



Immigration, Refugees and Citizenship Canada

Immigration, Réfugiés et Citoyenneté Canada

Deputy Minister

Sous-ministre

Ottawa K1A 1L1

F-1214953

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## MEMORANDUM TO THE MINISTER

**NATIONAL OCCUPATIONAL CLASSIFICATION – 2021**  
**AND THE FEDERAL SKILLED TRADES PROGRAM**

## FOR APPROVAL

## SUMMARY

- The purpose of this memorandum is to seek your approval on an approach for the implementation of the National Occupational Classification – 2021 (NOC 2021) within the Federal Skilled Trades Program.
- Immigration, Refugees and Citizenship Canada (IRCC) currently uses NOC 2016 to determine the eligibility of occupations under its temporary and permanent residency programs. As of November 2022, NOC 2021 must be used for this purpose in accordance with the *Immigration and Refugee Protection Regulations*.
- While the approach to implement NOC 2021 in most programs has already been determined, a decision is required for the Federal Skilled Trades Program. If
- Your approval is required by February 25, 2022 to allow sufficient time to update the Department's IT systems, and to confirm the Department's full implementation approach to provinces and territories,
 

This process must

 be completed by November 2022, including for Orders in Council to amend regulations.
- We recommend that you approve the outlined approach for the implementation of the National Occupational Classification – 2021 within the Federal Skilled Trades Program by checking the "I concur" box and signing this memorandum by February 25, 2022.

**BACKGROUND:**

- IRCC currently uses the National Occupational Classification – 2016 (NOC 2016) to determine the eligibility of occupations under several temporary and permanent residency programs.

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- The NOC is managed by Employment and Social Development Canada (ESDC) and Statistics Canada, which revise the classification every ten years based on a comprehensive analysis of occupations in the Canadian labour market. The latest iteration (NOC 2021), which is expected to be implemented by ESDC in November 2022, will introduce new terminology and a revised classification structure that will necessitate changes to IRCC's programs.
- Implementation will take several months and will require updates to the Department's IT systems, the *Immigration and Refugee Protection Regulations*, various Ministerial Instructions, bilateral agreements, program delivery instructions, communications materials, as well as other administrative changes. While much of the Department's implementation approach has been confirmed through past decisions (see Annex A), a decision on an approach specific to the Federal Skilled Trades Program is needed.

#### CURRENT STATUS:

- The Federal Skilled Trades Program was launched in 2013 to facilitate the immigration of skilled tradespersons in response to demand in certain industries and sectors. It aims to meet Canada's skilled trades labour needs by providing a pathway to permanent residency for skilled tradespersons, who may face barriers in immigrating through the other Federal High Skilled Programs. The Program is managed under Express Entry with approximately 1,000 invitations to apply issued annually.
- The program, as per the *Regulations*, is currently open to foreign nationals with work experience in skilled trade occupations found in the following groups in NOC 2016:
  - Industrial, Electrical and Construction Trades (NOC Major Group 72);
  - Maintenance and Equipment Operation Trades (NOC Major Group 73);
  - Supervisors and Technical Occupations in Natural Resources, Agriculture and Related Production (NOC Major Group 82);
  - Processing, Manufacturing and Utilities Supervisors and Central Control Operators (NOC Major Group 92); or
  - Chefs and Cooks, and Bakers and Butchers (NOC Minor Groups 632 and 633).
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s.14(b)

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**CONSULTATIONS:**

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- The Department will confirm its approach upon approval of this memorandum and will engage provinces and territories as necessary over the coming months to ensure a successful implementation in November 2022.

#### **RESOURCE IMPLICATIONS:**

- The total cost for the full implementation of NOC 2021 is estimated to be \$5.1M in 2022-2023, with \$712,000 ongoing, which includes the proposed changes to the FSTP. While a source of funds has been identified for the upcoming year, the Department will need to identify an external source of funds for the ongoing costs.

#### **COMMUNICATIONS IMPLICATIONS:**

- Media interest and coverage of the NOC is quite limited, but is expected to garner some attention given the changes to eligibility in some programs. However, as it is routine and quite technical in nature, coverage is likely to be minimal. A proactive communications approach is recommended using a web notice and social media post to advise of the coming change to NOC 2021 and outline the impact on immigration programs.
- Responsive key messages will be drafted, in consultation with ESDC and Statistics Canada, highlighting the cyclical nature of these changes and outline what these changes mean for current and potential candidates. Web content of impacted programs will be updated prior to implementation.

