with all the relevant facts so I can try and understand how such a serious error is made. I can tell you that my preliminary review of the information from this investigation is very concerning. Following my review of the information, I will meet with the*

*Director of Human Resources, Chris Tobin, to formalize and follow through with any corrective action that is required on this matter. If anyone requires speaking to me with regards to this unfortunate error..."*

The messaging from the Chief in his 'weekly update' subsequent to the incident minimized the role CHRISTENSEN (and others) played. They understood clearly that it was not a "mistake" or an "error", and therefore they had no confidence in a "remedy". (Regardless, there has been no 'corrective action'. It has become cyclical: women are encouraged to report sexual misconduct to management, who are legally obligated to investigate properly and discipline inappropriate behaviours, but concerns are not taken seriously, or they use their own discretion to decide the validity of the complaint.

The policy states:

- Take appropriate measures to protect employees and others from offensive behavior
- Respond quickly to complaints in accordance with this policy

Despite Chief CLANCY's assertion that his open-door policy will encourage the women to come forward, the information gleaned in this investigation process shows that there are too many systemic and personal barriers. Women (and some men) note that their trust has eroded to the extent that they believe that complaints will not be acted upon and/ or the action will make the situation worse for them.

Those interviewed have not seen an indication that LFS intended to 'make people accountable for their actions,' Initiating an investigation on BRAUN's behaviour had the potential create trust, even though some women felt that most members and some management believed the complaints were fabricated. Any headway toward trust was destroyed when BRAUN attended the Motorcycle rally and several leaders refused to get him to leave or stop other members, and CHRISTENSEN from calling the women liars. STEELE reported several incidents over the course of years and she felt that she was worse off than if she hadn't reported it.

The policy states: "Take seriously and report as soon as possible, all incidents of workplace violence, harassment, or discrimination of which they become aware, formally or informally." Chief CLANCY has stated repeatedly that complaints have to be 'put on paper to show they're serious' and "it needs to be on paper before HR can do anything about it." stated that the complaint needs to be put on paper "or HR won't be able to do anything." This has been a serious misinterpretation of the policy and speaks to the erroneous notion that HR is the sole authority to act and has sole accountability for misconduct at LFS.

#### **Human Resources versus Operational Accountability**

It has been discussed at length the role Human Resources has played in harassment complaints in the past. It has been stated that there were some serious issues with the competency (and perhaps experience) of previous Human Resource Directors and others. As well, the relationship between HR and LFS Managers has been undefined and controversial. It is noted that interviews with DC MOORE, Chief CLANCY and Chris TOBIN have resulted in different identified thoughts around the relationship and accountability, between HR and LFS, and areas of authority and responsibility. As only one example, there was a delay when BRAUN was dismissed for sexual harassment and when this was reported to the College of

Paramedic (as directed in cases of sexual inappropriateness by members). LFS management believed that this responsibility should belong to TOBIN (or HR). However, the College of Paramedics requires that *any* paramedic with knowledge of sexual inappropriateness by another paramedic is required to report it.

**Another example is as follows:**

On August 20, 2020, M. SMITH wrote Chris TOBIN an email complaining that WIERENGA had a history of sexual misconduct at his previous employment that incurred a human rights complaint (therefore accessible to investigation). When asked if he pursued the complaint, he stated: "No, because she wrote back quite quickly after that, because I think she felt that she'd overstepped the boundaries of proprietary and really degenerated into a rumor and gossip. And she moved to essentially withdraw that." (See below for transcript excerpt).

There is no evidence SMITH withdrew the complaint, and she denies withdrawing the complaint.

From the TOBIN interview transcript:

*"And I thought that Mindy was going through a difficult period. And she'd been away ill. We've been advised at different stages during her absence, that she was an active addiction. And so as much as I could, within the bounds of reasonableness, I made allowances for some of her outbursts, which she made in different situations against different personnel. One of whom I believe is still away on psychological injury as a consequence of that, if I'm not mistaken, but then she moved fairly quickly, to ascend. That, in essence, by sending this follow up to say, I didn't really mean to do this and that I didn't mean to impugn his reputation or malign his integrity and blah, blah, just, I just kind of heard the circulating through the floor and thought you might need to be aware of it."*

In this case, TOBIN has reasoned and questioned the credibility of SMITH when she made the complaint implying it was because of SMITH's 'addiction issues.' He mentions her outbursts (including one that resulted in psychological injury" of a peer being in "active addiction" when she made the complaints) This is similar reasoning MOORE used in assessing the validity of the complaint by Male A; the analysis (and judgement) is on the complainant, rather than on the potential veracity of the complaint.

Tobin's response on March 28, 2021, at 1305 hrs:

*"I will take the content of this, and your earlier email, under advisement."*

As other interviewees noted, SMITH is left to wonder if the information was investigated.

