

Odai Sirri, General Manager, Western Pacific Marine
Via Email: odai@harbourcruises.com

Mike Fenton, BCGEU
Via Email: <mailto:Mike.Fenton@bcgeu.ca>

Vince Ready, Labour Relations Board
Via Email: information@lrb.bc.ca

April 4, 2025

Dear Mr. Sirri, dear Mr. Fenton, dear Mr. Ready,

Re: Kootenay Lake Ferry Service Disruption - Impact on School District 8 (Kootenay Lake) and Request for Essential Service Designation

I write to you as the Superintendent of School District No. 8 (Kootenay Lake) to formally document the serious impact that the ongoing Kootenay Lake ferry strike has had on our students, staff, and school operations, and to urgently request that the ferry service be designated as an essential service with immediate restoration of consistent operations. This letter provides a

Background and Context

On November 3, 2024, approximately 80 ferry workers on the Kootenay Lake route (Balfour-Kootenay Bay) and related cable ferries (Harrop and Glade) went on strike amid stalled contract negotiations. From that date, ferry service was drastically reduced from the normal schedule of about 10 daily sailings each way to just 3 sailings per day on weekdays (and only 2 on weekends). This limited service was focused on essential travel only, with priority boarding for passengers such as those with medical needs, students, and school staff. The workers' union maintained this reduced schedule for many months, causing severe constraints on mobility for our school communities.

As of March 20, 2025, the union's job action transitioned from a full strike to an overtime ban. This change allowed a return to the regular winter timetable for the ferry, theoretically restoring more frequent daily crossings. However, under the overtime ban the ferry still cannot sail if doing so would require crew to exceed their regulated hours. In practice, this means sailings are still frequently cancelled on short notice whenever staffing falls short or delays

occur - for example, four sailings were cancelled on March 20 alone due to crew hour limitations. The net result is that despite an official return to schedule, reliability remains poor and the situation for our district has not improved. The uncertainty around day-to-day ferry operations continues to disrupt school services.

Compounding the issue, the alternate travel route for those living on the east side of Kootenay Lake is a 200+ kilometer roundabout journey over the Kootenay Pass (Highway 3) - a high mountain pass that is often treacherous in winter. This alternative drive typically takes 3.5 to 4 hours each way in good conditions, and has been subject to frequent closures and safety hazards due to heavy snow and avalanche risk. Indeed, during this winter there were multiple instances of Kootenay Pass being closed for avalanche control or storms, leaving East Shore residents effectively stranded.

Relying on this route is neither practical nor safe on a regular basis, especially for daily school commutes. Families are essentially faced with two options: a severely limited ferry service that might cancel without warning, or a long, dangerous drive around. Both options have proven disruptive and unsustainable.

Impact on Student Learning and Attendance

From an educational standpoint, the ferry disruptions since November have had a pronounced negative impact on student learning and attendance in our district. School District No. 8 (Kootenay Lake) serves a broad region including the communities on the East Shore of Kootenay Lake (around Crawford Bay and area) as well as Nelson and surrounding areas on the west side. Many of our students and staff depend on the Kootenay Lake ferry to get to school. The unpredictability of service and reduced sailings has resulted in missed classes, lost instructional time, and great difficulty in planning school programs. We wish to stress the following factual observations:

- **Chronic Absences and Missed Instruction:** Students who live in ferry-dependent communities have experienced repeated absences. For example, at Crawford Bay Elementary-Secondary School (our K-12 school on the East Shore), on numerous occasions students were unable to attend because the morning ferry run was cancelled or fully booked with essential traffic. Some high school students from East Shore who attend L.V. Rogers Secondary in Nelson (for specialized courses and programs not available at Crawford Bay) have missed entire days of school when they could not secure passage. Even when ferries ran, the drastically reduced schedule (only three crossings per day) meant students often had to leave school early or arrive late to fit the ferry times, losing hours of learning. Over the five months of the strike, these lost hours have accumulated, putting students behind in coursework through no fault of their own.
- **Disruptions to Programs and Extracurriculars:** The ferry's limited operating times effectively cut off after-school and extracurricular activities for East Shore students. For instance, sports teams at Crawford Bay School and other east shore youth programs have been unable to travel for league games or joint events in Nelson due to the lack of an evening ferry. Similarly, Trafalgar Middle School and L.V. Rogers Secondary in Nelson

have a number of students and families from the East Shore - those students could not participate in early-morning or late-afternoon practices, band rehearsals, or tutoring sessions because they had to catch the only return ferry of the day. Important enrichment activities, field trips, and cultural exchanges between schools were cancelled or postponed, narrowing our students' educational experience.

