



Service Animals: Frequently Asked Questions

What is a service animal?

No matter whether they are called "Service Animals," "Assistance Animals," or another name, these are animals that have been individually trained to do work or perform tasks for the benefit of an individual with a disability. Only dogs are considered service animals under the ADA. Businesses and state and local government entities may also allow miniature horses as a reasonable modification, subject to certain limitations. Some state and local laws on service animals may be different and less restrictive than the ADA.

What is the difference between a service animal and a comfort / emotional support / therapy animal?

Service animals are individually trained to do work or perform tasks for an individual with a disability who, if asked, must be able to describe the specific tasks performed or work done by the animal.

The work done or tasks performed by a service animal must be directly related to the handler's disability.

Some service animals may be owned by individuals who have a non-apparent disability, such as a seizure disorder. The disability may not be visible.

A "comfort" or "emotional support" animal, or one that provides aid without performing a specific task or duty, means that it does not meet the definition of service animal. If the animal is not individually trained to do work or perform a task, it is considered a pet under the ADA. Obedience training alone is not a sufficient qualification to make a service animal.

Regardless of the term used to describe the animal, individualized training to do work or perform a specific task is what distinguishes an animal as a service animal. Thus, someone might mistakenly call their dog a "comfort animal," but if it actually functions as a service dog, and has been trained as such, it is protected under the ADA.

Does the animal need to have any certification or documentation, or wear a vest or tag, to identify it as a service animal?

No, there is no ADA requirement that the owner carry any certification papers showing that the animal is a service animal.

If the service animal doesn't require a special tag, certification papers, or other identification, how can we determine if it is a legitimate service animal?

There are two questions that may be asked:

1. Is the animal required because of a disability?
2. What task or service has this animal been trained to do?

One cannot ask: What is your disability? This is confidential information. Even if the service animal will not perform its task or service in the store, it is entitled to enter.

When may a service animal owner be asked to remove their animal from the premises?

A service dog's professional behavior and good grooming are necessary for it to be protected under the ADA. An individual may be asked to remove his or her service animal if it:

- Makes a mess on the floor.
- Bites or jumps on another patron.
- Wanders away from its owner.

A service animal may be removed if it continuously disturbs patrons; for example, if it is repeatedly barking. However, it should first be made clear that the service animal is not just doing its job. Barking may be how the dog performs its job. Find out first!

A service animal may also be excluded from certain areas of a building, though access to the building itself should be allowed. Example: A service animal should be allowed access to an upscale restaurant, but shouldn't be allowed into the kitchen.

Do service animals have to obey leash laws?

Yes, service animals must obey local leash laws.

The exceptions are when the service animal cannot perform its task while on leash, or if the handler cannot use a leash, harness, or tether due to disability.

In any case, the service animal must be under control at all times; if not by leash, then by voice control, signals, or other effective means.

Are the rules the same in housing? My housing manager says I can't have my service animal in my apartment.

The ADA does not apply to most housing. Under the Fair Housing Act (FHA), housing managers or landlords, etc. must allow an individual to have an "assistance animal."

Assistance animals under the FHA provide disability-related functions, including emotional support. The definition is thus somewhat more inclusive, requiring only a link between the assistance animal's function and the individual's disability.

Having an assistance animal is a reasonable accommodation, and a landlord may ask an individual for documentation of their disability and/or a letter of support from their treating physician, if it is not readily apparent why the individual needs the animal. If more than one assistance animal is owned by an individual, each animal must have a different function.

Are the rules the same in air transportation? Getting my dog on the airplane is difficult.

The ADA does not apply to air transit. The Department of Transportation, under the Air Carrier Access Act, regulates service animals on US airlines.

Airlines must permit a service animal to accompany a passenger with a disability. If an animal is an emotional support or psychiatric service animal, the airlines may require current medical documentation. Before you fly, check with your airline.

Etiquette for Interacting with People Using Service Animals

- Speak to the person, not the animal.
- Do not touch the service animal without asking for, and receiving, permission.
- Do not offer food to the service animal.

- Do not ask questions about the handler's disability, or otherwise intrude on his or her privacy.
- Do not be offended if the owner does not wish to chat about the service animal.

For more information about service animals:

Pet Partners: www.petpartners.org

ADA National Network: [Service Animals](#)

US Department of Justice: [2015 Frequently Asked Questions about Service Animals and the ADA](#)

US Department of Justice: [2010 Revised ADA Requirements: Service Animals](#)



The Northwest ADA Center is a member of the ADA National Network. This fact sheet was developed under grant from the Administration for Community Living (ACL), NIDILRR grant #90DP0095. However, the contents do not necessarily represent the policy of the ACL, and you should not assume endorsement by the federal government.

Alternate formats available upon request.