There was nothing done to address historical allegations of sexual misconduct with the new Deputy Chief, Wierenga or Tobin. Tobin's mention of SMITH's addiction was an indication that he did not deem the complaint as serious, due to her medical condition.

On the day of the Motorcycle Fundraising Rally that BRAUN attended, SMITH was the only Captain to identify the concern and contact DC MOORE. DC MOORE ordered that BRAUN be asked to leave, there was much hesitation and lack of response by the other Captains, and

actual open resistance by DC (Acting Chief) CHRISTENSEN and others. SMITH is convinced that had she not been Acting Captain that day, the event would have proceeded with BRAUN being in a place of status, with apparent disregard for the feelings of the women (and some men) who were appalled at his presence. SMITH was also concerned that no action would be taken after the event to ensure that a similar incident would not reoccur. Therefore, SMITH submitted a written complaint regarding the Rally, reporting the actions of the Captain that invited BRAUN, the reluctance of the Captains to remove BRAUN, and the behaviour displayed by Acting Chief CHRISTENSEN (and a retired DC), and the traumatic response displayed by several female firefighters.

In the written complaint submitted to Chris TOBIN, SMITH asked that she remain anonymous as a complainant as she was concerned about repercussions. She provided enough information about witnesses and victims that it could be easily investigated without identifying who made the complaint. Without notice or discussion with SMITH, her complaint was passed on to LFS management, there was no effort to disguise her identity or suggest that her identity as the complainant be held in confidence.

DC MOORE had also written a complaint and had (according to him) written his resignation in anticipation of a lack of response, stating that if the incident was not going to be investigated, he would resign. In light of this, there was no reason to disclose that SMITH was the complainant. This pattern of disclosure of private and personal information, as well as mismanagement of past complaints has led to an overwhelming disinclination to trust that they will be protected if they do bring forward a complaint, or that any genuine effort to investigate will be attempted.

DC MOORE was assigned to complete an investigation on the events of the Rally. The report appears comprehensive and identifies actions by attendees. The report did not include a statement by Acting Chief CHRISTENSEN, as MOORE was his peer and that would have been inappropriate. Chief CLANCY supplied a statement by CHRISTENSEN. In the statement, CHRISTENSEN states he did not invite BRAUN (which was not in question). He did speak at length about how he arranged to meet BRAUN to go to the rally, why he didn't meet at his (CHRISTENSEN's house) because his wife was sleeping, and his dog would bark and that Captain INGRAM asked BRAUN to leave. There is no mention of his role in any other capacity. He does not mention, at all, his interactions with anyone, he does not speak about disparaging remarks he made to and about female members, he does not say anything about refusing to ask BRAUN to leave himself, he does not say how he knew of the complaint or that he understood the inappropriateness of BRAUN's attendance. His statement sounds like a statement from a witness who observed several minutes of the incident.

Unfortunately, this statement was accepted, by Chief CLANCY, as a valid response of the acting Chief in a serious incident in which he behaved, by direct action and inaction, in what would reasonably be interpreted as disrespectful, callous, and unconscionable manner, particularly towards the female employees who had been sexually harassed and touched by BRAUN.

The report included six recommendations that the investigators believe to be practical and pre-emptive, however, it has been reported that none of these recommendations have been enacted.

## **Accountability**

The leadership of Leduc Fire Services place the accountability for the varying concerns and how they are managed onto Human Resources where convenient. Alternatively leadership makes inappropriate and damaging decisions without consulting with Human Resources, on other occasions.

### **G. Chief CLANCY actions/inactions and influences on investigations**

#### **Chief CLANCY response to BRAUN investigation**

Chief CLANCY was said to have called the allegations against BRAUN (in 2019) a “witch hunt”. Interviewees asked the investigators not to identify the source of this information. In the investigation report #2, STEELE, where Clancy is the respondent to an allegation of a historical sexual assault on STEELE, he responded to the investigators:

*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.*

*CLANCY's transcribed quote on this issue is as follows:*

*“Her, her story of what evolved, to me is the opposite of what actually happened. and now I have concern. And I'll be honest with you, is when she made an accusation against Vince Braun, I started to second guess or did that really happen. So that's where I'm coming from right now, and that's what's really disappointing with this.”*

( See Christa STEELE report #2 where, on the balance of probabilities, the allegation of sexual harassment/assault made against CLANCY by STEELE – corroborated to a degree by an independent witness, is deemed founded)

Based on the above, it is reasonable to infer that CLANCY, contrary to his e-mail to all staff, was not inclined to thoroughly investigate, and hold persons to account for the circumstances surrounding BRAUN showing up at a department event – as he questioned the veracity of the complaints and was overheard by witnesses as describing it as a “witchhunt”

