



TRINITY COUNTY

Human Resources Policy

SUBJECT:	Animals in the Workplace
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I. PURPOSE

This policy establishes rules and procedures related to service animals and non-service animals within Trinity County buildings and vehicles for both employees and members of the public. Exceptions to this policy may be made upon request to the Human Resources Director or CAO.

II. DEFINITIONS

1. Service Animal

A service animal is an animal that is individually trained to do work or perform tasks for a person with a disability.

Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, or calming a person with post-traumatic stress disorder during an anxiety attack. Service animals are working animals not pets. The work or task an animal has been trained to provide must be directly related to the person's disability. 'Service animal' also includes an animal that is individually trained to do work or perform tasks in support of a function provided by the County. For example, a dog in the service of the Sheriff's department which is individually trained to support the business purposes of the department.

2. Emotional Support Animal

An emotional support animal is any animal that provides emotional support alleviating one or more symptoms or effects of a person's disability.

For the purpose of this policy, the term 'service animal' includes emotional support animals.

III. POLICY:

1. Non-service animals are not allowed in County vehicles or County buildings except that animals are allowed in County animal shelters as part of the regular functions of Animal Services (for example, animals that have been impounded or are receiving vaccinations) and for law enforcement operations in support of Animal Services. The County may deny the admittance of any animal onto County property if it has a history of biting or other unacceptable/dangerous behavior.

2. Members of the Public - Service Animals

A. Trinity County allows members of the public with disabilities to bring service animals to all County facilities where members of the public are allowed.

B. A service animal must be under the control of its handler.

i. Under the Americans with Disabilities Act (ADA), service animals must be harnessed, leashed, or tethered, unless the individual's disability prevents using

these devices or these devices interfere with the service animal's safe, effective performance of tasks. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.

C. When it is not obvious what service an animal provides; only limited inquiries are allowed. Staff may ask two questions:

- i. (1) is the animal a service animal required because of a disability?
- ii. (2) what work or task has the dog been trained to perform?

D. Staff cannot ask about the member of the Public's disability, require medical documentation, require a special identification card or training documentation for the animal, or ask that the animal demonstrate its ability to perform the work or task.

E. Allergies and fear of animals are not valid reasons for denying access or refusing service to members of the public using service animals.

- i. When a person who is allergic to animal dander and a person who uses a service animal must spend time in the same room or facility, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.

F. A member of the public with a disability cannot be asked to remove their service animal from the premises unless:

- i. the animal is out of control and the handler does not take effective action to control it; or
- ii. the animal is not housebroken.
- iii. when there is a legitimate reason to ask that a service animal be removed, staff must offer the member of the public with the disability the opportunity to obtain goods or services without the animal's presence.

G. County establishments that sell or prepare food must generally allow service animals in public areas even if state or local health codes prohibit animals on the premises.

H. County staff are not required to provide care for or supervision of a service animal.

- i. Employees must not touch, feed, or otherwise interact with the service animal.
- ii. Employees must not separate a member of the public from their service animal.

I. The handler is responsible for all service animal needs including: providing for all needs (food, water, exercise, hygiene walks outside the county premises, removing or arranging for the removal of all animal waste).

3. Trinity County employees - service animals

A. Trinity County will engage in the interactive process with employees requesting accommodation involving a service animal. The interactive process requires the medical verification of work restrictions, and ongoing dialogue to determine if an accommodation is available, and a determination of what temporary or permanent accommodation is appropriate that does not pose an undue burden on the County.

The law specifies that only well trained, housebroken, and even-tempered animals are authorized to accompany their handlers to places of work. This applies to both members of the public and employees.

B. Trinity County employees requesting an accommodation which involves a service animal must submit medical verification to the Human Resources Department.

- i. The Human Resources Department, the employee's department representative (department head or manager), and the employee will engage in an ongoing interactive process to determine what temporary accommodation, permanent accommodation, job transfer, follow up verification, fit for duty evaluation, or other case-by-case accommodation is appropriate for any specific situation.
- ii. The service animal must not be allowed onto County property prior to the accommodation decision made by the Human Resources Department, with legal guidance from County Counsel.
- iii. During the interactive process, Human Resources will verify with animal services that the service animal does not have a bite history.

C. Service Animal Guidelines for Employees

- i. In the event that the County has officially approved the presence of an employee service animal in the workplace, the service animal must be under the control of its handler and be housebroken.
- ii. Under the ADA, service animals must be harnessed, leashed, or tethered, unless the individual's disability prevents using these devices or these devices interfere with the service animals safe, effective performance of tasks. In that case, the employee must maintain control of the animal through voice, signal, or other effective controls as verified by the County via the ongoing interactive process and ongoing department supervision. Where needed, the Trinity County Animal Services may be consulted for guidance.
- iii. Employees with approved service animals will be asked to remove themselves and their service animals from the workplace if the animal is not housebroken.
- iv. Employees with approved service animals will be asked to remove themselves and their service animals from the workplace if they lose control of their animal and do not take effective action to take control of its behavior.
- v. In the event that an employee service animal is not housebroken or otherwise causes damage to County property, the County, to the extent appropriate and as determined lawful, may require the employee to clean up after their animal and/or reimburse the County for any property damage associated with the service animal.
- vi. County staff are not required and must not provide care for or supervision of another employee's service animal. Employees must not touch, feed, or otherwise interact with another employee's service animal.
- vii. The employee handler is responsible for all service animal needs including: providing for all needs (food, water, exercise, hygiene walks outside the County premises, removing or arranging for the removal of all animal waste). The time required to care for the service animal, including hygiene activities and waste disposal will be treated as break time, lunch time, or unpaid leave.