

Animals in the Workplace

Animals are generally prohibited in places of public accommodation (as defined in [ORS 659A.400](#)) that are open to the public and owned or maintained by a public body. This includes state offices and facilities. Two exceptions are:

- Animals critical to fulfilling the mission of an agency such as Police K9 units, fish or animals in hatcheries, or wild animals in a state park, and
- Assistance (service) animals as defined and authorized in [ORS 659A.143](#).

Risks to Agencies

- Animal bite to staff or public
- Pest Infestations
- Transmissible diseases
- Workplace disruption
- Americans with Disabilities Act violations



Insurance Coverage

Liability/Property Coverage*

State owned animals used for state business are covered under the state's self-insurance policies. [Property Self-insurance Policy Manual](#), and/or [Agency Liability Policy Manual](#).

Workers' Compensation Coverage*

State employees engaged in state business sustain injuries or illnesses due to animals, are protected by the state's Workers' Compensation policy.

***Important Note:** The owners or handlers of assistance, service, or personal animals are responsible for their animals. Any claims for damage, injury, or negligence may be the responsibility of the owner or handler. They could be financially responsible for all related costs. Please note the state does not cover animals not owned by the state and used for state business.



Risk Mitigation and Best Practices

Animals in State Buildings

While in state workplaces, any assistance/service animal or animal trainee must be under control of the handler. Animals must be harnessed, leashed or tethered. If this interferes with the animal's ability to work, the animal must respond to voice commands, signals or an alternative method of control.

All animals in the workplace must be housebroken, have all required vaccinations, and be free of pests or serious infectious disease able to cause injury to a person or other animal.

Animals in the workplace must meet all requirements of any other local laws imposed on them .

RiskWise



A Guide to Controlling Risk

Animals in the Workplace

- Risks to Agencies
- Insurance Coverage
- Risk Mitigation and Best Practices
- Additional Resources, Links, and Information

Risk Mitigation and Best Practices (Continued)

Assistance Animals in State Buildings

As detailed in ORS 659A.143 and reflected in DAS Facilities Policy - [107-011-150 Animals in facilities owned, operated or leased by DAS](#), staff in a place of public accommodation or of access to state government services, programs, or activities:

May Not:

- Ask an individual about the nature or extent of a disability the individual has or may have;
- Require an individual provide documentation proving an animal is an assistance animal or an assistance animal trainee; or
- Charge an admission fee for an assistance animal or animal trainee.

May:

- Ask whether an animal is an assistance animal required due to a disability; and
- Ask about the nature of the work or task an animal is trained to do or perform.

Under Oregon law, assistance animal trainees and trainers are treated the same as an assistance animal and the animal owner.

If an assistance animal is not permitted in the workplace, arrangements must be made for the owner of the animal to receive assistance by some other means.

If a place of public accommodation or access to state government services, programs or activities customarily charges a person for damages the person causes to the place, they may also charge a person with a disability or an assistance animal for damages the person or animal causes to the place.

Employee with an Assistance/Service Animal

Allowing an employee's assistance/service animal in the workplace may be a form of reasonable accommodation. As with any accommodation request, the agency must engage with the employee in an interactive process to consider allowing the use of an assistance animal at work unless doing so poses an undue hardship.

The agency might request documentation verifying the assistance animal is trained, necessary to address functional limitations arising from a disability, and capable of behaving appropriately in the workplace.

For more information on considerations and processes for Employee ADA Accommodations, such as assistance/ service animals, review the following resources:

DAS CHRO - [ADA and Reasonable Accommodation in Employment Policy - 50.020.10](#)

U.S. Department of Justice - [Frequently Asked Questions about Service Animals and the ADA](#)

Americans with Disabilities Act (ADA) Requirements - [Service Animals](#)



Additional Resources, Links and Information

DAS CHRO - [ADA Toolkit](#) and [ADA Resources List](#)

Job Accommodation Network - [Service Animals in the Workplace](#)

Supporting People with Service Animals: [A Guide to Etiquette](#)

Society for Human Resource Management (SHRM): [Set Ground Rules for the Different Types of Service Animals](#)

[<https://www.oregon.gov/das/Risk/Pages/PubsToolsRes.aspx>]

DAS RISK MANAGEMENT

www.oregon.gov/das/Risk/Pages/index.aspx

DAS

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*We commit to be KNOWLEDGEABLE, RESPECTFUL AND
RESPONSIVE in business and interactions.*