#### **Chief CLANCY response SMITH and STEELE investigations (Facebook)**

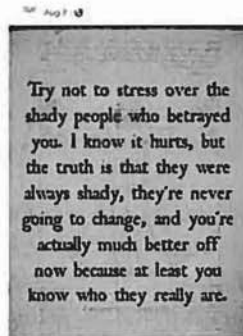
Unfortunately, the investigators saw a similar message from Chief CLANCY arise during this investigation. Both investigators were sent memes from Chief CLANCY's Facebook page (Accessible to his Facebook friends, not to the public), from two different sources. The memes were obvious messages about being betrayed, that karma would reach those who betrayed etc. and the concepts of revenge. When questioned about these memes, Chief CLANCY readily admitted putting them on his Facebook, and unapologetically noted that he is hurt, (related to these investigations) and it should be okay to express his feelings of betrayal publicly.

He denied the possibility that as Chief, this would be seen to be inappropriate in the circumstances, or that these indicated his position was that complaints made or allegations were a betrayal and unfounded. Further, the Chief could not see that his position of power may add credibility to his opinion (with other LFS employees he is Facebook friends with) and therefore intimate that the allegations are false and brought forward in a vexatious manner. Further, CLANCY seemed unable to grasp that by inferring those complaints about him and his department, was a betrayal, that he was, from his position of ultimate power, contributing to the fear of many employees to bring forth complaints of misconduct.

Lastly, a reasonable person would conclude that the posting of the memes, that he has readily admitted to doing, were to express his views on the investigations. This is reasonably analyzed and assessed as interfering with, and attempting to influence, an ongoing investigation, where he is a respondent of allegations of sexual assault, harassment, discrimination and mismanagement.

The memes sent to the investigators took place over June – August 2021 (while the investigation was ongoing). This was reported to City of Leduc HR for the purpose of someone in authority directing the Chief to stop posting these due to the above reasons.

### The Memes





It should be noted that several of his posts, where he clearly depicts himself as a victim of betrayal (and admits it was in response to these investigations) were “liked” by his daughter, an employee of LFS.

**Chief CLANCY – Indiscreet vocalization of his biases/opinions/dislike or favor for employees**

Chief CLANCY is well-liked by some but has frequently been indiscreet in vocalizing his opinions that would reasonably be seen to create conflict and fear among employees. As an example, Allan DIGNARD, a respondent, became tearful during his interview stating that the Chief has bullied him his whole career, by making snide or demeaning remarks. He is very aware that the Chief has a personal dislike for him, which the Chief openly admitted (without prompting) in his interview with the investigators.

The investigators heard from others that they also dislike DIGNARD. One Captain claimed that the Chief stated that people had complained about DIGNARD, but they could not get rid of him from the LDP without written complaints. When the Chief was told about the allegation by STEELE from 2004, and again that OSMAK continued to feel that the organization (him included) did not do enough the sexual assault from 2014, he appeared shocked.

He stated STEELE and he have a close relationship, that she comes into his office and chats in a friendly way, and that he knew OSMAK from the community and convinced her to become a FF/ACP, that she also has a close relationship with him. He views those as indicators he is trusted and respected and is unable to fathom that they could be traumatized and not show it in day-to-day interactions. In the same problematic perspective, he has difficulty understanding that having his children as members could cause conflict, because they are good at their jobs, and therefore deserve to be there. Any other concerns brought to him about the situation (either by staff or the investigators) is inconceivable to him. (see below re: nepotism)

The investigators would like to note that frequently, Collective Agreements, or policies, will include that any harassment complaints are immediately moved past the level of authority of the respondent (in this case the Chief) and can be raised to the level of the equivalent of the City Manager. This prevents some bias and ensures that the complaint is placed in the hands of a person qualified and informed to manage harassment complaints.

The Collective Agreement for Leduc Fire does not have this process included in it.



### **Chief CLANCY's Disposition and credibility during the investigations**

The two seasoned investigators identified serious concerns with Clancy's credibility and disposition during the several interviews where he was being given opportunity to respond to new and historical allegations. As identified in Report # 2.

*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.*

On December 10, 2021, because of new evidence related to the discrimination of complainant SMITH and her medical condition, the investigators were provided evidence that SMITH's medical records were accessed unlawfully accessed by someone in the Leduc Fire Services, breaching the Health Information Act. Further evidence, because of the breaches, was provided to the investigator by SMITH, that CLANCY had been inappropriately asking SMITH's colleagues about SMITH's condition. In one instance the colleague he had asked sent an e-mail to him telling him it was inappropriate for him to be asking her about SMITH's condition (See Report #1 SMITH). Two employees had warned CLANCY that his inquiries were a violation of privacy laws.