Service Animals as an Employment Accommodation

No matter whether they are called “Service Animals,” “Assistance Animals,” or any another name, these are animals that have been individually trained to do work or perform tasks for the benefit of an individual with a disability. It is the individual training that distinguishes a Service Animal from other animals under the Americans with Disabilities Act (ADA).

As of March 15, 2011, only dogs are considered service animals under Titles II and III of the ADA. Businesses and state and local government entities may also allow miniature horses as a reasonable modification, subject to certain limitations. Other animals, either wild or domestic, will then no longer qualify as a service animal. However, in the workplace, there is no such definition and technically no limit to what type of animal can be a reasonable accommodation.

Do the same rules that apply to a customer bringing their service animal into a store also govern a service animal accompanying an employee to their job?

No. A service animal accompanying an employee to his or her job is viewed as a “reasonable accommodation” under Title I of the ADA, which governs employment.

Thus, an employee must request that the service animal be present as an accommodation for their disability. The employer is obligated to take such requests seriously.

The employee may request, and the business may allow as an accommodation, an animal that does not meet the ADA definition of “service animal”. For example, the employee could request that their comfort animal, which does not meet the ADA definition of “service animal,” be allowed to come to work as an accommodation.

Is the employer always obligated to allow a service animal into the workplace when requested by an employee?

As with any request for an accommodation, the employer may need more extensive medical information regarding the employee’s disability and explaining how the service animal’s presence will relate to his or her ability to perform the duties of the job, in order to evaluate the request.

In general, the employer are expected to grant the accommodation request if: a) the employee’s disability and the service animal’s function are related; b) the service animal will improve the worker’s ability to perform their job; c) the animal has had sufficient training to not be a disruptive presence in the workplace; and d) the accommodation does not present an undue hardship.

What if the service animal is needed only to support the employee’s travel to and from work, and is not needed to perform the job?

In such a case, the accommodation request would be to identify a safe and acceptable space for the service animal during the workday, and for sufficient flexibility and time to care for the animal’s needs.

If the disability is not obvious, the employer could still require information about the employee’s disability, how the service animal’s function is related to the disability, and assurance that the animal has had sufficient training not to become a disruptive presence.

Who is responsible for taking care of and monitoring the service animal at work?

The employee is responsible for the care and monitoring of the animal. The employer, however, may need to make

accommodations that allow the employee to attend to necessary tasks, such as taking the animal outside to relieve itself.

It is important that the employee and employer discuss the details of how the service animal will be monitored and cared for during the workday, prior to initiating the accommodation.

Is the employer responsible for creating a relief area for the service animal?

While the ADA and Equal Employment Opportunity Commission (EEOC) do not specifically require the creation of a relief area, finding a suitable solution is critical to making a service animal accommodation feasible. A relief area need not be a grass strip; service animals can be trained to use an area that is paved – such as an alley – or other out of the way locations. The employee with the service animal is responsible for cleaning up after the animal.

Some individuals are allergic to dogs. How can we deal with that?

As a rule of thumb, strategies that separate the service animal from the affected worker offer simple solutions. The presence of another employee's mild allergy to a service animal is not usually a sufficient reason to prohibit the accommodation.

May an employer limit where a service animal is allowed to go in the workplace?

The service animal is not a pet, and it may need to be near the employee to provide its support. At the same time, health and safety regulations can restrict even a service animal.

Good solutions will need to be worked out on a case-by-case basis. The Job Accommodation Network (JAN) provides excellent (and free!) consultation with businesses regarding this exact issue. Call 800-526-7234, or look at their website - askjan.org - for downloadable suggestions on accommodating on employees who have service animals.

For more information about service animals:

Pet Partners

www.petpartners.org

For more information about the ADA:

US Department of Justice, ADA Information Line

[800-514-0301](tel:800-514-0301) (voice)

[800-514-0383](tel:800-514-0383) (TTY)

www.ada.gov



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Rules Comparison

Service and Assistance Animals – Federal Laws and State Laws for WA, OR, ID and AK



Federal Laws [Americans with Disabilities Act](#) [Fair Housing Act](#) [Air Carrier Access Act](#)

State Laws - [Washington State](#) [Oregon](#) [Idaho](#) [Alaska](#)

