

# WORK PERMITS: NOC 7511 Truck Drivers

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## NOC Description - 7511

Transport truck drivers operate heavy trucks to transport goods and materials over urban, interurban, provincial and international routes. They are employed by transportation, manufacturing, distribution and moving companies, and trucking employment service agencies, or they may be self-employed. This unit group also includes drivers of special purpose trucks and shunters who move trailers to and from loading docks within trucking yards or lots.

❖ NOC C occupation

❖ Examples of job titles:

<ul style="list-style-type: none"> <li>• Bulk goods truck driver</li> <li>• Dump truck driver</li> <li>• Flatbed truck driver</li> <li>• Heavy truck driver</li> <li>• Logging truck driver</li> <li>• Long haul truck driver</li> </ul>	<ul style="list-style-type: none"> <li>• Moving van driver</li> <li>• Shunt truck driver</li> <li>• Tow truck driver</li> <li>• Tractor-trailer truck driver</li> <li>• Transport driver</li> <li>• Truck driver</li> </ul>
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❖ Not included in this NOC:

<ul style="list-style-type: none"> <li>• Drivers of light trucks (7514)</li> <li>• Snowplow and garbage truck drivers (7522)</li> <li>• Truck dispatchers (1525)</li> </ul>	<ul style="list-style-type: none"> <li>• Supervisors, motor transport and other ground transit operators (7305)</li> <li>• Truck driver helpers (7622)</li> <li>• Truck driver trainers (4021)</li> </ul>
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❖ Requirements:

- Completion of secondary school is usually required.
- On-the-job-training is provided.
- Completion of an accredited driver training course of up to three months duration, through a vocational school or community college, may be required.
- A Class 3 or D licence is required to drive straight-body trucks.
- A Class 1 or A licence is required to drive long combination vehicles.
- Air brake endorsement (Z) is required for drivers who operate vehicles equipped with air brakes.
- Transportation of dangerous goods (TDG) certification is required for drivers who transport hazardous products or dangerous goods.
- Additional licensing endorsement or certification may be required to drive articulated trucks.

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- ❖ **Main Duties: Long-haul transport truck drivers**
  - Operate and drive primarily tractor-trailor, long-combination vehicle and straight-body trucks weighing over 4500 kg to transport goods and materials over long distances
  - Plan trip logistics and obtain required documentation to transport goods
  - Perform pre-trip, en route and post-trip inspection of vehicle systems, equipment and accessories such as tires, lights and turning signals, brakes and cold storage
  - Ensure cargo is secured properly in accordance with safety requirements and follow safety procedures for transporting dangerous goods
  - Obtain special permits and other documents required to transport cargo on international routes
  - Record cargo information, hours of service, distance travelled and fuel consumption
  - Administer bills of lading and manually or electronically maintain log books
  - Communicate with dispatcher, other drivers and customers using communication devices and on-board computers
  - May perform emergency roadside repairs
  - May drive as part of a two-person team or convoy
  - May transport hazardous products or dangerous goods.
  
- ❖ **Main Duties: Short-haul and local transport truck drivers**
  - Operate and drive primarily straight trucks to transport goods and materials mainly on local routes and short interurban routes
  - Perform pre-trip, en route and post-trip inspection and oversee all aspects of vehicle such as condition of equipment, and loading and unloading of cargo
  - May drive special purpose trucks such as tow trucks, dump trucks, hydrovac trucks or cement mixing trucks.

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## ELIGIBILITY ASSESSMENT FLOW

- ❖ Assess eligibility for all criteria except non-genuineness of job offer.
- ❖ If they do not meet any one of the criteria, refuse the application.
- ❖ If they pass all of the criteria, only then should you assess for non-genuineness of job offer.

## ELIGIBILITY CRITERIA TO BE MET

### 1) Valid LMIA or LMIAE

- LMIA or LMIAE must be valid at the time of submission.
- Check number or document provided and ensure that it links to the ESDC portal in the IMM>TR>Employment details tab.
- For the "LMIA" sub-tab, click on the Refresh button to see the information.
- If the ESDC information does not populate in these tabs based on the number provided, it is fake. Send A40 PFL to pursue misrep.
- If missing or not provided, refuse for not having a valid LMIA/LMIAE.

### 2) Secondary school certificate or diploma

### 3) Special licence: Class 1, Class 3, D or A

- Check for a copy on file.
- If not available, proceed to refusal for not meeting LMIA and/or NOC requirements.

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### **4) Air Brake Endorsement (if required)**

- Check for a copy on file.
- If not available, proceed to refusal for not meeting LMIA and/or NOC requirements.

### **5) Transportation of dangerous goods (TGD) certification (if required)**

- Check for a copy on file.
- If not available, proceed to refusal for not meeting LMIA and/or NOC requirements.

### **6) Language ability**

s.16(1)(b)

s.16(1)(c)

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### **7) Valid Job Offer**

Clients applying for Work Permits in the profession of NOC 7511 Truck Drivers generally apply for LMIA based Work Permits to work for a particular company. However, T13 Work Permit applications for the same profession are also received before a client obtains Permanent Residence under the Provincial Nominee Program.