With this new information, CLANCY was provided with the opportunity to respond in an interview. CLANCY was very angry with the investigator when interviewed and stated that these continued allegations are harassment against him, and he was considering making complaints against his accusers.

### **Chief Clancy influencing an investigation where he is the respondent of alleged misconduct**

On December 9 and 10, 2021, investigator McCallum advised CLANCY that she would like to give him opportunity to respond to the new information received that week- re: the breaches of privacy related to SMITH as there was evidence received from Alberta Health Services investigation identifying that he had or may have breached privacy/health information.

As this new information received was clearly related to the allegations brought forward by SMITH, it is considered as highly relevant to the allegations of harassment and discrimination towards her medical condition. To ensure the principles of natural justice, and procedural

fairness were adhered to, CLANCY was provided with the information and the opportunity to respond.

In addition to him voicing his anger and displeasure at being asked about the breaches, on December 10, 2021, the Human Resources Director sent Veritas Solutions' principal director, Bob Stenhouse an e-mail which stated, in part:

*With respect, and without prejudice, to the stated need of your investigative team to conduct further interviews this morning, regardless of the fact that we have received the first of four reports with the remaining three promised for next week, I am beginning to question the need for further interviews. With respect to this particular one, regarding an alleged privacy breach, we already have received a thorough report on that via another investigative agency, which the complainant also received.*

*Unless you hold the strong belief that additional investigation on the part of your team will radically alter your determinations and assessments (see excerpt below from your recent correspondence) then I find it less than profitable to continue this costly process (now at almost triple the original estimated cost). In addition, I strongly believe that further protraction of this lengthy (almost six months) process is now becoming increasingly damaging to the psychological health and safety of employees, and adversely impacting working relationships. Unless you can provide me with compelling reasons to continue, then I will call a halt to further proceedings, and await receipt of the remaining reports.*

While the investigators have not verified whether CLANCY had contacted the HR Director, and voiced his displeasure, it is a reasonable deduction that this occurred as the HR Director would not have been aware of this interview, unless CLANCY advised him and the response from HR was within hours of CLANCY's interview.

The respondent of serious allegations interfering with and attempting to influence the outcome of an investigation is highly inappropriate and places the integrity of the investigations and purpose of hiring an independent and impartial investigations firm in jeopardy.

#### **Chief Clancy not including two complainants and others on all staff e-mails**

The investigators were made aware by four persons (SMITH, STEELE, OSMAK and one unnamed) that CLANCY had sent out all staff e-mails and excluded them from the list. As the employees are still employees, despite current leave, this is being experienced by them as further discrimination and bullying by isolating and not including them in information provided by others. This concern has not been tested to an investigative standard due to the above mentioned influence and restriction on the scope of the investigations.

#### **h) Discrimination on protected grounds (Alberta Human Rights Act)**

There were two common areas of concern for witnesses, namely discrimination against those who are pregnant or on maternity leave, and discrimination based on mental disability:

##### **Discrimination based on pregnancy:**

Investigators were told by several members that others were told by DC MOORE that they were not allowed to get training, get training paid for, or become full-time members because they were pregnant or 'kept getting pregnant. Investigators spoke to women who this is alleged to have happened, but they refused to speak candidly to investigators, which causes investigators to be concerned that this is true, and that they are too intimidated to report this concern.

#### **Discrimination based on mental disability**

Investigators heard from interviewees that a significant change in status occurred for them after they incurred a psychological injury. By reports by complainants SMITH and STEELE, we found multiple incidents of workplace harassment and discrimination by members and management. Members who have not suffered the same injury also noted that members are treated poorly after they go on leave for mental health issues or are diagnosed with mental health issues. One member described it as "discarded broken toys".

This is confirmed in the findings of the SMITH report, #1.

Investigators also found that return to work plans for those on mental health reasons were inconsistent and often cursory. A major issue is that the DC of Operations (MOORE, previously CHRISTENSEN) is also the manager who coordinates progressive return to work plans and liaises with healthcare providers and WCB and OH&S caseworkers, however, he is not bound by their recommendations. Therefore, the decision-maker of return-to-work plans is also the person with the conflicting role of ensuring people get back to work as soon as possible. (This is further described in the STEELE report #2).

Chief CLANCY feels that the issues around return to work plans and mental health management can be resolved with the implementation of peer support programs (one of the members is a leader in a volunteer peer support program, and AHS has a program model of peer support). However, these are supplementary programs and do not substitute for mental health professional involvement. In fact, the investigators learned that the former program holds meetings in the Legion and includes an open bar. LFS has engaged psychologist Jeff SYCH in a very limited role as Advisor of the "Critical Incident Stress Management" program (also peer support). He currently advises over 50 similar organizations and has had success with various programs and plans, but LFS has chosen not to expand his role.

