Service Animals 102

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3-4:30pm Croisan Creek Room
A blind woman speaking about her guide dog:

“Thank you for giving me my freedom, and the ability to go make my own joy in this world”
– guide dog user

"Those of us who use service dogs experience discrimination more frequently than most are aware,"
-- Marion Gwizdala, guide dog user and NAGDU president
Acknowledgements

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You, for your time and attention.

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To Disability Rights Oregon for permission to use their guide.
Agenda

• Recap from 101

• Service Animal Policy and Best Practice Recommendations

• Training your colleagues

• Q & A
101 Recap

• You can ask what task a service animal performs.
• You should take reasonable steps to accommodate people with disabilities
• You can exclude a service animal for uncorrected behavioral problems.
Policies should keep up with risk

• Informal or “case by case” management invites inconsistency.
• An in-house expert will go on vacation and be sick.
• All front line employees need to know how to handle routine requests from people with disabilities. They should also know what to do when the situation is unusual.
• Established policies are better than rolling the dice!
Uber

• Recent class action settlement
• Cannot deny trips because a driver is afraid of dogs, dislikes dogs, or is allergic to dogs.
• Must accommodate multiple service animals if space permits
• Refusal to agree or more than one plausible complaint can result in being banned as a driver.
Rental housing

• Service animals aren’t pets, and aren’t subject to pet deposits, “no pet” rules, or fees.

• Emotional assistance animals are also allowable as an accommodation to a “no pet” policy.
One more example

• Airlines are quickly changing their rules for allowing animals on board, in response to recent incidents.

• Delta now requires a handler travelling with their emotional support animal to:
  • provide 48 hours notice
  • Submit an immunization record
  • No pit bulls allowed
  • One dog maximum
  • Submit a medical/mental health professional treatment form
  • Confirm animal training
The LTD Way

• 2 Questions, and a behavioral standard
• No certification, letter, or vest can substitute for the above
• Service Animals in training are allowed, but must still behave
• Pilot project began Jan. 1, 2018
  • Option 1, Is this a service animal, and what task are they trained to perform?
  • Option 2, A rider card with a paw print endorsement:

• The endorsement just means that I’ve already asked someone the two questions so drivers don’t have to.
What we’ve learned

• Communication is key
• Humans and dogs both make mistakes
• Communication is key
• Sometimes people lie
• Communication is key
• The program is a tool, not a solution
• Communication is key
Policies should benefit both customers and employees.

Policy Questions:
• How does this policy help people do their jobs?
• Does this policy create any barriers to people with disabilities?
• Do employees have a hope of remembering the policy?
• Does the public have a hope of understanding the policy?
Break into Small Groups
Role Play #1

• As an employee, you notice one of your customers has a dog with a service animal vest that keeps barking. Complaints are starting to come in.

• As a customer, any or none of these things may be true:
  • Your dog is an emotional support animal
  • Your dog is barking to alert you of a medical condition
  • Your dog is trained to pull your wheelchair, but is barking because it sees a squirrel through the window and she does that sometimes.
Training your colleagues

• Sometimes training will just “click” for an employee, but with hundreds or thousands of employees you should expect the occasional problem.

• It’s normal for conflicts to arise in the workplace, and we can help our colleagues the support and training they need to be successful.

• Encourage employees to make mistakes during training, it’s better than waiting for it to happen in the real world. Here are some things worth noticing:
People get passionate about their dogs, and there can be a temptation to be overly vigilant or protective.

Warning signs:
• I can just tell that isn’t a real service animal
• I knew they were lying about their animal
• I asked them to demonstrate the task because I didn’t believe them
• I asked some follow up questions to prove it wasn’t a service animal
• They didn’t have a vest/doctor’s note/certification/visible disability/etc
• It can’t be a service animal because it was a pitbull/chihuahua/minature horse
Strategy

Simplify:
There are two questions you can ask. There are service animals and not service animals.

Appeal to values:
We’re here to help people. We can’t and shouldn’t create any unnecessary barriers to that primary goal.

Uphold a behavioral standard:
When in doubt, allow the animal but ensure the animal maintains its behavior. We can only take action for what the dog does, not what we think it might do.

Liability:
If you ever err on the side of not allowing a service animal, we risk a lawsuit.
Beware this archetype

When rules get complicated, there can be a temptation to give up.

Warning signs:
• It’s easier to just allow everyone
• I don’t even ask the two questions
• Whenever I call a supervisor they always just tell me to allow it, so why bother asking?
• I only get complaints if I ask questions

The Crowd Pleaser
Strategy

Responsibility:
If someone is really unsure of what to do in a situation, it’s not always appropriate to make a decision in a vacuum.

Equity:
Not upholding the rules makes life difficult for co-workers, and makes enforcement inconsistent.

Punishment fitting the crime:
You will be supported for doing the right thing, even when a customer complains.

Liability:
If you ever err on the side of not doing your due diligence, we risk a lawsuit.
Beware this archetype

It can always be somebody else’s problem.

Warning signs:
• Let me call my...
• Please fill out this...
• Have you filed a formal...
• ...we’ll get back to you in 3-5 business days.
• ...forwarded your request to...

The Deferer-er
Strategy

Accessibility is everyone’s responsibility

Customer Service:
It’s simply not good customer service to make some wait for a response or navigate bureaucracy.

Team Player:
Everyone wants to work with employees who can take on their share of the responsibilities.

Know when to fold ‘em:
There will be times you need to ask for advice or get support, and that’s fine. But we expect that everyone can work with people with disabilities and handle basic requests.

Liability:
If you are not able to respond to simple and reasonable requests, we could risk a lawsuit.

The Deferer-er
Be fearless,

You can’t know everything

- Get employees comfortable wrestling through real examples.
- Employees should know they can’t have all the answers.
- Employees should feel supported.

- Novel situations will come up and employees should know what is expected of them.
Q & A
Resources

Animal Legal & Historical Ctr
www.animallaw.info/

Guide Dogs for the Blind, Inc.
www.guidedogs.com

Nat’l Assoc of Guide Dog Users
http://nagdu.org

Disability Rights Oregon
https://droregon.org/

U.S. DOJ
www.ada.gov
Notice

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