



## **SERVICE ANIMAL GUIDELINES – EMPLOYEES JUNE 2024**

### **PURPOSE**

Westfield State is committed to ensuring its workplace and facilities are accessible and welcoming to employees with disabilities to support a culture of belonging. We understand that a service animal can be a critical source of support for faculty, staff, and the campus community.

### **DEFINITION OF SERVICE ANIMAL**

Under Title II and III of the ADA, a service animal means any dog, or in rare cases a miniature horse, which 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. The Massachusetts Service Animal Law limits the definition of service animal to a dog that aids an individual with a sensory and/or physical disability. Federal law allows for a broader definition of service animals under the Americans with Disabilities Act (ADA) to include miniature horses.

The ADA service animal definition includes psychiatric service dogs trained to recognize and respond to psychiatric disability symptoms. For example, a dog who is trained to help its owner with Post Traumatic Stress Disorder (PTSD) avoid environmental triggers to their disability symptoms would be considered a psychiatric service animal.

### **INTRODUCTION**

The University supports the use of service animals on campus in compliance with the ADA, MA Service Animal Law, and other applicable regulations. At the same time, it recognizes the health and safety risks created by an animal not under the care and restraint of their owner on campus. Employees are requested to communicate the presence of a service animal to the Office of Human Resources, Title IX, & Equal Opportunity by completing a [Request for Reasonable Workplace Accommodation Form](#), Human Resources will then begin an interactive process to review the request for accommodation.

The employee, hereinafter referred to as the “handler” has sole responsibility for the care and conduct of the support animal. The handler must abide by all state and local laws on animals including vaccination and licensing requirements. All handlers may not be asked to provide documentation of a disability or to have the service animal demonstrate its work. Questions of a handler must be limited to the following: a) Is the animal required because of a disability? b) What task or service is the animal trained to perform? Handlers are expected to register their service animal in accordance with town or city vaccination and or licensing laws. The records for

their service animal can be stored with the Office of Human Resources, Title IX, & Equal Opportunity.

The handler is presumed financially responsible for property damage caused by the animal including, but not limited to cost of repairs, replacement or extraordinary cleaning of facilities or furnishings and any bodily injury or personal injury caused to other persons by the animal. [Massachusetts General Law Chapter 140, Section 155](#) includes added liability information for handlers of dogs. Violations of these guidelines may be documented and reported with the [General Reporting Form Animal Behavior](#) contacting the manager of the handler's department, including observed violations by staff or others. Please be aware that failure to abide by these guidelines may result in the immediate removal of the animal, modification of the accommodation or disciplinary action subject to the terms of the University's collective bargaining agreements where applicable.

## **GUIDELINES**

Guidelines apply to employees, University affiliates, visitors, contractors, and applicants for admission to or employment with the University. While it is not necessary to register or otherwise seek University approval for a service animal, employees are requested to communicate the presence of a service animal to the Office of HR, Title IX, & Equal Opportunity. These guidelines are primarily put into place to protect the health and safety of the handler, other community members, and the animal itself.

1. The employee handler is to provide supporting documentation in a Request for Reasonable Workplace Accommodation for review by the supervisor and submission to Office of HR, Title IX, & Equal Opportunity.
2. Service animal handlers in Massachusetts do not have to obtain any certification or identification.
3. Service animals can go wherever the handler can go.
4. Service animals must always be under the handler's control. In most cases this involves use of a harness, handle or collar and leash. When an animal is taken out of the handler's workspace it must be kept harnessed, leashed or with handle, or in a carrier, crate, or cage under the control of the handler. Some service animals work off leash (i.e., for sight, retrieving items, opening doors and other specific tasks requiring freedom from restraint).
5. If any handler is visiting a place regularly (attending a class or meeting), it is helpful to notify the meeting owner in advance of your intention to bring a service animal with you, so that if anyone in the same room has an allergic reaction to dogs, the institution can make plans to meet both of the handler's and the allergic person's needs for distance or whatever is required. The existence of an allergy is not considered sufficient reason to deny a handler access to their service animal. Any employee who experiences Cynophobia

(fear of dogs), the expectation is that Westfield will work to care for each employee and balance their needs.

6. Service animals are allowed even if others have fears or allergies to dogs. Employees significantly affected by an animal's presence due to a medical condition such as asthma, for example, should contact HR.

7. Service animals may be allowed on a seat or bench next to the handler as part of their service due to medical reasons. These factors are an important part of the animal's job. Note, all service animals do not need to be allowed to sit on furniture meant for other students, faculty, or staff. Service animals do not eat from plates, bowls, or other food service items that are used by humans without the permission of the establishment, nor do they eat from a table meant for humans.

8. The University is not responsible for the care, conduct or supervision of any animal. The handler must abide by all state and local laws with respect to animals.

9. Handlers are expected to register their service animal in accordance with town or city vaccination and or licensing laws. The records for their service animal can be stored with the Office of Human Resources, Title IX, & Equal Opportunity.

10. The animal must not be left alone in the workspace. If ever needed and an animal is left alone in the handler's workspace the animal should be appropriately crated or caged to ensure it does not escape in case University staff need to enter the workspace.

11. The service animal must be housebroken.

12. The handler is responsible for immediate cleanup of the animal's waste and use of the proper receptacle outside of buildings for disposal of waste.

13. The handler must manage waste using the following approved waste guidelines. Animals that make waste outdoors should do so in grass covered areas. Animals should not make waste at the Woodward Center, athletic fields, campus green and areas used by intramural sports. The handler is responsible for the immediate cleanup of the animal's waste. All animals who make waste indoors will need a proper receptacle provided by the handler. Animal waste is to be disposed of outside of buildings in a trash receptacle. Animals, their crates, and other related material must be kept clean. If cleaning becomes necessary and needs to take place on campus, it is to be done in an area designated by the Environmental Services staff.

14. Animals must not be a direct threat to the safety of the handler, other people, or other service animals. Animals must not make excessive noise that has the potential to disrupt other community members.

## **ADDITIONAL CONSIDERATIONS for CAMPUS COMMUNITY MEMBERS**

1. Do not approach, touch, call out to, or feed without the handler's permission.
2. Do not assume that the handler must have a visible disability.
3. Do not assume that a service dog will be wearing a vest or other sign of their service status. The Commonwealth of Massachusetts does not require equipment showing service status.
4. Any breed of dog may be a service dog.
5. In a medical emergency, the handler and dog are always transported as a team. Safeguard against the separation of the service dog from its handler.
6. Task examples of service animals may include and not limited to:
  - a. Guiding a person who is blind.
  - b. Alerting a person who is deaf.
  - c. Interrupting compulsive behavior.
  - d. Redirecting or intervening when a physiological event of the disability occurs.
  - e. Retrieving objects.
7. Animals whose sole function is to provide comfort or emotional support are not service animals.

## **INFORMATION RESOURCES**

Helpful Links:

- [Service Animal Resource Basics](#)
- [Service Animal & Support Animal in Emergencies](#)
- [Service Animal and Support Animal in Employment](#)

Listed to the MA state laws and the American Disability Act regarding service animals.

- <https://malegislature.gov/Section98A>
- <https://www.mass.gov/info-details/disability-rights-for-users-of-assistance-animals>
- [ada.gov/resources/service-animals-faqs](https://ada.gov/resources/service-animals-faqs)