#### **1) Nepotism**

Almost without exception, the interviewees commented on the impact and perception of employing the Chief's children. (Shane CLANCY and Sinead CLANCY). They do not doubt that either one of them is qualified or competent. They do not appear to resent or dislike them, but they do identify many consequences (to the organization and themselves).

The City Leduc has policy that speaks to hiring relatives. From City of Leduc Policy # 12:05:09

##### **"Hiring of Employees Relatives:**

- Supervisors and managers will not participate in the selection process where a candidate is a relative of theirs.

**Employee's relatives will not be employed:**

- Where a relative would directly or indirectly supervise or control another relative;
- In the same department or section as the relative;
- Where such employment could jeopardize proper financial control;
- Where the potential for favoritism conflict of interest might exist.
- Unless the employment is otherwise authorized by the City Manager.

According to Chief CLANCY, Sinead was initially denied the opportunity to be employed with LFS when she first applied, in August 2014, because of the "Hiring of Employees Policy." He states that denying her this opportunity amounted to 'discrimination' against Sinead. He says he approached the City Manager (Paul Benedetto) to complain, and that it was reviewed, and that Benedetto issued a letter exempting the policy for Sinead. Many of those interviewed state that they asked Chief CLANCY if this was a conflict of interest, he stated that he got it cleared by the City (which he did under threat of not hiring as being discrimination).

**The following is the timeline of the CLANCY son and daughter being hired:**

- January 16, 2014 - Shane CLANCY gets a Paid-On Call (POC) position; his relationship with (at the time) DC CLANCY is not addressed as per policy 12:05:09 "Employment of Relatives".
- August 27, 2014 - Sinead CLANCY applies for POC employment.
- September 14, 2014 - Chief CLANCY, who was Acting Chief, gets promotion to Chief.
- January 14, 2015 - Sinead CLANCY is hired as a POC employee. A letter (Titled: Memo to File - Sinead CLANCY) written and signed by then City Manager Paul Benedetto authorizes employment of Sinead CLANCY while her father is Chief, and her brother is a firefighter paramedic at Leduc Fire.

In the letter, Sinead's hiring could be rationalized by then city manager Paul Benedetto. This is an exemption letter that states the policy is not applicable to this situation, and also explains how any concerns that may arise have been mitigated.

The letter states that the policy does not apply to this situation because Sinead applied for the position before her father was permanently appointed Chief. However, this is not what the policy says, and *does* apply whether he was Chief or Deputy Chief since the policy only uses the term "relative".

The policy states:

- Where a relative would directly or indirectly supervise or control another relative;
- In the same department or section as the relative;
- Where such employment could jeopardize proper financial control;"

It is, by the definition of the policy, moot point whether he was Chief CLANCY or Deputy Chief CLANCY at the time.

As well, the policy should also apply to Shane CLANCY (Chief CLANCY's son), but there was no exemption letter when Shane was hired as POC (January 9, 2014) nor when he was hired as a full-time member (October 29, 2019). Therefore, this violated Leduc Fire Service violated Policy 12:05:09, "Hiring of Employee's Relatives."

Sinead CLANCY, the Chief's daughter, was hired as a POC member on January 14, 2015. She does not have an exemption letter that adequately explains a reason for the exemption. The letter allowing an exemption to the policy (written by then City Manager Paul Benedetto), is erroneous, and does not provide a legitimate rationale for the exemption. The following is an analysis of the interpretation of the policy by the City Manager, Paul Benedetto.

In the letter by Benedetto, support for the decision to exempt Sinead CLANCY from the "Hiring Relatives" policy, Benedetto stated that "there have been no problems in the cases where married couples are employed at Leduc Fire", he states they are not working on the same platoon with the same Captain.

This rationale does not address the obvious concern that her father is at the top of Sinead's chain of command, no matter what her position. Therefore, Chief CLANCY would indirectly supervise her.

Benedetto notes in the exception letter that controls were put in place "to manage feedback on Sinead CLANCY for performance and future promotion opportunities any real or perceived conflict of interest or bias..." This is faulty reasoning, as the City Manager would not have first-hand information on Sinead's performance, and consulting Sinead's Captain or any Deputy Chief would place them in the same precarious position as if they were assessing her themselves.

Of note, Sinead has not had any performance appraisals as POC or full-time, by anyone. Shane received appraisals annually from 2015-2017. He has not had an appraisal since that time.

