Current Policy: Final versions of the rule for this Guidance will be published as HRAR 6.15 at https://www.portland.gov/policies/human-resources-administrative-rules

Immigration Related Activities Leave Guidance for Human Resource Administrative Rule 6.15

Updated December, 2025

These guidelines are used in conjunction with the City's HRAR 6.15 Immigration, Naturalization and Citizenship Leave rule. This is meant as a City employee resource to supplement and further detail the approved policy and may be updated over time as processes are improved or clarified at the discretion of the Bureau of Human Resources.

Collective bargaining agreements may also include language outlining specific requirements or allowances related to this policy. Please refer to applicable agreements or bureau or program area work rules for specific conditions that may apply separate from HRAR 6.15 and this guidance.

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Qualifying Leave Examples:

- Obtaining or managing legal support services, interviews or tests for immigration, naturalization or citizenship statuses,
- Attending meetings with immigration or criminal defense attorneys,
- Attending state or federal criminal court proceedings,
- Deportation hearings,
- Unlawful detention based on someone's immigration status,

- Other events bearing on the subject individual's legal resident, immigration, naturalization or citizenship status.

These leave types may be used by an employee for their own obligations, or as time to support their family or household members

Leave Request

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. Please do not exchange an employee's specific request details via email.**
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 (IMLV as of January 1, 2026) designated by the appropriate absence code (vacation, personal holiday, etc.)

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

Supporting Employees Not Reporting To Work Or Separating from Work

- **Employee Emergency Contacts or Representatives** - For employees who may have representatives contacting the City on their behalf to arrange for leave or for arrangements regarding their employment status, emergency contacts can be updated or added to personnel files through the Employee Self-Service - SAP CityLink Portal by clicking the "Address Information" quick link, selecting "Add" to update names under the emergency contacts fields. Employees may choose to share the name of their manager or supervisor for representatives to be able to contact the City to make these requests.
- **Employees Leaving Employment** – If an employee has not reported to work, or there is reason for the employee not being able to return due to deportation or other circumstances, employees or representatives should contact the manager or supervisor. If the person has not reported to work and does not have anyone able to contact the manager or supervisor, the manager or supervisor will contact the emergency contact(s) to confirm the employees employment status or needs. Once confirmed, the manager or supervisor will contact the designated OBPA through the contact list on the employee intranet at: Operating Bureau Personnel Administrators (OBPA List) | Portland Employees to begin the process for benefits, paycheck and employment status forms.

- **CityStrong Guidance Resources** - This program offers 24/7 confidential support, resources and information for employees and family members – services include support for work-life, legal, financial and behavioral health.

Immigrant, Refugee and Sanctuary City Resources

- Visit the public page for the City Immigrant and Refugee Program for updated resources for immigrants.
- City employees may refer to the Employee Intranet page at Sanctuary City Resources | Portland Employees to learn more about how to interact with ICE, trainings, community resources, city attorney contact and immigration information.

The City of Portland is committed to complying with federal and state rules and regulations that pertain to our work. We are also committed to our core values of anti-racism and equity. **Per HRAR 2.02 Prohibition Against Workplace Harassment, Discrimination and Retaliation Rule, employment decisions or workplace behavior that harass, discriminate or retaliate employees in relation to their protected status, or their request or access to this policy are prohibited.**