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See the next section for more details.

### **NON-GENUINE JOB OFFER**

### **Key Resources**

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## Assessment Flow for Non-Genuine Job Offer

- 1) First navigate to the Employment Details – LMIA tab and click refresh.

The screenshot shows the GCMS web interface. The 'Employment Details' tab is selected. The form is divided into four main sections: DETAILS, EMPLOYER, JOB DETAILS, and 3rd PARTY CONTACT INFO. The 'DETAILS' section includes fields for File #, LMIA Receipt Date, NOC, LCP, Job Title, # of Positions, Decision, and Decision Date. The 'EMPLOYER' section includes Name, ID, # of Locations, Employment Location, Address, City, Province/State, and Postal/Zip/Other Code. The 'JOB DETAILS' section includes Type of Request, Duration, Hours of Work, Hours Per, Wage, Benefits, and Duties. The '3rd PARTY CONTACT INFO' section includes Name, Company, Address, City, Province/State, Postal/Zip/Other Code, Country, and Phone #. A 'refresh' button is visible at the top left of the form area.

- 2) Check that the LMIA is valid, the number of positions, and the company details.

This screenshot shows the same GCMS web interface, but with the 'Decision' section expanded. The 'DETAILS' section now includes a 'Decision' dropdown menu, a 'Decision Date' field, a 'Valid To' field, and a 'Reason for Refusal' text area. The 'EMPLOYER', 'JOB DETAILS', and '3rd PARTY CONTACT INFO' sections remain visible but are partially obscured by the expanded 'Decision' section. The 'refresh' button is still present.



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**GCMS** File Edit View Navigate Query Tools Help

Site Map Report(s)

My Office:

Search IMM Activities Addresses IMM Clients CIT Home Profiles Events

Management Decision Makers Non-Decision Makers **My Office**

- Medical Activities
  - Medical Activities - to be sent
  - Approved but Meds Outstanding
  - TR - query for offloads by PPT # or UCI
  - TR - Valid Visas with Expired Meds - List of Cases
  - TR - Valid Visas with Expired Meds - Counterfoil Status
- INTERVIEWS**
  - Interviews - Not Yet Scheduled
  - Interview Schedule
- MISREP - A40**
  - A40 Misrep Cases

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## **Other Considerations and Trends**

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### A40 PFL

Enter concerns in GCMS notes.

Sample note:

\*\*\*\* DO NOT DISCLOSE: The following contains information that is to be exempted from release under the Access To Information Act 16 (1) (b) and (c), 17 and/or the Privacy Act 22 (1) (b) \*\*\*

PFL template (only yellow sections to be amended):

This refers to your application for a Canadian work permit visa.

I have reviewed your application and documents you submitted in its support. Subsection 11(1) of the Immigration and Refugee Protection Act provides that a foreign national must, before entering Canada, apply to an officer for a visa or any other document required by the Regulations. The visa or document shall be issued if, following an examination, the officer is satisfied that the foreign national is not inadmissible and meets the requirements of this Act.

I am not satisfied that you have fulfilled the requirement put upon you by section 16(1) of the Immigration and Refugee Protection Act, which states:

*16(1) A person who makes an application must answer truthfully all questions put to them for the purpose of the examination and must produce a visa and all relevant evidence and documents that the officer reasonably requires.*

Specifically, I have concerns that the job offer in Canada is not genuine in that the employer and/or job may not actually exist; and/or the employer does not have the financial capability to hire the temporary foreign worker(s) listed on your LMIA. ADD DETAILS

I would like to provide you with the opportunity to respond. You will have **XX days** from the date of this letter to submit evidence and documentation you deem will address these concerns. Be advised that a letter, affidavit or statement from the employer or yourself is insufficient to address this concern.

Please note that if you are found to have engaged in misrepresentation in submitting your application for a Temporary Resident Visa, you may be found to be inadmissible under Section 40(1)(a) of the *Immigration and Refugee Protection Act*. A finding of such inadmissibility would render you inadmissible to Canada for a period of five years according to section 40(2)(a):

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40(1) A permanent resident or a foreign national is inadmissible for misrepresentation (a) for directly or indirectly misrepresenting or withholding material facts relating to a relevant matter that induces or could induce an error in the administration of this Act

40(2) The following provisions govern subsection (1):  
 (a) the permanent resident or the foreign national continues to be inadmissible for misrepresentation for a period of five years following, in the case of a determination outside Canada, a final determination of inadmissibility under subsection (1) or, in the case of determination in Canada, the date the removal order is enforced.

If you do not respond to this request within the time outlined above, your application will be refused.

Once response to PFL is received:

- 1) Save documents
- 2) If satisfied with response to PFL, move towards an approval.
- 3) If not satisfied with response, you may recommend misrep.