In the exemption letter, Benedetto stated that: "The promotion of DC CLANCY to Fire Chief has now created the same potential for his son. So, the circumstances already exist." This rationale has the same problems as were noted regarding Sinead. Whether Chief CLANCY was Deputy Chief, or Chief is irrelevant to the policy. The policy uses the term "relative". Since the policy existed when Shane CLANCY was hired as POC in January 2014 (while his father was a Deputy Chief), hiring Shane, without an exemption to the policy, is in violation of the policy. Benedetto states that hiring Sinead is not different from hiring Shane, and that "the situation already exists." The situation exists only because the policy was violated when Shane was hired. Shane was hired without an exemption to the policy, so in essence, Benedetto used the violation of the policy that allowed Shane to be hired as a supporting factor in hiring Sinead.

The Chief had been challenged by LFS members asking him if this situation is a conflict of interest. He told them that it was approved by lawyers, but this has not been confirmed. A reasonable interpretation of the letter shows that it uses questionable reasoning. Therefore, the motivation for writing the exemption letter is suspect and consideration should be given to the possibility that the exemption letter is a misrepresentation of an effort to abide by the policy.

Hiring Sinead after hiring Shane would also require a review of the policy (and exemption). Shane is a relative of Sinead, therefore required an exemption of the policy. There is no exemption, therefore this policy was violated again.

Both Shane and Sinead obtained full-time positions (on October 29, 2019, for Shane and on November 28, 2019) when both of them were relatives of Chief CLANCY. Hiring either of them into full-time positions would require another exemption. No exemption was made by the City Manager for either Sinead or Shane, which is in violation of the Policy.

Kieran KELLY is Deputy Chief Gerry KELLY's son. No exemption to the policy was made when he was hired, therefore, the policy was violated once more.

Interestingly, the Chief appears to assess the reasoning for such a policy, and the possibility of a conflict of interest, only in terms of the supervision of his children. He dismissed this concern in these two cases because "there are several layers" (of rank) between him and the children. It is felt that he interprets the policy solely as a possible real or perceived conflict in supervision and does not acknowledge other possible areas of conflict. He does not recognize the compromising position he is putting the members who are preceptors of Shane and Sinead's practicums. Failing a student in their practicum results in termination of employment since it is a condition of employment. Chief CLANCY does not accept that being the work partner of the Chief's children would be an uncomfortable and potentially compromising situation. He did note that he would "never do it again", as he now recognizes that his children are in an uncomfortable position.

Also of note, HR Director TOBIN described the process of hiring the CLANCY kids as being acceptably mitigated because the Chief was not on the board that interviewed and hired them. He failed to see other potential consequences and conflict of interest such as promotion of the CLANCY kids, the precarious position of those that supervise and partner with them, the event that promotion or discipline may present, should it be required, and the perception and appearance of bias and prejudicial treatment.

Further, it is arguable that the hiring board was formed by senior leaders who report to CLANCY. Not hiring the CLANCY children, based on the abundance of evidence gleaned through these investigations, would likely negatively affect the persons on the hiring board.

Tobin suggested that it is not possible to anticipate a perception of bias by other members, however, it is apparent that this is a common concern for those interviewed. Many witnesses discussed the Chief's children being hired and concerns for bias, including:

- being uncomfortable supervising or partnering with them,
- being uncomfortable that Shane CLANCY is a trainer and got to go to a conference in the US,
- that Sinead CLANCY "put a firetruck in the ditch" without repercussions,
- that they get to complete their ACP practicums at LFS (a very unusual opportunity, which allows them to access shifts as well) and that they wear LFS uniforms instead of Paramedic School uniforms that all other students are required to wear.
- Student uniforms are an industry-wide standard that identifies qualification levels to medical staff and to patients who may choose not to be treated by a student.

- Interviewees at LFS claim that Shane is currently a full-time member who is also completing his ACR practicum at LFS but is on medical leave because the combination of work and practicum has become too stressful for him.
- Members believe he is getting paid while not working but is completing his practicum.

Note: This is not confirmed by the investigators, however, true, or not, the perception of members is that Shane is being paid to complete his practicum.

### **Shane Clancy performing paramedic duties while his licence was suspended**

As a result of the concerns of the witnesses (to remain anonymous for this report) the investigators during the course of the investigation were told that Shane Clancy had his paramedic license suspended several times by the Alberta College of Paramedics, for failure to have insurance ( a requirement of the legislation/Health Professions Act)

Of concern was the timeframe, Jan. 1, 2020 to August 10, 2020 where he did not have a license. LFS HR/ Payroll indicate he worked multiple shifts during this period as a Paramedic.

This information was provided to City of Leduc Human Resources as additional information to be investigated. Veritas Solutions, principal director was advised that the City of Leduc did not want this investigated by their firm, and would address it internally.

This information, however, does contribute and add weight to the overall concern of nepotism and is a serious breach of law and policy and placed the City of Leduc in legal risk.

