

# ALLOWING ANIMALS AS A REASONABLE ACCOMMODATION IN UNIVERSITY EMPLOYMENT

## STN-U1600.03A

**Effective:** October 18, 2018

### Authority

[POL-U1600.03](#) Accommodating Persons with Disabilities

### See Also

[PRO-U1600.03](#) Requesting an Employee Disability Accommodation  
[POL-U1600.02](#) Ensuring Equal Opportunity & Prohibiting Discrimination and Retaliation  
[POL-U5620.04](#) Allowing Animals on University Property

### Purpose of Standards

This standard is to be followed when an employee or applicant for employment at the University requests that an animal be allowed to accompany the employee or applicant as a reasonable accommodation in order to gain equal access to employment or the employment application and interview process.

### Definitions

#### **Person with a Disability means:**

- a) Under 42 USC §12102, a person with a physical or mental impairment that substantially limits one or more major life activities; and/or
- b) Under chapters 49.60.040 RCW and 162-22 WAC, the presence of a sensory, mental or physical impairment (temporary or permanent) that is:
  - 1) Medically cognizable or diagnosable, or
  - 2) Exists as a record or history; or
  - 3) Known or shown through an interactive process to exist in fact, and:
  - 4) Has a substantially limiting effect upon the individual's ability to perform his or her job, the individual's ability to apply or be considered for a job or the individual's access to equal benefits, privileges, or terms or conditions of employment; or
  - 5) The employee must have put the employer on notice of the existence of an impairment, and medical documentation must establish a reasonable likelihood that engaging in job functions without an accommodation would aggravate the impairment to the extent that it would create a substantially limiting effect.

Emotional Support Animal – an animal that provides comfort, emotional support, or well-being through their presence. They have not been trained to perform a specific job or task, therefore they do not qualify as a service animal under the ADA.

Service Animal – an animal that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the dog must be directly related to the person's disability.

### **Reviewing Accommodation Requests**

1. The procedures for requesting an employment accommodation for a disability employee must be followed. See PRO-U1600.03A Requesting an Employee Disability Accommodation.

When analyzing the request, Human Resources must ensure that the need for the animal is directly related to the person's disability. The employee may be asked to provide documentation of the disability and the tasks the animal will provide. Human Resources may not request documentation if both the disability and need for the animal are obvious, such as a guide dog for a person that is blind.

2. Conflicting health conditions as the result of an approved animal will be addressed separately. Allergies and fear of dogs are not valid reasons for denying the accommodation.
3. Requests to have service animals "in-training" in spaces that are prohibited to non-service animals will be reviewed on a case-by-case basis.

### **Handler Responsibilities**

1. The animal must not be disruptive or pose a threat in the University workplace, classes, events, or activities. In the event the handler is not able to gain control of the animal, the animal must be removed by the handler.
2. The handler is responsible for any financial or contractual liability occurring as a result of animal's behavior including bodily injury or property damage.
3. The animal must be under the immediate control of the handler at all times.
4. Animals must be housebroken. The handler is responsible for the proper, bagged disposal in appropriate, outside containers, of animal's waste or other bodily fluids. The handler is responsible for any costs required to clean University property in the event the animal deposits waste or other bodily fluids.
5. The handler must ensure animal has proper immunizations, licenses and any required veterinary documentation, in compliance with Bellingham Municipal Code. The University has the right to request documentation relevant to these health and safety records at any time at which point documents must be produced.

6. The handler is responsible for keeping their animal clean, healthy, and free from pests such as, but not limited to, fleas, ticks, and mites, and for any charges resulting from damage, cleaning or pest infestation.
7. If handler is notified that another employee is allergic to dander, handler will agree to using dander care products.
8. The handler may not leave animal unattended or in the care of a staff member, faculty member or student.
9. Bathing animals in any sink, shower or tub located in the University is prohibited.
10. The handler will notify Human Resources if the approved animal is no longer needed. To replace an approved animal, the employee must file a new request for accommodation.

### **Directing Complaints or Concerns**

1. Anyone with issues regarding the presence of the animal, should contact the supervisor/interviewer first. If the conflict is not sufficiently addressed, individuals may contact in Human Resources at (360) 650-3774.
2. Any individual who feels that they have been unfairly denied the ability to bring a service animal onto University property may file a grievance with the University's Equal Opportunity Office at (360) 650-3307.