

BE CODE SMART

The best way to protect yourself from discrimination and from complaints is to know and respect *The Saskatchewan Human Rights Code, 2018*



SASKATCHEWAN
HUMAN RIGHTS
COMMISSION

Service Animals & Support Animals Questions & Answers for Businesses and Service Providers

The Saskatchewan Human Rights Code (the “Code”) supports the rights of persons with disabilities who use service animals to participate in the public areas of life, including housing, employment, education, and access to public services and places. The Saskatchewan Human Rights Commission’s [Business Help Line](#) regularly receives inquiries about accommodating people who require service animals and support animals. This information sheet considers some of the most frequently asked questions. The Commission also has separate policies for [service animals](#) and [emotional support animals](#).

Definitions

Service Animal: A Service Animal is an animal with specialized training to assist a person with recognized physical and/or mental disabilities. The Service Animal must be able to take a specific action, when needed, to assist the person with an aspect of their disability.

Emotional Support Animal: An Emotional Support Animal is an animal that provides support to its owner by being in its presence, alleviating symptoms of certain mental disorders. They do not require specialized training.

Therapy Animals: A Therapy Animal is an animal that provides therapy service to individuals or groups, such as in a hospital. The service provider will do a physical test to ensure the animal is competent and properly behaved.

Emotional Support Animals and Therapy animals will not receive the same general access rights as a Service Animal.

Certification, Documentation, and Registration

In Saskatchewan, there is no official government-recognized certification or registration process for Service Animals or Support Animals. A handler is not required to carry proof that an animal has been certified, trained, or licensed as a Service Animal. However, some handlers may carry such documentation.

Service Animals are expected to meet local animal control or public health requirements. They are also subject to local municipal animal licensing and registration requirements.

Note: There are individuals and organizations that offer to sell Service Animal tags, vests, certification and registration documents online. These documents do not convey any rights under the Code.



Frequently Asked Questions

Training, Certification

Q: Is there a certification process for Service Animals or emotional support animals?

A: Currently, there are no official provincial certification processes or standards. For a human rights complaint, a Service Animal's training will be examined on a case-by-case basis.

Q: Does the Code require Service Animals to be trained by an official organization or certified trainer?

A: No. The Code does not include requirements for Service Animal training or certification. However, most Service Animals are trained by professional trainers with experience in training animals to assist persons with disabilities.

Q: What about Service-Animals-in-training?

A: Typically, Service Animals-in-training are afforded the same access given to fully trained animals. In all situations, a Service-Animals-in-training must be in the care and control of its handler.

Q: Are therapy, support or companion animals considered "Service Animals" under The Saskatchewan Human Rights Code?

A: No. These types of animals provide comfort just by being with a person. Because these animals do not require specialized training to assist a person with a disability, they are not considered Service Animals.

Q: Where must a person with a Service Animal be given access?

- A person with a Service Animal must not be turned away in rental housing, or by condominium corporations, regardless of any pet policies;
- employers are required to allow employees to attend work with their Service Animals;
- customers with Service Animals must not be denied access to facilities or services, including retail stores, restaurants, or service centres;
- schools, colleges, and universities must allow students to attend with Service Animals; and,
- provincial and municipal governments must not deny access or services to persons with Service Animals.

Q: Are there any limits on Service Animals?

A: In rare circumstances, such as when there are legitimate health and safety requirements (e.g., allergies), minimal restrictions may be applied. Such limitations would need to be addressed on a case-by-case basis.

In the rare event where a Service Animal is out of control, and/or the handler does not take effective action to control of their animal, it may be reasonable to temporarily remove the animal from the premises.

Interacting & Identifying Service Animals:

Q: Is there any standard identification for Service Animals in Saskatchewan?

A: No. There are no guidelines for service animal identification in Saskatchewan. Some Service Animals may wear a vest, harness, and/or tags.



Q: What questions can we ask to determine if a dog is a Service Animal?

A: In situations where it is not obvious that a dog is a Service Animal, a handler may be asked:

- 1) Is the Service Animal required because of a disability? and;
- 2) What work or task has the dog been trained to perform?

No inquiries may be made about the nature of the person's disability. Nor can a handler be required to have their service animal demonstrate their training.

Q: What about identification?

A. A handler may wish to show some type of medical information, certification, or other documentation confirming the need for their Service Animal. Such documentation may be useful in confirming the need for accommodation, though it is not required that they carry it. A request to provide documentation may be reasonable in certain situations.

General:

Q: Who is responsible for the care and supervision of a Service Animal?

A: The handler has full responsibility for caring for and supervising the Service Animal. This includes toileting, feeding, grooming and veterinary care.

Q: Do Service Animals have to be on a leash?

A: Service Animals are expected to be under the control of the handler at all times. Typically, this means the Service Animal will be leashed or otherwise tethered to the handler in public places.

In some cases, such a restraint may interfere with the Service Animal's work, or the handler's disability may preclude their use. In these situations, a handler must use voice or other effective means to maintain control of the Service Animal.

