

From: Cobus Kriek cobus@matrixvisa.com
Subject: Response
Date: November 5, 2017 at 3:29 PM
To:

CK

On Nov 2, 2017, at 7:53 AM, NA-TFWP-PTET@hrsdc-rhdcc.gc.ca wrote:

Dear Mr. Kriek

On behalf of Mr. Matthew Mitshke and Ms. Janet Goulding, I am responding to your emails of January 30 and March 15, 2017, regarding your request for clarification on the National Occupational Classification (NOC) employment requirements for the Temporary Foreign Worker (TFW) Program. I apologize for the delay in responding.

It is unfortunate that you believe that the Department has not responded to your questions. It was not our intent to avoid them.

In addition to the answers provided in the policy and to assist you further, I include an additional document – *Directive on Classification of Occupations*, as disclosed under the *Access to Information Act*. This document has an operational focus and relates to the *Classification of Occupations* policy. The Directive stipulates that if job requirements seem either excessive or overly restrictive, the processing officer is to review such requirements with the employer to determine whether the requirements are legitimate. Failure to satisfy the officer of the legitimacy of the requirement may lead to a negative decision.

Because the processing officer holds the discretionary authority to reasonably refuse an LMIA application, the officer's discretion must not be fettered. As such, the Temporary Foreign Worker Program has provided you with as much detail in response to your question as possible.

I trust that I have adequately responded to your request.

Sincerely,

Donna Blois
Director
Temporary Foreign Worker Directorate
Skills and Employment Branch