



# Disability Law Center's Self-Advocacy Materials

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## Employment

This document is designed for people with disabilities. The information is about your legal rights and how to advocate for yourself as a resident in Massachusetts.

Contact us to request this information in an alternative format.

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### Funding

DLC receives funding from government grants, private foundations, and individual contributions. For details about our funding and programs, please visit:

<http://www.dlc-ma.org/about/funding/>

## Dogs at Work as a Reasonable Accommodation

### You Will Learn About:

- Bringing your dog to work as a service animal

This document includes general information about legal issues and is intended to be used for informational purposes only. These informational materials should not be taken as legal advice, and do not create an attorney-client relationship. The outcome of any particular matter will depend on a variety of factors. For specific legal problems you would need to contact an attorney.

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# Dogs at Work as a Reasonable Accommodation

## I Would Like to Bring My Dog to Work. May I Do It?

You may bring your dog to work without any discussion with your employer if your employer allows dogs at work for all employees.

If your employer does not allow animals at work, you must talk to your employer before you bring your dog to work. It may be necessary to explain to your employer how your dog will help you with tasks that you have difficulty performing because of your disability. Your employer must consider if it is possible to modify its “no pets” policy in your situation.

## What is the Difference between a Pet and a Service Animal? Do I Have to Provide Documents to Prove That My Dog is a Service Animal?

Under Federal Law, a service animal is a dog that is individually trained to do work or perform tasks for a person with a disability. The dog does NOT have to be licensed or certified to be a service animal. Your employer may not ask you to show a ‘license,’ ‘certificate,’ or any other identification documents to prove that your dog is a service animal.

Your employer may ask you to explain how your service animal provides personal or medical support for you. For example, service animals frequently help with personal medical needs or provide psychological support.

## May My Employer Ask Me for a Note From My Doctor?

Your employer may ask you to bring a note from a doctor or some other source to prove that:

1. You need your dog at work because of a disability related reason;
2. Your dog will help you with your job functions or tasks; and
3. Your dog has been trained to be in a workplace without disruption.

In some cases, documentation from your dog’s trainer may be helpful. If you trained your dog on your own, you may ask your employer to give you a trial period to show that your dog behaves well in the work environment and does not cause disruptions.

## May My Employer Require Me to Provide Proof of Certification, Insurance, and Vaccination Before I Bring My Service Animal to Work?

Federal or Massachusetts law does not address this issue. If your employer asks for proof of certification, vaccination, or insurance, it may be easier to provide it if you have it. If you do not have it, or prefer not to provide it, you might offer to bring your dog to work to show that your dog is healthy and well behaved.

## May My Employer Ban My Dog From Some Places At Work?

You must discuss with your employer if there are any restricted places where your dog will not be allowed for valid reasons. For example, if you work in a hospital, your employer may ban your service animal from entering the operating room or a laboratory. You may still be able to bring your dog to work if you can be separated from your dog when you work in a restricted area. Perhaps your employer can modify your job so that you do not have to go to any places where your dog is not allowed. Both you and your employer should look for reasonable solutions in good faith.

## May My Employer Tell My Coworkers Why I Need A Service Animal?

Your employer may not disclose any medical or disability related information without your permission. You may volunteer to explain to your coworkers that your dog is a service animal or an emotional support animal. If you do not want to discuss your medical issues at work, your employer will let your coworkers know that a dog will be present in the workplace and that they should not interact with it.

## Is It My Responsibility to Take Care Of My Dog At Work?

Yes. You are responsible for taking care of your dog. You must make sure that your dog is not disruptive. You must keep your dog in sanitary condition at all times. If you need accommodations with these tasks, you should let your employer know.

## Do I Have to Find a Relief Area for My Dog At Work?

Yes. You should find an area close to your work-site where your dog can relieve itself. If you are unable to find a close place, you should discuss this with your employer. Perhaps, you could have a flexible schedule and take a longer lunch break to take your service animal for a relief break.

## I Want to Train My Dog At My Workplace. Should My Employer Allow It?

Under Massachusetts law, your employer should allow you or your trainer to train your dog at work. You or your trainer must make sure that the training is not disruptive to other employees.

## May I Bring My Dog If My Dog Is An Emotional Support Animal?

Your employer must consider your request to bring your emotional support animal to work as any other reasonable accommodation request. If your disability is not obvious and/or the reason you need your dog at work is not clear, your employer may request additional information. You may have to show medical or other documentation to explain your disability and how your dog will help you with specific job tasks. You may also explain how your dog is trained to behave in the workplace.

## You may find additional information in the following articles:

Emotional Support Animals in the Workplace: A Practical Approach

<http://AskJAN.org/corner/vol12iss04.htm>

Service Animals and Allergies in the Workplace

<http://AskJAN.org/corner/vol02iss01.htm>

Service Animal Access vs. Wheelchair Access – Why the Difference?

<https://AskJAN.org/blog/?p=1002>