Q: Do Service Animals need to be quiet and not bark?

A Service Animal should not bark repeatedly or otherwise make a disturbance, unless they are performing an appropriate medical alert. A service animal would not be considered out of control if it has been provoked.

Q: What can staff do when a Service Animal is being disruptive?

A: If a Service Animal is out of control and the handler does not take effective action to control it, staff may request that the animal be removed from the premises.

Restaurants:

Q: Can a person have their Service Animal with them as they use self-service food lines?

A: Yes. Service Animals must be allowed to accompany their handlers to and through self-service food lines (e.g., a "salad bar").

Q: Are restaurants, bars, and other places that serve food or drink required to allow Service Animals to be seated on chairs or table?

A: No. A person with a disability has a right to be accompanied by their Service Animal, but Service Animals are expected to remain on the floor, unless there is a medical reason for the animal to be on the lap of the handler.



Q: Are restaurants expected to provide support animals the same access as Service Animals?

A: Generally, a support animal does not accompany a person to work or to access public services (including restaurants).

Hotels

Q: Can hotels assign designated rooms for guests with Service Animals, out of consideration for other guests?

A: No. A guest with a disability who requires a Service Animal must be provided the same opportunity to reserve any available room at the hotel as other guests without disabilities. They may not be restricted to “pet-friendly” rooms.

Q: Can temporary accommodations, such as hotels, charge a cleaning fee or fees for guests who have Service Animals?

A: No. Temporary accommodations such as hotels are not permitted to charge guests for cleaning the hair or dander shed by a Service Animal. However, if a Service Animal causes damage, a hotel is permitted to charge the same fees as would be charged to other guests.

Q: Are hotel guests allowed to leave their Service Animals in their hotel room when they leave the hotel?

A: No, a Service Animal must be under the handler’s control at all times.

Q: Are gyms, fitness centers, hotels, or municipal swimming pools required to allow a Service Animal in the pool with its handler?

A: Operators of public swimming pools in Saskatchewan are required to adhere to public

health regulations. Consult with the operators to determine whether Service Animals will be permitted.

Whether or not public health rules prevent Service Animals from going in the water, Service Animals must be allowed on the pool deck and in other areas where the public is allowed to go.

Housing

Q: Can Service Animals or support animals be excluded from condominiums or apartments that have a “no pets” policy?

A: No. Service Animals and support animals are not “pets” and access may not be restricted under a “no pets” policy.

Q: Can a tenant or owner who requires a service animal be charged an additional fee?

A: Accommodating a tenant with a support animal may result in some additional expense or inconvenience to the landlord. The expense or inconvenience must be accepted by the landlord, unless the expense or disruption impacts operations in a fundamental way (i.e., to the point of undue hardship).

If a support animal causes significant damage to a rental unit, the tenant may be held financially liable in the same way as other tenants.

Transportation

Q: Can a private taxi or ride-for-hire service refuse to carry a Service Animal?

A: No. Taxi and ride-for-hire companies may not deny service to a person with a Service Animal. Nor may they charge additional fees.



Q: Can a public bus refuse a person with a Service Animal?

A: No.

Q: Should a Service Animal be allowed to ride in an ambulance with its handler?

A: Generally, yes. However, if it would be too crowded and/or would interfere with the ability to treat the patient, other transportation arrangements should be made for the Service Animal.

Other Information

Q: Can people bring more than one Service Animal into a public place?

A: Possibly, yes. Some people with disabilities may use more than one Service Animal to perform different tasks. For example, a blind or partially sighted person, who also has a seizure disorder, may use one Service Animal to assist with wayfinding and another that is trained as a seizure alert dog.

Other people may need two Service Animals for the same task, such as a person who needs two dogs to assist them with stability when walking.

If both dogs can be accommodated, both should be allowed in. In some circumstances, however, it may not be possible to accommodate more than one Service Animal.

For example, in a crowded restaurant, perhaps only one dog would be able to fit under the table, and the second dog would have to sit in the aisle., which may block the space between tables. In this case, staff should discuss available options with the handler.

Q: When can Service Animals be excluded?

A: For the most part, Service Animals can be easily accommodated. However, where *bona fide* health and safety requirements exist, access could be restricted. As well, where a Service Animal is not in control or is causing a disturbance or damage, it may be excluded.

Q: Are stores required to allow Service Animals to be placed in a shopping cart?

A: Generally, a Service Animal must stay on the floor, or the person must carry the dog. For example, if a person with diabetes has a glucose alert dog, they may carry the dog in a chest pack so the animal can smell the handler's breath and alert them to a change in glucose levels.

Q: What happens if a person with a Service Animal thinks they have been discriminated against?

A: A person who believes that they have been denied service, denied employment or education, or otherwise discriminated against, because they use Service Animals may [pursue a complaint](#) with the Saskatchewan Human Rights Commission.

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