

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

Risks to Agencies

- Animal bite to staff or public
- Insect or vermin Infestations
- Infectious disease transmission
- Workplace disruption
- Americans with Disabilities Act violations



Insurance Coverage

Liability Coverage

Liability for coverage related to acts or omissions regarding agency mission critical animals in the workplace is available under the state's self-insurance [Agency Liability Policy Manual](#).

Property Coverage

State owned animals are considered property by the insurance policy and may be covered by the state's [Property Self-insurance Policy Manual](#), subject to all terms and conditions.

Workers' Compensation Coverage

Employee injuries or illnesses caused by animals in the workplace is covered by workers' compensation.

***Important Note:** Any claims made under the above categories may be deemed the personal responsibility of the animal owner and the animal owner may be financially liable for claim costs.



Risk Mitigation and Best Practices

Animals in State Buildings

Any assistance/service animal or assistance/service animal trainee allowed in the Workplace must be under the control of the handler. Animals must be harnessed, leashed or tethered unless this interferes with the animal's ability to perform its work. In these cases, the animal must be controllable with voice commands, signals or other means.

Any animal in the workplace must be housebroken, have any required immunizations and be free of pests or serious infectious disease that could cause personal injury to a person or other animal in the workplace.

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



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

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Risk Mitigation and Best Practices (Continued)

Assistance Animals in State Buildings

As detailed in ORS 659A.143 and reflected in DAS Facilities Policy - [125-6-132 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 that the individual has or may have;
- Require an individual to provide documentation proving that an animal is an assistance animal or an assistance animal trainee; or
- Charge an admission fee for an assistance animal or assistance 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 that 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 owner of the animal.

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

If a place of public accommodation or of 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 may require documentation that the assistance animal is trained, is needed to address functional limitations resulting from disability and is capable of functioning 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

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