#### **RECOMMENDATION:**

- We recommend that you approve the outlined approach for the implementation of the National Occupational Classification – 2021 within the Federal Skilled Trades Program by checking the “I concur” box and signing this memorandum by February 25, 2022.

#### **NEXT STEP:**

- Upon approval of this memorandum, the Department will confirm its implementation approach with provinces and territories.

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- Necessary amendments to the Regulations and various Ministerial Instructions for the Federal Skilled Trades Program and other programs will also be drafted for your approval in late summer of 2022.

Caroline Xavier  
Associate Deputy Minister

*DM Tapley e-approved February 21, 2022*  
Catrina Tapley  
Deputy Minister

Scott Jones  
Federal Lead, Proof of Vaccine Credentials  
Associate Deputy Minister

I concur  
 I do not concur

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The Hon. Sean Fraser, P.C., M.P.  
Minister of Immigration, Refugees and Citizenship

Annexes (2):  
A: Overview of Past Policy Decisions  
B: NOC 2021 Milestones and Deliverables

**OVERVIEW OF PAST DECISIONS AND IMPACTS ON IRCC PROGRAMS**

- Changes to the NOC are based on a comprehensive analysis of occupational requirements in the Canadian labour market conducted by ESDC and StatCan, and are therefore outside of the Department’s control.
- Among the changes in NOC 2021 is the replacement of NOC 2016’s **five Skill Type/Level groupings**—used to determine eligibility for several IRCC programs—with a **new categorization of six TEER** (representing the requisite Training, Education, Experience, and Responsibilities of each occupation).
- In September 2020, IRCC’s Executive Committee decided that the new TEER structure would be adopted as follows, in light of the Department’s legal obligation to adopt NOC 2021 in alignment with ESDC and StatCan:

<b>NOC 2016</b>	<b>NOC 2021</b>
Skill Type 0 →	TEER 0
Skill Level A →	TEER 1
Skill Level B →	TEER 2
	TEER 3
Skill Level C →	TEER 4
Skill Level D →	TEER 5

- Occupations have moved throughout the classification to align with this methodology. This will result in minor changes for most programs (e.g., the use of new terminology), but more substantive changes are needed for programs with narrower occupational criteria where the current Skill Type/Level groupings are used, including those managed under Express Entry (i.e., Federal Skilled Workers Program, Federal Skilled Trades Program, Canadian Experience Class, and a portion of the Provincial Nominee Program) and the Atlantic Immigration Program.

## Changes to Program Eligibility

### Programs Managed Under Express Entry

- At present, the programs managed under Express Entry are open to occupations that are categorized as Skill Level B or above. With the implementation of NOC 2021, the programs' eligibility cut-off will become TEER 3.
  
- This will result in the following sixteen occupations becoming eligible under Express Entry, based on their updated educational and experience requirements:
  - Payroll administrators;
  - Dental assistants and dental laboratory assistants;
  - Nurse aides, orderlies and patient service associates;
  - Pharmacy technical assistants and pharmacy assistants;
  - Elementary and secondary school teacher assistants;
  - Sheriffs and bailiffs;
  - Correctional service officers;
  - By-law enforcement and other regulatory officers;
  - Estheticians, electrologists and related occupations;
  - Residential and commercial installers and servicers;
  - Pest controllers and fumigators;
  - Other repairers and servicers;
  - Transport truck drivers;
  - Bus drivers, subway operators and other transit operators;
  - Heavy equipment operators; and
  - Aircraft assemblers and aircraft assembly inspectors.
  
- The three occupations that will become ineligible are: other performers; program leaders and instructors in recreation, sport and fitness; and tailors, dressmakers, furriers and milliners.
  - These three occupations will remain eligible for programs with broader occupational eligibility criteria (e.g., some streams of the Provincial Nominee Program).

### Atlantic Immigration Program

- At present, the Atlantic Immigration Program is open to occupations that are categorized as Skill Level C or above. With the implementation of NOC 2021, the programs' eligibility cut-off will become TEER 4.
  
