City of Portland Core Values:
Anti-racism | Equity | Transparency | Communication | Collaboration | Fiscal Responsibility

HRAR 6.15 Immigration, Naturalization and Citizenship Leave

Purpose

The City of Portland provides dedicated time to employees for immigration, naturalization and citizenship related activities. The purpose of this leave is for employees to have up to 40 hours each fiscal year of time away from their regular work hours to manage these matters for themselves, their family or household members without loss to the employee's pay or benefits.

Key Definitions

For the context of this rule, these terms are defined to clarify what and who the leave can be applied for:

Immigration, Naturalization or Citizenship Activities - These include, but are not limited to, obtaining legal support services for immigration, naturalization or citizenship statuses, attending meetings with immigration or criminal defense attorneys, attending state or federal criminal court proceedings, deportation hearings, or other events bearing on the subject individual's legal resident, immigration, naturalization or citizenship status. This leave may be used for unlawful detention based on the employee's immigration status, subject to review and approval by HR Director and City Administrator.

Family - The employee's spouse or domestic partner; the employee's child, parent, sibling or stepsibling, grandparent, grandchild, or any such family member's spouse or domestic partner; or any individual related by blood or affinity whose close association with the employee is the equivalent of a family member.

Household Member - A person who resides with the employee.

Representative - In instances where a personal request is not

practicable, written notice for leave may be requested by the employee's emergency contact person, attorney on immigration-related matters, or any other person specifically designated by the employee in the employee's personnel file.

Eligibility or Applicability

This rule applies to all employees of the City of Portland.

In the event there is a conflict between this rule as it applies to employees and any applicable labor agreement, the agreement governs. As applicable, please refer to related agreements located in the Guidance for this rule below.

Excessive, fraudulent or abuse of leave privileges under HRAR 6.15 will be subject to investigation and may result in discipline up to and including termination of employment. Activities permitted through these approvals are not intended to conflict with any City of Portland Sanctuary City status or other prohibited uses.

Process

Process, Roles and Responsibilities

1. Except as required by federal or state law, or in limited circumstances, the City is prohibited from inquiring into or collecting information about anyone's immigration or citizenship status or country of birth, and employees or their representatives shall not provide such information to any City employee, including a supervisor or manager. Supervisors and managers are prohibited from inquiring into or collecting this information.
2. An employee, or their representative, who is requesting leave for a related immigration, naturalization or citizenship activity must provide to the employee's supervisor or manager reasonable notice, as soon as practicable or feasible, verbal or in writing, of their intention to take leave.
3. All requests for this leave must be officially recorded through the time entry system, regardless of whether it will be approved or denied. The supervisor or manager is responsible for notifying bureau timekeepers to enter the system time request to record the request for leave for approval and notifying the employee or representative of the leave request status, once considered and approved or

denied.

Employees granted any leave under this rule will be carried on the regular payroll in the usual manner with an entry designated by the appropriate absence code included in Guidance for this rule.

Unpaid Leave Use

If more than 40 hours in one fiscal year is being requested and other appropriate accruals have been exhausted, including all other vacation, any management leave compensatory time, personal holiday, and deferred holiday hours, administrative leave for the purposes of immigration, naturalization, or citizenship activity may also be unpaid. Any unpaid administrative leave must be approved by the Director of Human Resources, City Administrator, or designee, and in consultation with the City Attorney's Office.

Leave for Unlawful Detention due to Immigration-Matter

The Director of Human Resources may approve up to 40 hours of immigration leave for instances of unlawful detention of an employee related to immigration, naturalization or citizenship matters.

In unpaid leave instances, or paid leave towards unlawful detention instances covered by this rule the Director of Human Resources may request documentation to support the dates of the requested immigration, naturalization and citizenship related leave to consider for approval, in consultation with the City Attorney's Office.

Contacts or Resources

Refer to the Guidance document linked separate from the text of this rule for, City contact information and other resources for managers, employees, family or representatives for immigration-related support.

Administrative Rule Record

Approved as Emergency Rule per Portland City Code Title 1.05.090 by the City Administrator effective December 19, 2025