### APPROVALS

Sample note:

*PA seeking LMIA based WP to work*

*PA's previous refusal for same purpose noted.*

*Satisfied LMIA/Eligibility requirements met. Approved.*

The following are remarks to be entered in the User Remarks field of the permit once the case has been finalized (based on the length of the LMIA): *WP for two years.*

**Validity date of visa:** End date of employment contract, length of LMIA, or validity of passport, whichever comes first.

**Control documents status:**

- Counterfoil = Generate
- Permit = Authorized

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### REFUSALS

#### R200(5) – Non-Genuine Job Offer

Bar to me met is “balance of probabilities”.

If you have sufficient information about the potential employer or are able to determine that the company would not be reasonably capable of fulfilling the terms listed in the Offer of Employment / Employment Contract, the application can be refused based on the genuineness of offer under R200(5).

Sample note for refusals based on genuineness of offer:

- 1) *Response to PFL reviewed.*

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*I therefore conclude that the applicant's job offer is inconsistent with the reasonable employment needs of the employer as described in R200(5)(b). On balance of probability, I am not satisfied that this is a genuine job offer as per R200(1)(c)(ii.1)(A) as the potential employer does not appear to be reasonably capable of fulfilling the terms of the offer of employment. Application refused as per R200(5)(b)/R200(1)(c)(ii.1)(A).*

*Based on the documents on file, on balance of probability, I am not satisfied that this is a genuine job offer as per R200(1)(c)(ii.1)(A) as the potential employer does not appear to be reasonably capable of fulfilling the terms of the offer of employment. Application refused.*

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### R200(3)(a) – Unable to Fulfill Duties

Bar to be met is “reasonable grounds to believe”.

#### Sample note for refusals based on language ability:

*Applicant provided IELTS test results which reflects scores of 4.0 in reading. According to <https://takeielts.britishcouncil.org/teach-ielts/test-information/scores-explained>, a 4.0 score means “Your basic competence is limited to familiar situations. You frequently show problems in understanding and expression. You are not able to use complex language.” While the IELTS score description page refers to students and academic studies, <https://takeielts.britishcouncil.org/take-ielts/what-ielts> indicates that IELTS is also used by employers and professional bodies globally. Additionally, the IELTS General Test measures English language proficiency in a practical, everyday context; the tasks and tests reflect both workplace and social situations. I am not satisfied that a score of 4.0 as per the description provided above would be sufficient to complete the duties of the job, such as reading road signs, understanding safety procedures and regulations related to the vehicle and type of cargo being transported, recording cargo information, and administering bills. That the applicant will “frequently show problems in understanding and expression” may also have serious (and potentially deadly) consequences, especially when it comes to health and safety of both the driver and other persons on the road. Refused under R200(3)(a).*

#### Sample note for refusals based on failure to provide UAE Traffic Clearance Certificate:

*The applicant has provided a Police Clearance certificate, however he has not provided any evidence to show if he has had any traffic violations in the UAE during the course of his employment. I consider that being able to assess the applicant’s level of adherence to the traffic rules and regulations of the UAE is an important factor in determining the likelihood of the applicant adhering to the traffic rules and regulations of Canada. On reasonable grounds, I am therefore not satisfied that the applicant can perform the work sought in a way which does not put the safety of Canadians at risk. Refused under R200(3)(a).*

#### Sample note for refusals based on failure to meet NOC requirements:

*The applicant has provided a heavy truck driving licence from UAE and has provided documentation to show that he has worked as a truck driver for the past 6 years. LMIA indicates he requires a Class 1 driver’s licence and air brake endorsement. The applicant has not provided sufficient evidence that he meets either requirement. The applicant indicates in a letter that his experience as a truck driver in UAE will make it very easy for him to obtain these requirements once in Canada. This argument holds no weight as licencing and certification in a foreign country does not guarantee that the applicant will pass the necessary tests and requirements to obtain the special licence and endorsement in Canada. On reasonable grounds, I am not satisfied that the applicant meets the requirements as listed on his LMIA and/or NOC, and am therefore not satisfied that the applicant is able to fulfill his duties. Refused under R200(3)(a).*

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### RECOMMENDING MISREP

Following review of the applicant's response to the PFL, if you are not satisfied the job offer is genuine, you may recommend misrepresentation.

- Navigate to the Admissibilities – Misrepresentation tab and change the misrep activity status to Recommend Misrepresentation.
- Assign this activity to the SWU Manager.
- Enter your recommendation notes in GCMS.

Sample note:

Response to PFL reviewed.

therefore conclude that the applicant's job offer is inconsistent with the reasonable employment needs of the employer as described in R200(5)(b). I am not satisfied that this is a genuine job offer as per R200(1)(c)(ii.1)(A) as the potential employer does not appear to be reasonably capable of fulfilling the terms of the offer of employment. Eligibility failed.



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Furthermore, based on the information on file and the response to the PFL, I am of the opinion that the PA has submitted a non-genuine job offer in order to obtain status in Canada and that the misrepresentation of this material fact could have induced errors in the administration of the Act.

I am forwarding this application to the senior officer for further review of misrepresentation.