

ADA Reasonable Accommodation: Service Animals
Policies and Procedures
July 2023

ADA Reasonable Accommodation Policy: Service Animals (Dogs)

The Children's Home Society of NJ (CHSofNJ) prohibits bringing a pet (a domestic animal kept for pleasure or companionship) to work or having a pet in CHSofNJ-controlled buildings and premises, with the exception of service animals for a person with disabilities.

Service Animals: According to the Americans with Disabilities Act (ADA), a service animal is defined as "any animal individually trained to work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals to an impending seizure or protecting individuals during one, and alerting individuals who are hearing impaired to intruders, or pulling a wheelchair and fetching dropped items."

A person with a disability uses a service animal as an auxiliary aid. In compliance with the ADA, service animals are welcome in all buildings on company property and may attend any class, meeting or other event. There may be an exception to certain areas.

Service animals are:

- Dogs
- Any breed and any size of dog
- Trained to perform a task directly related to a person's disability

Service animals are not:

- Required to be certified or go through a professional training program
- Required to wear a vest or other ID that indicates they're a service dog
- Emotional support or comfort dogs, because providing emotional support or comfort is not a task related to a person's disability

Difference between emotional support animals and service animals:

If the dog's mere presence provides comfort, it is not a service animal under the ADA. But if the dog is trained to perform a task related to a person's disability, it is a service animal under the ADA. For example, if the dog has been trained to sense that an anxiety attack is about to happen and take a specific action to help avoid the attack or lessen its impact, the dog is a service animal.

Employees requesting accommodation for a disability that includes a service animal must contact the human resource (HR) department and complete a Documentation of Disability form. All service animals that accompany employees must be registered with the HR department.

Asking if a Dog is a Service Animal: If it is unclear whether someone's dog is a service dog, we may ask for certain information.

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Allowable Questions:

- Is the dog a service animal required because of a disability?
- What work or task has the dog been trained to perform?

Questions that are *not* allowed:

- Request any documentation that the dog is registered, licensed, or certified as a service animal.
- Require that the dog demonstrate its task, or inquire about the nature of the person's disability

Service animals are not required to wear vests and a dog that is wearing a vest is not necessarily a service animal. The dog still needs to be trained to perform a task for a person with a disability to be a service animal.

Requirements of service animals and their owners include:

- All animals need to be immunized against rabies and other diseases common to that type of animal. All vaccinations must be current.
- Animal must wear a rabies vaccination tag.
- All animals must be licensed per state law.
- Service animals must wear an owner identification tag (which includes the name and phone number of the owner) at all times.
- Animals must be in good health.
- Animal must be on a leash, harness or other type of restraint at all times, unless the owner/partner is unable to retain an animal on leash due to a disability.
- The owner must be in full control of the animal at all times.
- The care and supervision of the animal is sole responsibility of the owner/partner.
- In the case of employees, the owner must provide the HR department staff with information as to how the animal accommodates for the individual's disability.

Owner's Responsibilities:

- Reasonable behavior is expected from service animals while on agency property.
- The owners of disruptive and aggressive service animals may be asked to remove them from CHSofNJ facilities.
- If the improper behavior happens repeatedly, the owner may be told not to bring the service animal into any facility until the owner takes significant steps to mitigate the behavior.
- Cleanliness of the service animal is mandatory.
- Consideration of others must be taken into account when providing maintenance and hygiene of service animals.
- The owner/partner is expected to clean and dispose of all animal waste.