- **Diverse Learning Needs Impacted:** The strike has been especially hard on students with diverse learning needs, including those with disabilities or special education plans. These vulnerable learners rely on consistent routines and, at times, support services that come from across the district. For example, specialized itinerant staff (such as speech-language pathologists, school psychologists, or Indigenous education support workers) could not reliably travel to Crawford Bay or other isolated schools, meaning that therapy sessions and support programs were frequently skipped or delayed. Interruptions in service disproportionately affect these students, who struggle to regain momentum after each disruption. Consistency is key for their progress, and the ferry's inconsistency has undermined the equity efforts we strive for in supporting diverse learners.
- **Indigenous Students and Remote Communities:** Our district includes Indigenous students and families in remote areas who have been further isolated by the ferry's unreliability. These families often balance traditional ways of life with the need to access education and services across the lake. The strike has meant some Indigenous students could not attend inter-school Indigenous cultural events or access language instruction offered in Nelson. It has also made it harder for Elders or knowledge-keepers to visit our East Shore school for cultural programming. This widening gap in access is a grave concern as we work toward our commitments to Truth and Reconciliation in education. Every student deserves equal access to schooling, and right now that promise is not being met for our Indigenous learners on the East Shore.

In summary, the learning environment for many students has been one of uncertainty and interruption. Teachers report that students are anxious about whether they will be able to get to school (or home afterwards) on any given day. It is difficult for students to focus on learning when they are worried about ferry cancellations stranding them or their family members. Indeed, community members have described the "stress of not knowing" day to day if the ferry will run, which has created a palpable anxiety among students. A stable, predictable transportation link is foundational for regular school attendance and success; since November, that foundation has been shaken for our ferry-dependent learners.

Impact on Staff and School Operations

The ferry strike has also placed a significant strain on our staff availability and overall school operations. Our district's educators and support staff are dedicated professionals, but many have been pushed to their limits by the transportation challenges. Key impacts include:

- **Staff Commuting Challenges:** A number of SD8 employees reside on one side of Kootenay Lake but work on the other. For instance, several teachers and education assistants at Crawford Bay School live in communities west of the lake (in Nelson or

elsewhere), and conversely, some staff at Nelson-area schools live on the East Shore. During the strike, these staff have faced extraordinary commutes or have had to miss work when they simply could not get across. There were days when teachers woke at 4:00 AM to drive the long circuitous route over Kootenay Pass in order to reach school by the first bell, braving winter road conditions that were at times extremely hazardous. On other days, staff were stranded on the wrong side of the lake when an afternoon sailing was cancelled without notice, preventing them from returning home. This unpredictability has led to staff exhaustion and anxiety, as they must plan around contingency travel every single day. It is important to note that our staff's well-being directly affects students - a teacher who has spent 3-4 hours driving pre-dawn through a snowstorm is not going to be at their best in the classroom.

