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# Article: Newly Released Criteria For Canadian Federal Skilled Worker Program By Edward C. Corrigan

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## Newly Released Criteria For Canadian Federal Skilled Worker Program

by *Edward C. Corrigan*

On April 23, 2014 Canadian Minister of Citizenship and Immigration Chris Alexander announced the new list for the Federal Skilled Worker Program. As of May 1, 2014, there is an overall cap of 25,500 for new federal skilled worker applications. This number includes a cap of 500 applications from PhD students. For those applicants with a qualifying job offer there is no cap imposed.

In 2012, more than 57, 200 newcomers were admitted under the Federal Skilled Worker Program (FSWP), 36% of whom were principal applicants, and 64% were spouses and dependants.

Minister Alexander also announced that these Skilled Worker Applications would be the last accepted under the current system before the proposed Express Entry program is launched in January 2015.

The new Ministerial Instructions also re-confirmed the existing pause of applications to the Federal Immigrant Investor and Entrepreneur Programs.

Within the 25,000 FSWP applications that are to be accepted Canada will only accept 1,000 in each priority occupation. This will be done on a first come basis.

All Applications filed on or after May 4, 2013 under the Skilled Worker Program that do not include the required Educational Credential Assessment (ECA) or do not meet the minimum language threshold requirements will be returned to the Applicant.

To prepare for the launch of Express Entry program in 2015, Citizenship and Immigration Canada has set new caps for the Federal Skilled Worker Program (FSWP), Federal Skilled Trades Program (FSTP) and Canadian Experience Class (CEC), effective May 1, 2014.

With the FSWP backlog on track for elimination this year, the Government has set new cap of 25,000 applications will provide the appropriate number of applications to support expected foreign skilled worker demand in 2015. The list of eligible occupations has been expanded from 24 to 50 occupations.

### **Federal Skilled Trades Program**

In other foreign worker programs and to address Canada's need for skilled trades people, the Federal Skilled Trades Program (FSTP) cap will be increased to 5,000 applications. Under the new announced program all 90 skilled trades designated under the program regulations will now be eligible for consideration. The Minister indicated that sub-caps remain to help ensure appropriate representation of Skilled Trade occupations.

### **Canadian Experience Class:**

The Canada Experience Class (CEC) cap has been re-set at 8,000 applications, as of May 1, 2014, to cover the transition period leading up to the Express Entry program launch in January 2015. In addition in the CEC class there are Sub-caps of 200 applications each for any NOC B occupation. The six ineligible occupations have been carried over. These are administrative officers (NOC code 1221), administrative assistants (1241), accounting technicians/bookkeepers (1311), cooks (6322), food service supervisors (6311), and retail sales supervisors (6211).

### **Federal Skilled Worker Program:**

Federal Skilled Workers are chosen as permanent residents based on their expected ability to establish themselves in Canada. Skilled Workers are assessed according to a selection grid made up of six factors, including Language, Education, Work Experience, Age, Arranged Employment in Canada and Adaptability. Applicants will have to achieve a score of 67 or higher to qualify. The overall cap of 25,000 applications has been set in the eligible occupations stream.

The Government also announced that there will be Sub-caps of 1,000 applications for each of the 50 approved eligible occupations. Their 2011 [National Occupational Classification \(NOC\)](#) code is included in brackets.

**The 50 eligible Skilled Worker occupations are as follows:**

1. Senior managers – financial, communications and other business services (0013)
2. Senior managers - trade, broadcasting and other services, n.e.c. (0015)
3. Financial managers (0111)
4. Human resources managers (0112)
5. Purchasing managers (0113)
6. Insurance, real estate and financial brokerage managers (0121)
7. Managers in health care (0311)
8. Construction managers (0711)
9. Home building and renovation managers (0712)
10. Managers in natural resources production and fishing (0811)
11. Manufacturing managers (0911)
12. Financial auditors and accountants (1111)
13. Financial and investment analysts (1112)
14. Securities agents, investment dealers and brokers (1113)
15. Other financial officers (1114)
16. Professional occupations in advertising, marketing and public relations (1123)
17. Supervisors, finance and insurance office workers (1212)
18. Property administrators (1224)
19. Geoscientists and oceanographers (2113)
20. Civil engineers (2131)
21. Mechanical engineers (2132)
22. Electrical and electronics engineers (2133)
23. Petroleum engineers (2145)
24. Information systems analysts and consultants (2171)
25. Database analysts and data administrators (2172)
26. Software engineers and designers (2173)