### **Ratified Collective Agreement – re: paid on call going towards seniority**

Several members interviewed raised suspicion that the collective agreement was ratified with an additional clause that allowed POC hours to count toward seniority. The timing of the ratification with this new clause occurred within weeks of the CLANCY children getting full time employment. This clause allowed the CLANCY children to achieve higher seniority over those hired prior to them, by virtue of this new clause.

Not all of these assertions and concerns have been confirmed or tested by the investigators. The investigators have ascertained that Shane Clancy is a trainer (employed by the private company that provides contracted training to Leduc Fire Service), that both Shane and Sinead are completing their ACP practicums at LFS and are wearing LFS uniforms (while all other practicums wear school uniforms), that the Practicum Supervisor and members have concerns about a conflict of interest for those supervising them, and that the contract with the clause beneficial to the CLANCY children was ratified within weeks of their hiring.

TOBIN believes that perceptions of members are unpredictable. He states: “we always try to make sure that whatever our actions are defensible. I cannot make provision for people who are strangers to the truth, who varnished the truth, who avoid the truth entirely, or make up their own stories, or put their optics and their perceptions forward as reality, or as factual out there simply is no legislating for behavior. All you can do is run really good, professional, well researched, documented, defensible processes, and go forward and do

your work. Because if you were worried, every two minutes about what the optics were going to be, especially in a firehouse, where people sit around at tables on 24-hour shifts and speculate and gossip and rumor and make up stories where real stories can't be published or articulated to people, then you'd be mobilized into inaction." (Reference TOBIN interview Summary).

Many, if not all of the witnesses interviewed expressed belief that the CLANCY children (as well as others) had preferential treatment and will continue to have preferential treatment. Based on the information obtained it is a reasonable belief and concern.

The most significant impact to the members was expressed by the contracted psychologist as being contrary to the constant assertion the Chief makes that the members have a voice, are welcome to bring concerns forward, and can be trusted to be 'not prejudicial', unbiased and fair. He stated that when the Chief's children were hired, trust in LFS leadership has been negatively impacted.

Chief CLANCY believes that having his children employed is an added benefit to his ability to monitor the culture, particularly sexual harassment issues, because he feels his daughter would tell him if she was being sexually harassed or discriminated against. He noted that when a female member refused to sit beside BRAUN (the previous member that was founded to have sexually harass), Sinead agreed to sit beside him. He believed that was an indicator that BRAUN was not abusive to females because he didn't sexually harass Sinead (noting that Sinead is even younger than the other female). He did not appear to understand or concede, when it was suggested by the writer, that BRAUN, or any other sexual harasser would be very unlikely to harass his daughter, by virtue of her being his daughter.

Christa STEELE is a complainant that has made a dated sexual harassment allegation against the Chief for sexual harassment. Chief CLANCY has been very critical of this (and other) allegations, stating that if they were true, they would have been brought about at the time of the incidents. There are many reasons a person would be reluctant to bring forward complaints and those concerns would be especially so when the complaints are against the most senior person (or any person in power). The writer accepts STEELE's explanation that she had decided that she would not make the complaints against the Chief until she was not likely to return to work at LFS, as she knew that regardless of the consequences to the Chief, she would be forever in a position of risk of retaliation by his kids, which could be expressed by "leaving her in a burning house." Therefore, the cost to the organization and the individual employees when nepotism occurs is not limited to perceptions of preferential treatment, it can result in a faction of employees who have all the power (informally or formally). This is somewhat confirmed by Sinead CLANCY's "like" of her father's memes depicting him as the victim of betrayal.

#### **4. CONCLUSION**

The following conclusion and analysis is being provided as professional opinion and reasoned analysis of all information and evidence the investigators were privy to. Some of the allegations contained in this report have not been tested to the extent of the specific allegations outlined in Reports 1,2,3.



That said, the volume and preponderance of the evidence gleaned, would be assessed by the reasonable person, as supporting this analysis and opinion.

The investigation conducted into the allegations of two complainants quickly expanded into a myriad of concerns and issues that members of the LFS kept to themselves for quite some time. The interviews were an opportunity for the members to state their concerns in safety which is not uncommon for people to feel safer talking with strangers than discussing the issues with someone inside their place of work. It became very clear to investigators that the erosion of trust within the LFS organization has some history, and the membership still views distrust/no trust with some management because of the historical mismanagement and failure to provide a safe environment for the employees to live and work.

It is fair to say that management does not walk the talk when it comes to understanding the behaviours that constitute discrimination whether it is based on gender, mental disability, sexual orientation. It requires attention to the everyday behaviors that would be seen by a reasonable person as unprofessional, disrespectful, unwanted, inequitable and a general disregard for following company policies, legislation or appropriate leadership expectations related to respect and dignity for all employees.