- **Staff Absences and Supervision Gaps:** Inevitably, there have been instances where staff simply could not make it to work at all due to ferry cancellations or unsafe driving conditions on the alternate route. On such days, school principals had to scramble to cover classes. At Redfish Elementary, for example, when a ferry-dependent teacher was absent, other teachers combined classes in the gymnasium for part of the day, providing supervision rather than regular instruction. Substitute teachers from Nelson were often unwilling or unable to accept assignments at Crawford Bay because of the uncertainty of returning home. This meant some classes went without a qualified teacher for the day, or schools operated with minimal staffing, which is not conducive to learning nor to student safety. These gaps in staffing are directly attributable to the transportation breakdown.
- **Adjusted Schedules and Lost Planning Time:** Schools have tried to adapt by adjusting bell schedules or staff timetables to the ferry. At Crawford Bay, we temporarily shifted our schedule earlier in the winter so that students and a couple of staff who commute could depart in time for the last ferry of the day (around 4:30 PM during the reduced schedule). This resulted in shorter lunch breaks and a compressed school day. Teachers also lost planning and collaboration time because meetings were cancelled - for instance, district professional development days had lower attendance as East Shore staff could not travel to Nelson, and virtual meetings were a poor substitute in many cases due to connectivity issues. All of these workarounds have a cost: they reduce the quality and depth of education we can provide.
- **Operational and Logistical Difficulties:** The school district's operations beyond the classroom have also been hindered. Deliveries of supplies and equipment to our East Shore school have been delayed; something as simple as getting textbooks or science lab materials delivered became a major challenge subject to ferry availability. Maintenance personnel could not promptly attend to issues at the school building because they had to time visits with the sparse ferry schedule. Even school bus transportation has been affected - while our school bus on the East Shore doesn't use the ferry daily, any students needing to transfer across the lake (for example, students attending programs in Nelson) could not rely on that option. Families had to make ad-hoc arrangements to ferry their children across when possible, adding to their burden.

Our staff have shown remarkable resilience and dedication throughout this period. However, the cumulative strain is evident. They have put in additional unpaid hours, rearranged their lives, and gone to great lengths to keep schools running for our students. This is simply not

sustainable. Morale is being eroded by the constant worry about transportation - something as basic as getting to work or home should not be a daily crisis. We risk losing talented staff if this situation continues, as some may seek reassignment or employment in districts not facing these extreme logistical barriers.

Community Well-Being and Safety Considerations

Beyond the walls of our schools, the ferry disruption has had a profound impact on the well-being of the entire community, which in turn affects our students and their families. As Superintendent, I not only oversee academics but also am deeply invested in the safety, health, and welfare of the children we serve, and the communities and facilities we support. It has become clear that the ongoing ferry service issues pose broader health and safety concerns that merit your attention:

- **Isolation of Remote Populations:** The East Shore of Kootenay Lake (communities such as Crawford Bay, Riondel, Gray Creek, and others) has effectively been semi-isolated for five months. These areas are rural, and some residents are vulnerable or elderly. The ferry is their lifeline to essential services in larger centers like Nelson. During the strike, we have heard numerous reports of East Shore families struggling to access healthcare, groceries, and other necessities. The journey from the East Shore to Nelson three-and-a-half to four hours, notwithstanding weather conditions. In our school context, if a student or family member had a medical appointment in Nelson, it became an expedition, often requiring the student to miss multiple days of school or a parent to miss work. The stress and practical hardship of this isolation have been accumulating in our communities.
- **Mental Health Strain:** The prolonged uncertainty and disruption caused by the ferry strike have taken a mental health toll on students, parents, and staff. The East Shore Chamber of Commerce described the situation as not only a financial crisis but also “the stress of not knowing” day to day what will happen. Our staff have reported that residents feel “trapped” or “abandoned” by this situation. As educators, we see the manifestations of this stress in our students - increased anxiety, difficulty concentrating, and a sense of instability. Our school staff have noted that students from ferry-dependent families have required additional support to cope with the anxiety of possibly being cut off from their homes or schools. Parents have similarly expressed concern about the safety of traveling the long route in winter or the possibility of being separated from their children if a ferry is cancelled unexpectedly. This level of chronic stress is unquestionably detrimental to the well-being of our youth. It is a credit to our community’s resilience that we have managed thus far, but cracks are showing in the form of emotional exhaustion.
- **Safety Concerns - Kootenay Pass Travel:** I must highlight the safety risk inherent in the only land route available when the ferry is not running. Highway 3 over the Kootenay Pass is one of the highest elevation highways in Canada, known for severe winter conditions. This winter, there were numerous closures and avalanche control interventions on Kootenay Pass, including a multi-day closure in late March during time when the ferry did not run. For our staff or families to drive this route, they must be

prepared for sudden weather changes, icy roads, and potential road closures that could leave them stranded far from help. We have been extremely fortunate that no serious accident has befallen any of our staff or families on this detour during the strike, but the risk has been ever-present. Every day that people are forced onto this dangerous road because the ferry is not a reliable option is a day we are gambling with safety. It is an unacceptable risk to ask school children or school staff to undertake routinely.

