

Defense Logistics Agency



Service and Emotional Support Animals Guide

Animals in the Workplace

Title II of the Americans with Disabilities Act (ADA) which applies to state and local governments, and Title III of the ADA, which applies to public accommodations such as stores and restaurants, have a specific definition of service animal and covers the right to use a service animal in public places. Under Titles II and III of the ADA, only dogs are recognized as service animals and to be a service animal the dog is individually trained to do work or perform tasks for a person with a disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under Titles II and III of the ADA.

However, the Title II and II exclusion of emotional support animal and animals other than dogs from the definition of service animal, does not apply to Title I of the ADA. Title I of the ADA covers employment. Therefore, unlike in places of public accommodation, where entities are required to allow service animals, employers are not automatically required to grant a request for use of a service or emotional support animal in the workplace. Instead, employers must treat a request to bring a service or emotional support animal into the workplace as a request for a reasonable accommodation and process the reasonable accommodation request using the same process used to evaluate any other request for a reasonable accommodation.

Processing Requests to Permit Service or Emotional Support Animals into the Workplace

Employees should contact their supervisor or servicing Disability Program Coordinator (DPC), or member of management to begin the Reasonable Accommodations (RA) request process to bring a service or emotional support animal into the workplace. All RA requests for service or emotional support animal access into the workplace will be processed in accordance with DLAI 1440.01 Reasonable Accommodations (RA) for Individuals with Disabilities.

Tips for Conducting an ADA Interactive Process

The first step in the interactive process is the accommodation request. Typically, an employee will ask the supervisor for permission to bring a service or emotional support animal to work. The supervisor will then reach out to their local DPC to start the Reasonable accommodation process.

Step two in the interactive process is gathering the necessary information to process the accommodation request. The DPC will discuss the request with the supervisor and determine if medical documentation is required. When the disability and need for accommodation are obvious, medical documentation may not be required. Documentation that shows an employee has a disability and related limitations typically comes from a healthcare professional. However, information from a healthcare

professional explaining what the animal will do for the employee may be necessary.

Step three in the interactive process is exploring accommodation options. Under the ADA, employers get to choose among effective accommodation options so if an employer wants to explore other accommodations besides the service or emotional support animal, the employer can do so. However, employers should keep in mind that an animal may help with personal, medical issues and provide support that other types of accommodations cannot provide, such as a sense of security.

Step four in the interactive process is choosing an accommodation. It is the Decision Maker (DM) who decides on the accommodation, understanding that in many cases allowing the employee to have a service or emotional support animal at work will be the only effective option. When possible, employers should give preference to the employee's request to use the service or emotional support animal. If an employer isn't sure whether having a service or emotional support animal in the workplace will pose an undue hardship, the DM can allow the employee to bring the animal to work on a trial basis.

Step five in the interactive process is implementing the accommodation. During this phase of the process, any logistics about having a service or emotional support animal in the workplace should be discussed.

The final step in the accommodation process is monitoring the accommodation for effectiveness. The easiest way to do this is to keep the lines of communication open and check in with the employee periodically to make sure the accommodation continues to be effective and encourage the employee to report any problems.

Employees Who Do Not Have an Approved RA on File and Visitors

When it is not obvious what the service or emotional support animal provides to the employee or visitor, only a limited inquiry is allowed. Staff (which includes DLA police officers) may ask whether the animal is required because of a disability. Staff cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the animal, or ask that the animal demonstrate its ability to perform work or a task.

If the employee or visitor states the animal is required because of a disability, the animal will be allowed to stay on the premises for that day. For an employee, if the animal will be coming into the workplace for more than one day, the supervisor of the employee should ensure the employee is aware of the RA process and be given information on how to contact their local servicing DPC to start the RA process.

Things to Keep in Mind:

- The visitor or employee is responsible for the behavior and care of the service or emotional support animal to include cleaning up after it but may need

accommodations to do so.

- If there are places the service or emotional support animal is not allowed to go, this must be conveyed to the visitor or employee and plans made for where the animal will stay if the employee must go to those places?
- Consider how often the service or emotional support animal needs to relieve itself and where will it relieve itself. Consider whether the employee's current break schedule is sufficient time for the employee to care for the animal's needs and whether as part of the RA more time should be permitted.
- Understanding ADA confidentiality rules are important. They state that employers cannot tell coworkers about an employee's disability or accommodations. This can make it hard for coworkers to learn about proper service or emotional support animal etiquette. An employer should start with the employee who will be using the service or emotional support animal and ask how that employee would like to handle educating coworkers. If the employee does not want to educate coworkers, then the employer should let coworkers know that there will be a service or emotional support animal in their immediate section, and they are not to interact with it.
- If a coworker is afraid of or allergic to the service or emotional support animal, employers should not automatically deny the request as there may be things the employer can do to accommodate both employees. For example, have employees work different schedules or work in separate parts of the building. Cleaning methods for removing pet dander could be used frequently. One employee may be able to, and prefer to, work from home or another location.

Resources

[Service Animals | ADA.gov](https://www.ada.gov/service-animals/)

[JAN - Job Accommodation Network \(askjan.org\)](https://askjan.org/)