Statute	Training	Certification	Medical Documentation	Comfort/Emotional Support Animals	Service Animals-in-Training	Enforcement Entities
<p>Americans with Disabilities Act (ADA)</p>	<p>Yes. Under the ADA, a service animal must be a dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability. Service animals can be professionally trained or trained by the handler themselves.</p>	<p>No. Under Title II (State and Local Government) and Title III (Public Accommodations, meaning private businesses), a service animal handler does not need to provide certification for his or her service animal.</p>	<p>Yes. Title I of the ADA, regarding employment, does not specifically address service animals in the workplace. Under Title I, a service animal may be a reasonable accommodation. As such, medical documentation may be requested by an employer.</p>	<p>No. A comfort or emotional support animal is NOT trained. Comfort animals do not have rights under the ADA. For example, businesses do not have the legal obligation to admit a comfort animal if there is a "no pets" policy, as under the ADA these animals are in essence "pets."</p>	<p>No. The ADA does not address service animals-in-training, but rather gives each independent state the right to make its own laws regarding the rights of service animals-in-training.</p>	<p><u>U.S. Dept. of Justice</u> [Federal - Titles II&III] _____ <u>Equal Employment Opportunity Commission</u> [Federal -Title I] _____ State Legislation [Local]</p>

Statute	Training	Certification	Documentation	Comfort/ Emotional Support Animals	Service Animals-in- Training	Enforcement Entities
Fair Housing Act (FHA)	No, not necessarily. Under the FHA, the person with a disability who is requesting the assistance animal must demonstrate a disability-related need for the animal, but there is no requirement that the animal be trained."	No. Even if the assistance animal is a reasonable accommodation, the housing entity may not require certification to verify the assistance animal's status as such.	Sometimes. A landlord may request medical documentation that a tenant has a qualifying disability under the Fair Housing Act. In addition, the medical professional should indicate the benefit that the assistance animal provides. This documentation cannot be requested when the disability and need for the assistance animal is readily apparent.	Yes. Under the FHA, housing entities must admit any type of "assistance animal," a term which includes service animals as well as comfort animals or emotional support animals. In other words, training is not a requirement for an assistance animal.	Yes. The Fair Housing Act (FHA) does not require an animal to be trained, or be in training, to serve as an assistance animal for a person with a disability living in housing covered by the FHA. As such, service animals-in-training could be allowed as a reasonable accommodation under the FHA.	<u>Department of Housing and Urban Development (HUD): Disability Rights in Housing</u> 800-669-9777 (V) 800-927-9275 (TTY)

Statute	Training	Certification	Documentation	Comfort/ Emotional Support Animals	Service Animals-in- Training	Enforcement Entities
Air Carrier Access Act (ACAA)	Yes. The ACAA defines a service animal as "any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability." U.S. air carriers and their	No. The ACAA says that air carriers must accept service animals based on any type of identification or "the credible verbal	No, not usually. Under the ACAA, air carriers are to obtain credible verbal assurances from passengers who have service animals that the animal is indeed a trained service animal. If the verbal assurance does not seem credible, the	Yes. Under the ACAA, U.S. air carriers and their foreign partners may request current documentation by a physician on letterhead from individuals who would like to bring	No. The ACAA does not address service animals-in-training and is not required to carry them as they do not meet the requirements of a "service animal" according to this statute. However, carriers are	<u>Aviation Consumer Protection Division; Dept. of Transportation (DOT)</u>

foreign partners must recognize service animals and consider their presence in the cabin to be a reasonable modification of policy.	assurances of a qualified individual with a disability using the animal."	carrier may ask for medical documentation. While the ACAA does allow carriers to ask for medical documentation if an individual wants to have his or her service animal in the cabin, the Dept. of Transportation (DOT) says that it urges carriers not to have such a requirement.	their emotional support animals (which do not need to have had specific training) into the cabin.	free to make their own individual policies with regards to carrying any pets, including service animals-in-training, provided they comply with the Animal Welfare Act and are consistent with health and safety codes.	
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Statute	Training	Certification	Documentation	Comfort/ Emotional Support Animals	Service Animals-in-Training	Enforcement Entities
Washington State <u>White Cane Law</u> <u>Law Against Discrimination</u>	<p>Yes. Washington State law defines a service animal as "an animal that is trained for the purposes of assisting or accommodating a disabled person's sensory, mental, or physical disability."</p> <p>See requirements for service animals in "food establishments" in the foot note below.</p>	<p>No. There are no legal requirements for service animals to be specially certified, or for handlers to have proof of service animal status by certification.</p>	<p>No. Washington State law does not address a requirement of documentation or identification, including unique dog tags, with regard to service animals.</p>	<p>No. Comfort or emotional support animals are not considered service animals under Washington State law because they are not trained.</p>	<p>No. Washington State Law does not address service animals-in-training. A program or facility certainly can allow a service animal-in-training access, but it is under no legal obligation to do so.</p>	<p>Revised Code of Washington <u>RCW 70.84</u> <u>RCW 49.60.218</u></p>

*As is described in **RCW 49.60.218: Use of a dog or service animal—Unfair practices—Definitions**, in food establishments, a "service animal" is defined as "any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability." Furthermore, food establishments shall make reasonable modifications in policies, practices, or procedures to allow the use of miniature horses.