- **Financial and Logistical Burdens on Families:** Parents have had to pay for additional fuel for the long drives around the lake, overnight lodging in Nelson for students or themselves, daycare when a parent was stuck away from home, and so forth. There are cases of families who attend the school relocating away from the East Shore entirely because they could not sustain life under these conditions. When a family leaves, we not only lose a student from our schools - the community loses neighbours and the viability of our small schools is further threatened by declining enrollment. The cumulative strain on remote and vulnerable populations is very real, and it is growing with each week that the ferry service remains inconsistent.

In light of these community impacts, it is clear that the ferry is more than a transportation link - it is a critical infrastructure for the well-being of our students and their families. The situation has evolved into what can only be described as an ongoing emergency for the communities affected. The health, safety, and welfare of school children and youth are at stake, which is precisely the condition under which an essential service designation is meant to be considered. Even the Labour Relations Board's interim measures earlier in the strike recognized this: when sailings were first reduced in January, the Board ordered that only essential travelers be transported - explicitly including students, parents transporting children, and teachers among those allowed on the limited ferry runs. This was an important step to acknowledge the critical nature of educational access. However, the service levels even for those essential travelers have proven insufficient. Having just 3 sailings a day and barring others did not fully meet the community's needs and led to confusion and chaos at ferry terminals. We now find ourselves in April with the dispute still unresolved, and ferry sailings cancelled.

Request for Essential Service Designation

School District No. 8 (Kootenay Lake) fully respects the collective bargaining rights of the ferry workers and the collective agreement process. We have remained neutral on the labour dispute itself. Our focus, and my duty as Superintendent, is the continuity of education and the safety of students and staff. After nearly five months of severe disruption, I must advocate on behalf of our students and staff: the ferry service in question has shown itself to be absolutely essential to the welfare of children and youth, their families, and education staff in our region. Without it operating reliably, children cannot consistently exercise their right to an education.

Therefore, I respectfully request that the Labour Relations Board exercise its authority to designate the Kootenay Lake ferry (Balfour-Kootenay Bay route) as an essential service under Section 72 of the BC Labour Relations Code. By doing so, the Board can require a level of service that maintains the health, safety, and welfare of the residents. In practical terms, this would mean compelling the restoration of regular, dependable ferry crossings so that our students can


get to school and our staff to work without further disruption. We are not taking this position lightly - we understand that deeming a service essential is an extraordinary measure. But these are extraordinary circumstances. As outlined above, the continued lack of dependable ferry service is causing serious harm each day it persists, and there is no clear end in sight to the labour impasse. Children's access to education must not be a collateral damage of this dispute.

Students are now preparing for year-end assessments and graduation in June. If the ferry service remains unreliable, some students risk not completing required coursework or even missing provincial exams, which could have life-long consequences. Furthermore, with warmer weather, road traffic and tourism will increase, and the small number of ferry sailings will be even more insufficient to meet demand - potentially leading to longer waits and more missed school time. We simply cannot allow this situation to drag on into the summer and beyond. The educational trajectory of an entire cohort of students has been disrupted since last fall; it is imperative to restore normalcy as soon as possible.

In closing, I urge the Labour Relations Board to act decisively to restore consistent ferry operations immediately by designating the service as essential. This action will safeguard student learning, ensure staff can fulfill their roles, and relieve the untenable strain on families and the broader community.

Thank you for your attention to this urgent matter. I am available to provide any further information or documentation the Board requires. The School District can supply attendance records, testimonials from affected families, or any other evidence to assist in your deliberations. We appreciate your consideration and are hopeful that through your intervention, our students will once again have a safe and reliable route to school each day.

Sincerely,



Trish Smillie
Superintendent of Schools
School District No. 8 (Kootenay Lake)

cc: Hon. Lisa Beare, Minister of Education and Child Care
Hon. Mike Farnworth, Minister of Transportation and Transit
Hon. Brittany Anderson, MLA for Nelson-Creston
Regional District of Central Kootenay
East Shore Chamber of Commerce
Board of Education, School District No. 8 (Kootenay Lake)