The notion that members continue to feel unsafe when speaking of issues and were concerned about what investigators were going to do with their information speaks volumes about the mistrust in the organization. Taking concerns seriously is a step forward in building trust to allow members of the organization to feel comfortable and confident that their concerns will be listened to and taken seriously and addressed accordingly.

Leadership appears to not understand Post Traumatic Stress Disorder, and how it manifests in their members' behaviors to truly appreciate why communication is so vital to their recovery and integration. There are currently ten members off for a variety of reasons and that is concerning.

Investigators conclude from their interviews and review of policies that the Leduc Fire Services, under the overall leadership of CLANCY, has a culture of fear that is based on the failure of management to apply the policies consistently and fairly, rather than use when it is convenient to them, which is what the members see.

### **Psychological Health and Safety**

It is helpful to look to acceptable definitions and best practices related to psychological health and safety, to appreciate the seriousness and depth of concern for the Leduc Fire Services, and legal risks to the City of Leduc.

The CSA Standard Z1003-13 (R2018) "Psychological health and safety in the workplace" defines a psychologically healthy and safe workplace as a "workplace that promotes workers' psychological well-being and actively works to prevent harm to worker psychological health including in negligent, reckless, or intentional ways."

It is the findings of the investigators that the actions/inactions of the senior leaders mentioned in this report combined with the apparent minimal or absence of accountability (or checks and balances) on senior leader's power and authority, whether by negligent, reckless or intentional ways has caused for a psychologically unsafe and harmful culture.

### **Patterns of Behavior and Cumulative Effect**

The three aforementioned reports 1,2,3 in addition to the new information in this report identify serious patterns of behavior, either through negligence, reckless, or intentional ways– that have the cumulative effect on the complainants, and other unnamed employees, as falling within the definitions of harassment, bullying, sexual harassment, and discrimination on the grounds of gender, sexual orientation, and medical condition.

### **Risk Assessment**

The legal, financial, and reputational risks to the City of Leduc, in relation to the information in this report and these investigations and complaints, are high.

Similar to the situations reported in the news media, Human Rights tribunal decisions, arbitration and court decisions, as related to other male dominant military or para-military organizations around the country, the City of Leduc Fire Services and the City are at risk if these investigations are not managed appropriately.

### **Risk Mitigation**

The City of Leduc can mitigate these risks by ensuring that those who engaged in misconduct, by negligence, recklessness or intent are held accountable.

The City of Leduc can further mitigate these risks by ensuring that the targets/victims/complainants of the founded allegations are provided remedy and are made whole.

The City of Leduc can mitigate other ancillary risks by addressing and correcting the systemic issues and concerns identified in this report.

### **Unresolved or uninvestigated issues**

This report also identifies allegations of misconduct or breaches of policy and legislation that have yet to be tested through an impartial and thorough investigative lens, by experienced and independent investigators, within the principles of natural justice and procedural fairness

- 1) Nepotism and preferential treatment
- 2) Unlawful access/breach of the Health Information Act and Freedom of Information and Privacy Act
- 3) Conflict of interest re: Captain's owning a private company used by the City of Leduc to train their peers/recruits – with leadership influence or direction on what trainers ( other employees ) the Captain's/owners are required to accept and pay through their company.
- 4) Excluding members/employees from all staff e-mails and communications

## **Documents and Appendices**

Most documents referred to in this report are attached as appendices in reports 1,2,3. As this report was one that was not prepared to an investigative standard, the appendices have not been attached but remain available through reports 1,2,3.

## **Recommendations**

The three independent investigation reports, in addition to this report, have identified significant historical and systemic misconduct and mismanagement. While the consultants at Veritas Solutions would have many recommendations to make, to transform the culture into one of trust and psychological safety, this has not been requested by the City of Leduc.

As Veritas Solutions is a full suite Human Resource and Labour Relations risk management firm, the expertise exists within our services to provide the very challenging support and transformation actions that are necessary to ensure the City of Leduc is not faced with further legal risks and exposure.

## **Acceptance of this Report**

The consultants acknowledge that this report and the three separate reports alleging specific harassment/bullying, sexual harassment, and discrimination (all of which will be founded) will be very challenging for some to accept. This is a normal response where there may be historical loyalties, complicity, denial, perceptions, biases, pre-judged outcomes, and absence of accountability, at play.

The consultant/investigators, respectfully, stand by their findings, as difficult as they may be to accept. The consultants and the principal director, are available for any discussions or need to address concerns on the findings of the investigation reports, and the identification of these systemic issues and other concerns found in this report.

## **Respectfully Submitted by:**

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