- This will result in the following twelve occupations becoming ineligible under the program, based on their updated occupational requirements:
  - Pet groomers and animal care workers;

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## Annex A

- Other support occupations in personal services;
  - Longshore workers;
  - Material handlers;
  - Taxi and limousine drivers and chauffeurs;
  - Delivery service drivers and door-to-door distributors;
  - Boat and cable ferry operators and related occupations;
  - Livestock labourers<sup>1</sup>;
  - Nursery and greenhouse labourers;
  - Trappers and hunters;
  - Food and beverage servers<sup>2</sup>; and
  - Labourers in textile processing and cutting.
- It is important to note that these occupations will remain eligible for programs with broader occupational eligibility criteria (e.g., some streams of the Provincial Nominee Program).

### Considerations

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<sup>1</sup> Individuals in five other agricultural occupations, which include jobs like agricultural consultants, fish inspectors, chicken farmers, farm supervisors and farm machinery operators will remain eligible. Individuals in other NOC codes that remain eligible (e.g., veterinarian) may also have experience in the agricultural sector.

<sup>2</sup> Individuals in five other food service occupations, which include jobs like restaurant managers, catering supervisors, line cooks, sous-chefs and restaurant hosts will remain eligible. Individuals in other NOC codes that remain eligible for the program (e.g., payroll administrator) may also have experience in the food service sector.



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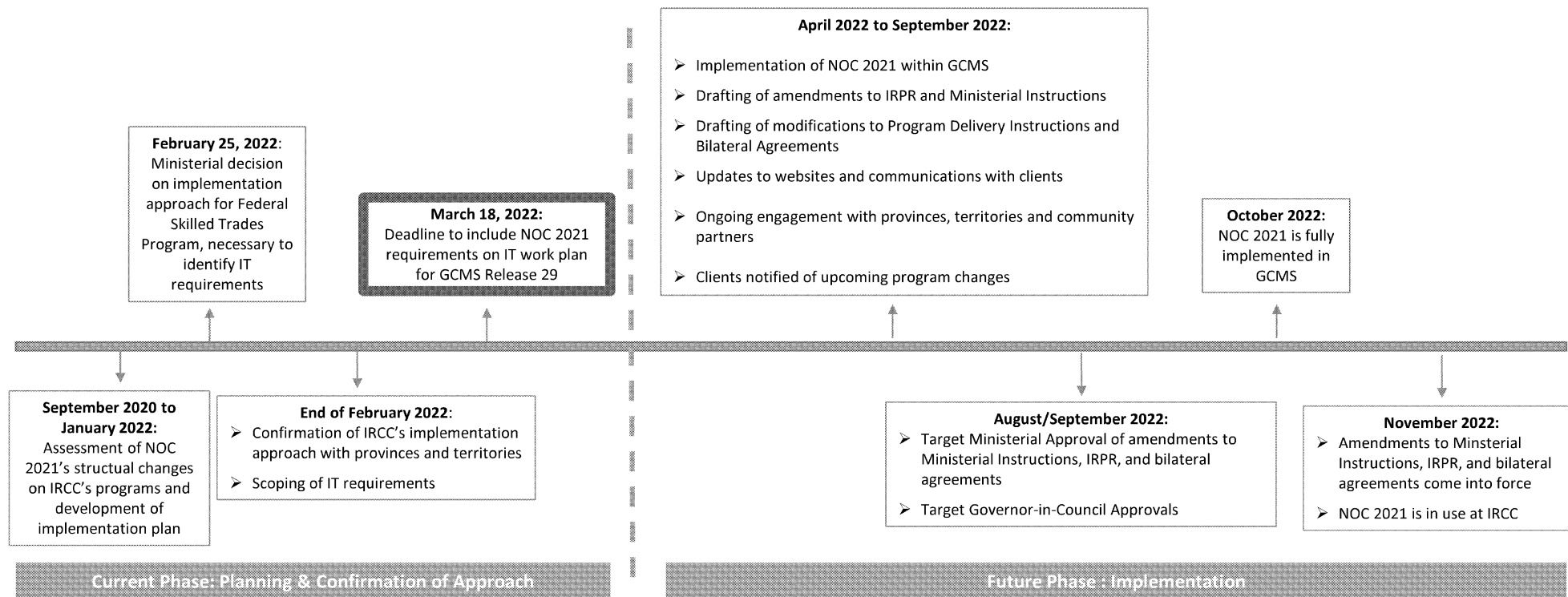
## Annex A

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## Annex B – Overview of Project Milestones & Deliverables



***All required IT changes must be identified by March 18, 2022 for NOC 2021 to meet current implementation timelines. The Department's implementation approach must be confirmed prior to this date.***