27. Computer programmers and interactive media developers (2174)
28. Mechanical engineering technologists and technicians (2232)
29. Construction estimators (2234)
30. Electrical and electronics engineering technologists and technicians (2241)
31. Industrial instrument technicians and mechanics (2243)
32. Inspectors in public and environmental health and occupational health and safety (2263)
33. Computer network technicians (2281)
34. Nursing co-ordinators and supervisors (3011)
35. Registered nurses and registered psychiatric nurses (3012)
36. Specialist physicians (3111)
37. General practitioners and family physicians (3112)
38. Dietitians and nutritionists (3132)
39. Audiologists and speech-language pathologists (3141)
40. Physiotherapists (3142)
41. Occupational therapists (3143)
42. Respiratory therapists, clinical perfusionists and cardiopulmonary technologists (3214)
43. Medical radiation technologists (3215)
44. Medical sonographers (3216)
45. Licensed practical nurses (3233)
46. Paramedical occupations (3234)
47. University professors and lecturers (4011)
48. Psychologists (4151)
49. Early childhood educators and assistants (4214)
50. Translators, terminologists and interpreters (5125)

Federal Skilled Workers still have to have one year of continuous full-time (or an equal amount of continuous part-time) paid work experience in one of the [eligible occupations](#) within the last ten years,

- **OR** have a valid offer of [arranged employment](#),
- **OR** are an international student who is enrolled in a PhD program in Canada (or who graduated from a Canadian PhD program within the past 12 months) and meet all factors require for Skilled Workers.

Federal Skilled Worker Applicants also must:

- include the results of their [official language test](#) showing that they meet the minimum language threshold (Canadian Language Benchmark 7) in all four language skill areas (speaking, listening, reading and writing) when they apply, and
- include either a completed Canadian educational credential or a completed foreign educational credential with an [Educational Credential Assessment \(ECA\) from an approved organization](#), and

- have at least one year of continuous full-time (or an equal amount in continuous part-time) paid [work experience](#) within the last ten years in the primary occupation stated in their application.

In addition, all Foreign Skilled Worker Applicants must meet all of the other FSW program requirements, such as meeting [the pass mark](#) on the selection grid and [having enough money](#) to support themselves and their family in Canada.

These Skilled Worker Occupations are either:

- Skill Type 0 (management occupations) or
- Skill Level A (professional occupations) or
- Skill Level B (technical occupations and skilled trades)

## Arranged employment

To qualify under the Arranged Employment category a valid job offer has to be for permanent, full-time and not seasonal work in a NOC 0, A or B occupation categories.

There are different factors that make a job offer valid.

1. **Applicant is currently working in Canada on a temporary work permit, and** their work permit is valid both when they apply and when the visa is issued (or Applicant is authorized to work in Canada when their visa is issued), and CIC issued the work permit based on a [positive labor market opinion \(LMO\)](#) from Human Resources and Skills Development Canada (HRSDC), and Applicant is working for an employer named on their work permit who has made a permanent job offer based on the Skilled Worker being accepted as a federal skilled worker.
2. **Applicant is currently working in Canada in a job that is exempt from the LMO requirement under:** an international agreement (such as, the North America Free Trade Agreement) or a federal-provincial agreement.  
Also Applicant's work permit must be valid both when they apply and when the visa is issued (or Applicant is authorized to work in Canada when their visa is issued), and Applicant's current employer has made a permanent job offer based on them being accepted as a skilled worker.
3. **Applicant currently:**
  - does not have a work permit, or
  - does not plan to work in Canada before obtaining a permanent resident visa, or
  - is working in Canada and a different employer has offered the Applicant a permanent full-time job, or
  - is working in Canada in a job that is exempt from a Labour Market Opinion, but not under an international or federal-provincial agreement, and an employer has made them a permanent job offer based on their being accepted as a skilled worker.

The employer has to have an approved Labour Market Opinion (LMO) from HRSDC. Only an employer can obtain the LMO. HRSDC will only confirm permanent job offers for occupations listed in skill type 0 or skill level A or B of the NOC.

A CIC officer also must be convinced that the Applicant is able to perform the job offered to the Foreign Skilled Worker. If the occupation is regulated in Canada, the officer must also be convinced that the Applicant will be able to become licensed or certified when in Canada

There are many ways to immigrate to Canada. If you do not meet the criteria to apply under the FSWP, you may [qualify under another category](#). Please consult a qualified professional to access your options.

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