

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”) requires the accommodation of persons with disabilities, including persons who use Service Animals. The Code is meant to ensure that all persons can enjoy housing, employment, education and access to public services and place.

The Saskatchewan Human Rights Commission has also released a pair of policies covering [Service Animals](#) and [support animals](#). This FAQ is intended to help everyone understand their rights and responsibilities under the Code.

Definitions:

Service Animal: A Service Animal is 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 one that has been proven to be effective at alleviating symptoms of certain mental disorders but is not a Service Animal. These animals provide therapeutic nurture and support to their handlers/partners, but have no specialized training.

Other Animals: Other animals can be used in conjunction with medical treatment or therapy, such as a Therapy Animal, but these animals will not receive the same general access rights as a Service Animal or an Emotional Support Animal.

Training, Certification & Registration:

The Saskatchewan Human Rights Code does not require a Service Animal, or handler, to carry proof that the animal has been certified, trained, or licensed as a Service Animal. However, some handlers may carry such documentation.

In Saskatchewan, there is no official government-recognized certification or registration process for Service Animals or Support Animals. Some provinces, such as Alberta, do have certification and registration processes.

Note: There are individuals and organizations that offer to sell Service Animal certification or registration documents online. These documents do not convey any rights under *The Saskatchewan Human Rights Code*.



Service Animals are expected to meet local animal control or public health requirements, they are also subject to local dog licensing and registration requirements.

Q&A

Training, Certification:

Q. Are therapy, comfort, or companion animals considered “Service Animals” under *The Saskatchewan Human Rights Code*?

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

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

A: No. Typically, however, most Service Animals are trained by professional dog trainers with experience in training animals to assist persons with disabilities.

Q. How should Service-Animals-in-training be considered?

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

However, in some circumstances the service-animal-in-training may need to be accommodated in similar ways to a fully trained Service Animal.

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

A: In Saskatchewan, there are no specific certification processes or protocols formally recognized. In a human rights complaint process, training details and certification standards of a Service Animal will be examined on a case-by-case basis.

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

A: No.

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;
- employers are required to allow employees to attend work with their Service Animal;
- 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 Service Animals; and,
- provincial and municipal governments must not deny access to Service Animals.

Q. Are there any limits on Service Animals?

A: In some circumstances, such as where there are legitimate health and safety requirements, some minimal restrictions could be applied. However, these are relatively rare situations, and would need to be addressed on a case-by-case basis.

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As well, in the rare situations where a Service Animal is out of control and the handler does not take effective action to control it, it may be reasonable to request that the animal be removed from the premises temporarily.

Interacting & Identifying Service Animals:

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, here are some questions staff may ask: (1) is the Service Animal required because of a disability? And; (2) what work or task has the dog been trained to perform?

Staff are not allowed to inquire about the nature of the person's disability. Nor are the staff are not allowed to require that the dog demonstrate its task.

Q. Can we ask to see identification?

A. The handler may wish to show some documentation, including some type of identification or certification for the Service Animal. This documentation will likely be useful in establishing whether the animal is a Service Animal.

However, currently there is no official certification or approval process in Saskatchewan. A request to provide documentation may be reasonable in certain situations.

Q. Are Service Animals required to wear a vest, a patch, or special harness identifying them as Service Animals?

A. No.

General:

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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, which includes toileting, feeding, grooming and veterinary care.

Q. Do Service Animals have to be on a leash? Do they have to be quiet and not bark?

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.

A Service Animal should not bark repeatedly or otherwise make a disturbance. However, if a dog barks just once, or barks because someone has provoked it, this would not mean that the dog is out of control.

Q. What can my 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 bring a Service Animal with them as they go through a salad bar or other self-service food lines?



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A: Yes. Service Animals must be allowed to accompany their handlers to and through self-service food lines. Service Animal

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.

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 uses 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 hotels charge a cleaning fee or fees for guests who have Service Animals?

A: No. Hotels are not permitted to charge guests for cleaning the hair or dander shed by a Service Animal. However, if a Service Animal causes damages, a hotel is permitted to charge the same fee for damages as 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 municipalities that have 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 will 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 should not be restricted under a “no pets” policy.

Q. What can of additional fee can I charge a tenant or owner who keeps a service or support animal?

A: Accommodating a tenant with a support animal may result in some additional expense or inconvenience to the landlord.

Unless the expense or disruption impacts the landlord’s operation in a fundamental way (to

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the point of “undue hardship”) the expense or inconvenience must be accepted.

In the event that a support animal causes significant damage to a rental unit, the tenant may be held financially liable.

Transportation

Q. Can a private taxi refuse to carry a Service Animal?

A: No. Taxi 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 arrangements should be made to have the Service Animal transported to the hospital.

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 person who has a visual disability and 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 him or her 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 small restaurant, only one dog may be able to fit under the table. The only other place for the second dog would be in the aisle, which would block the space between tables. In this case, staff should discuss the situation with the handler and find an agreeable solution.

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, he may carry the dog in a chest pack so it can be close to his face to allow the dog to smell his breath to alert him of a change in glucose levels.

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

A: People who believe that they have been denied service, denied employment or

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education, or otherwise discriminated against, because they use Service Animals may [pursue a complaint](#) with the Saskatchewan Human Rights Commission.