Statute	Training	Certification	Documentation	Comfort/ Emotional Support Animals	Service Animals-in- Training	Enforcement Entities
<p>Oregon</p> <p><u>Definitions for</u> <u>ORS 346.480</u></p> <p><u>Rights of</u> <u>Person with</u> <u>Physical</u> <u>Impairment</u> <u>and Trainer</u></p>	<p>Yes. Oregon defines an "assistance animal" as "any animal trained to assist a person with a physical disability in one or more daily life activities." This umbrella term includes, but is not limited to, "dog guides", trained to lead or guide a person who is blind; "hearing ear dogs," trained to assist a person who is deaf; and dogs trained to pull a wheelchair, fetch dropped items, and perform balance work.</p>	<p>No. There are no legal requirements for service animals to be specially certified, or for handlers to have proof of service animal status by certification.</p>	<p>No. The Oregon does not address a requirement of documentation or identification, including unique dog tags, with regard to service animals.</p>	<p>No. Oregon does not specifically address comfort or emotional support animals. Because such animals are not trained they would not be considered a service/assistance animal in Oregon.</p>	<p>Yes. Oregon recognizes the rights of "assistance animal trainees," defined as "any animal undergoing training to assist a person with a physical impairment." This includes "hearing ear dog trainees" and "dog guide trainees." Trainers are permitted in places of public accommodation, for example, provided that they have the dog under control.</p>	<p>Oregon Revised Statutes</p> <p><u>ORS 346.610</u> <u>ORS 346.640</u> <u>ORS 346.680</u> <u>ORS 346.685</u></p>

Statute	Training	Certification	Documentation	Comfort/ Emotional Support Animals	Service Animals-in- Training	Enforcement Entities
<p>Idaho</p> <p><u>Right to Use of Assistance Dog</u></p> <p><u>Rights of Persons with Dogs-in-Trainings</u></p>	<p>Yes. According to Idaho Code, an "assistance dog" is either a dog that has been trained as a "guide dog," for a person who is blind or has a vision disability; a "hearing dog," for a person with a hearing disability; or a "service dog," for a person with a physical disability.</p>	<p>No. There are no legal requirements for service animals to be specially certified, or for handlers to have proof of service animal status by certification.</p>	<p>No. Idaho Code does not address a requirement of documentation or identification, including unique dog tags, with regard to service animals.</p>	<p>No. Idaho Code does not address the rights of comfort or emotional support animals.</p>	<p>Yes. Idaho Code recognizes service animals-in-training, and thus businesses, public programs, and workplaces have a legal obligation to allow access to service animals-in-training. Idaho Code does stipulate that the "dog-in-training" will wear a jacket, collar, scarf or other similar article to identify it as a dog-in-training.</p>	<p>Idaho Code</p> <p><u>Right to Use of Assistance Dog</u></p> <p><u>Rights of Persons with Dogs-in-Trainings</u></p>

Statute	Training	Certification	Documentation	Comfort/ Emotional Support Animals	Service Animals-in- Training	Enforcement Entities
<p>Alaska</p> <p><u>Duty to Disabled Pedestrians</u></p> <p><u>Interference With Rights of Physically or Mentally Challenged Person</u></p> <p><u>Interference with the Training of a Service Animal</u></p>	<p>Yes. According to Alaska law, a service animal is trained to assist a physically or mentally challenged person.</p>	<p>It depends. Service animals are sometimes referred to as "certified service animals" under Alaska law. Thus, certification from an authorized training school can be required for access with a service animal in the case of private and public businesses, transportation, etc.* When the issue is for drivers to take precaution to avoid injuring service animals or handlers, Alaska law does not mention certification as necessary for a "service animal."</p>	<p>No. Alaska law does not address a requirement of documentation or identification, including unique dog tags, with regard to service animals.</p>	<p>No. Alaska law does not address the rights of comfort or emotional support animals.</p>	<p>Yes. Service animals-in-trainings do have rights under Alaska law. They must be accompanied by an "authorized" trainer, and be identified by wearing a device or exhibiting an insignia approved by a school, agency, or other facility that trains service animals.</p>	<p>Alaska Statute</p> <p><u>AS 09.65.150</u></p> <p><u>AS 11.76.130</u></p> <p><u>AS 11.76.133</u></p>

*Alaska's Title 11, Chapter 76 definition of a service animal, which requires a service animal to be certified by a school or training facility is a definition that is contradictory to the federal Americans with Disabilities Act (ADA) definition of and requirements for a service animal. The ADA does not require a service animal to be trained by a specific school or facility. Thus, even in the state of Alaska, a service animal may not be denied access even if it is not a "certified service animal" according to the Title 11 definition. However, a person may not be charged under this state law for interfering with the rights of a service animal handler if the service animal does not meet the definition of a "certified service animal." For more information, please contact the Northwest ADA Center.



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