

## WHAT IS A SERVICE ANIMAL?

ADA Title III (public access) regulations define service animal as “any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual’s disability.”

Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal’s presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks.



The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, religion, sex, age, national origin, disability, retaliation or genetic information, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by ODOT, its recipients, sub-recipients, and contractors.



In compliance with the Americans with Disabilities Act, the Oklahoma Department of Transportation will provide reasonable accommodations for persons with disabilities, upon request. To request an accommodation, please call the office of the ADA/504/508 Coordinator or Oklahoma Relay at 1-800-722-0353, no later than 72 hours before any scheduled event.



**ADA/504/508 Coordinator  
Civil Rights Division  
200 N.E. 21st Street  
Oklahoma City, OK. 73105  
Phone: 405-521-4140  
Cell: 405-924-5540  
Fax: 405-522-2136  
Relay: 1-800-722-0353**



Oklahoma Department of  
Transportation

**YOUR RIGHTS UNDER**

THE AMERICANS  
WITH DISABILITIES  
ACT  
TITLE I  
SERVICE ANIMALS



## ADA TITLE I

According to the Equal Employment Opportunity Commission (EEOC), there is no specific definition of service animal under title I, and titles II and III regulations do not apply to questions arising under title I. Employers do not have to allow an employee to bring an animal into the workplace if it is not needed because of a disability or if it disrupts the workplace.

Title I does not require employers to automatically allow employees to bring their service animal to work. Instead, allowing a service animal in the workplace is a form of reasonable accommodation.

An employer shall make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse as a service animal by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability subject to an assessment of the type, size, and weight of the miniature horse and whether the facility can accommodate these features. The same provisions that apply to service dogs also apply to miniature horses.

Under the ADA, employers have the right to request reasonable documentation that an accommodation is needed. In the case of a service animal, the appropriate documentation might be from whoever trained the service animal.

When an employee with a disability requests to use a service animal at work, the employer has the right to request documentation or demonstration of the need for the service animal, that the service animal is trained, and that the

service animal will not disrupt the workplace. However, this documentation may not be available from a healthcare provider so the employer may need to consider other sources for the documentation.

## REASONABLE ACCOMMODATION REQUEST UNDER TITLE I

In the event that a qualified individual with disability would like to request a reasonable accommodation, the request process is as follows:

- 1) Anyone seeking a reasonable accommodation should submit a verbal request and/or written request using the Department's Reasonable Accommodation Form (Form RA-01 Part A). Copies of this form may be printed from the Department's website or a copy may be obtained by contacting the ADA/504/508 Coordinator.
- 2) The completed form will then be submitted to his or her immediate supervisor. The form must also include any available documentation supporting the stated need based upon a disability.
- 3) The supervisor will contact the applicant or employee within 10 business days after the request is made to begin the interactive process and to ask for additional documentation, if necessary.

The complainant will then have 30 days from the date the request was filed to submit the requested information as requested.

- 4) The complainant will be notified on the decision regarding the request within 30 days of receipt of the request.

All reasonable accommodations must be put in place within 90 days of the final decision and will be re-evaluated after a 30 day trial period.

No private or public entity shall discriminate against any individual because that individual has opposed any act or practice made unlawful or because that individual made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the Act.

No private or public entity shall coerce, intimidate, threaten, or interfere with any individual in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, or on account of his or her having aided or encouraged any other individual in the exercise or enjoyment of, any right granted or protected by the Act.

## SERVICE ANIMAL ETIQUETTE

- ◆ Speak to the person, not the animal.
- ◆ Do not touch the service animal without asking for, and receiving, permission.
- ◆ Do not offer food to the service animal.
- ◆ Do not ask questions about the handler's disability, or otherwise intrude on his or her privacy.
- ◆ Do not be offended if the owner does not wish to chat about the service animal.