- Accommodation as needed. Lack of accessibility in the hiring process is a significant barrier experienced by people with disabilities in gaining employment.
- Ensure a diverse hiring panel and provide anti-bias training for members of the panel. The presence of people from the identified equity groups boosts candidates' confidence in the process and increases the organizations positive perception. This also increases the likelihood of a member from an equity group being selected.
- Instead of only considering 'culture fit' also consider 'culture add'. Improving diversity involves creating opportunities for individuals to be a part of an organization. Inclusion is valuing their different perspectives and competencies and allowing them to meaningfully contribute to the organization. Rather than looking to hire someone that fits your culture, hire someone who can add to your corporate culture.
- Where appropriate, focus on skills and behaviours instead of qualifications and consider what can be taught. The organization gains more with the addition of an employee with valuable skills and good character who can

acquire necessary qualifications on the job. By insisting on rigid qualifications, an organization may miss out on the opportunity to include very skilled individuals in the workplace, whose paths to employment may have been different than what the organization has traditionally looked for.

- Ensure the onboarding process results in new employees feeling valued and included. The first day with a new employer can set the tone for an individual's tenure with the organization. Employees should be left with the impression they made the right decision to join your company.

Step 2 – Build a Healthy Workplace Culture

Equity plans and programs are more effective when they are not merely targets but they represent core principles and values which are embedded into every aspect of an organization's operations. A genuine commitment to improving DEI in the workplace can alleviate feelings of tokenism and instead lead to healthy and respectful workplace relationships.

- Foster an inclusive work environment focused on respect, ensuring everyone feels valued. This can be achieved in many ways, starting with transparency and open and honest communication.
- Provide opportunities for relevant DEI training for all staff at all levels of the organization.
- Integrate DEI into all areas of professional development, performance

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management, advancement, and retention.

- Listen to diverse voices in the workplace. Employees from the designated equity groups should not only feel like they belong, but they should also be trusted and relied upon to contribute to the team.
- Instill a growth mindset in all employees.
- Assess team members' job satisfaction regularly. Provide flexible work arrangements to accommodate diverse needs.

Step 3 – Achieve Success through Retention and Promotion

Hiring diverse candidates is only one piece of a much larger puzzle. Even before increasing the diversity in the workplace, plans should be in place to retain and promote candidates from the designated equity groups.

- Support the growth and development of staff within the designated equity groups towards filling leadership positions. An equity program should not seek to displace current employees to achieve its aims, but over time, as organizations change and become more diverse, diversity should exist at all levels of an organization.
- Help employees enhance their skills. Offer relevant training and professional development opportunities to all employees.

- Support employees in navigating professional environments. For example, help new employees become acquainted with the organization's vernacular. Promote and encourage networking and mentorship programs.
- Create individual roadmaps for advancement of employees. Help every employee to see their potential career trajectory within the organization.
- Ensure there are visible role models from diverse backgrounds at every level of the organization. Track retention of the designated equity group members by level and by team.

Step 4 – Be a Learning Organization

Organizations must constantly be learning and evolving to adapt to a rapidly changing world. There are many organizations working towards improving DEI in the workplace. Connect! Learn from the success of others and share your own successes as well.

Many of these best practices have been identified by The Centre for Global Inclusion and the BlackNorth Initiative. For more ideas and inspiration, please visit the following websites:

- [The Centre for Global Inclusion | Home of the GDIB](#)
 - The Centre for Global Inclusion has developed the Global Diversity, Equity & Inclusion Benchmarks.
- [BlackNorth Initiative](#)
 - In partnership with the Boston Consulting Group, BlackNorth

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created a “Playbook” to provide organizations with context on the situation that the Black community faces in Canada, and tools organizations can use to fulfill their DEI goals.

- [Diversity and Inclusion Consulting | DEI Strategy | BCG](#)
 - The Boston Consulting Group partners with companies to implement proven diversity strategies and diversity and inclusion best practices.
- [Welcome to the Government of Saskatchewan's Inclusion Toolkit!](#)
 - The Government of Saskatchewan’s Inclusion Toolkit contains many valuable resources to support DEI efforts and initiatives.

- Act when problems arise - policies must be enforced.
- Address racism and microaggressions in the workplace.
- Formalize processes to address biased behaviours.
- Regularly conduct a reputational risk assessment including DEI issues, such as racism, sexism, homophobia, harassment, disability discrimination, and other forms of discrimination.
- Share information with the union (if applicable) regarding hiring practices, equity plans, and results of workforce surveys.

The Saskatchewan Human Rights Commission’s policy on Employment Equity can be found here: [Employment Equity Program Policy - Saskatchewan Human Rights Commission](#)
For more information, to become an Equity Partner, or to speak with an Equity Advisor, contact the Saskatchewan Human Rights Commission at 306-933-5952 or by email at shrc@gov.sk.ca.

Step 5 – Implement Best Practices and Policies

- Focus on progressive, comprehensive, sustainable growth and development.
- Measure the progress towards DEI goals.
- Collect both quantitative and qualitative data and analyze it often.
- Create robust, inclusive policies and implement them.
- Ensure HR policies are not created strictly for compliance, but rather use them to highlight company values and send the message that the organization takes diversity seriously; there must be a genuine desire for change.

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