



Service & Emotional Support Animals in Places of Public Accommodation

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Training Objectives

Overview of Laws
and City
Ordinances

Service Animals

Emotional
Support Animals

Providing
Excellent
Customer Service

Hypotheticals

Authorities

Federal: Americans with Disabilities Act (ADA),

State: Wisconsin Statute § 106.52 (fm)

Local: City of Madison - Code of Ordinances,
Chapter 39.05

Disability

A person -

- With a physical or mental impairment which substantially limits one or more major life activities;
- With a record of having such an impairment
- Who regarded as having such an impairment



Handlers and Trainers

Handler – Person with a disability who benefits from the work preformed by the service animal.

- Does not have to show documentation

Trainer – Person who may or not have a disability who is training an animal for someone else's benefit.

- May be asked to show documentation that demonstrates they are trainer.
- Under state law, service animals in training have the same protections as service animals.

Places of Public Accommodation and Amusement

Anywhere the general public can go...

- Businesses
- Restaurants
- Hospitals
- Public Transportation
- Fitness centers
- Clinic
- Air travel*

Maximum Protections Prevail

Wisconsin
Statute expands
the protections
for Service
Animals and
ESAs

- Any type of animal trained to perform a task for a person with a disability.
- Protections includes service animals in training.
- Harassment of service animals is prohibited.
- Emotional Support Animals are included in housing



General Requirements for Shelter Providers

Equal Access

- Eligibility criteria
- Physical accessibility

Reasonable Modifications/Accommodations



Service Animals

What is a Service Animal?

An animal trained, or being trained, to do a specific task for the benefit of a person with a disability.

1. Are not required to be prescribed or registered.
2. Does not need to be professionally trained.
3. May be trained or in training.
4. Not required to wear a vest or ID if accompanied by its handler.

Wis. Stat. 106.52(1)(fm)



Tasks Performed

Guiding

Alerting

Pushing

Pulling

Carrying

Calming

Retrieving

Reminding

Soothing

Opening
doors

Turning on
or off lights

And many
more

Addressing Fraud

Service animal fraud harms the disability community. Bringing a pet to a public place is detrimental to the lives of people with disabilities who rely on highly skilled and trained animals for their safety and independence.

Only service animals that are trained or in training and are required due to a disability will be permitted. Any person with animal that is not under the handler's control, is not housebroken, or poses a direct threat to health or safety will be asked to leave.

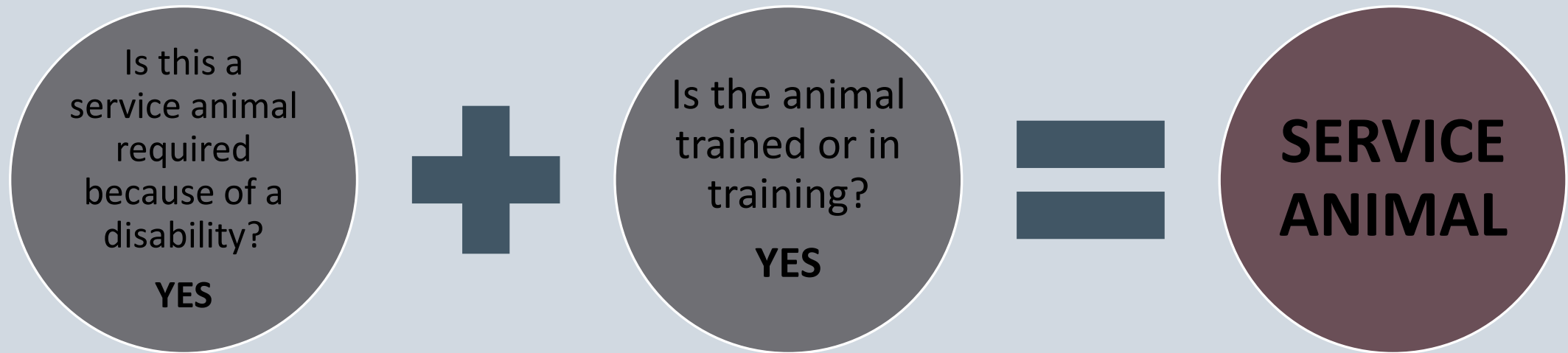


Identifying Service Animals

When it is obvious that a person with a disability is benefiting from a service animal you should grant access and not ask questions.



Permissible Questions for Public Accommodations



Permissible Questions for Public Accommodations



When is a Service Animal Not Places of Public Accommodations?

1. Not housebroken
2. Not under the control of the handler and the handler is not able to regain control
3. Animal poses a direct threat to health and safety

Cannot be based on type of animal, breed, or past experience with the animal

Discriminatory Practices in Public Places

1. Denying entry
2. Denying full and equal enjoyment
3. Charging a higher rate or deposit
4. Communication that is intended to detour patronage or imply that a person with a disability, service animal, or service animal trainer is not welcome
5. Failing to provide reasonable accommodations or modifications of policies, practices, and procedures
6. Separating the service animal from the handler

Wis. Stat. 106.52(3)(am)



Emotional Support Animals

What is an Emotional Support Animal?

An animal that provides emotional support, comfort, or companionship for a person with a disability.

1. Is **not trained** to preform a specific task.
2. Is needed due to disability.
3. State law protects emotional support animals in housing, but not in public places.
4. Could be permitted in other settings **if** provided as a reasonable accommodation.

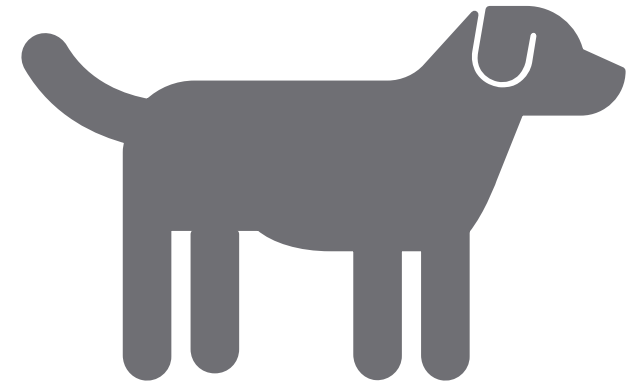
Wis. Stat. 106.50(1)(im) and (2r)(bg)



Providing Excellent Customer Service

Treating Handlers with Dignity and Respect

1. The animal is an extension of the person. Do not call, pet, feed, or interact with the animal.
2. The animal is busy doing important work. Do not interrupt the animal.
3. Interact with the handler as if the animal was not there.
4. If you need the animal to move, speak directly with the handler and let the handler direct the animal.



Addressing Concerns

1. If you have concerns about the animal, speak directly to the handler and let the handler attempt to address the concerns.
2. Accommodate others if needed.
3. If the handler is not able to gain control of the animal, only then may you ask that the handler remove the animal.
4. You may not deny access to a service animal based on past experiences.



Hypotheticals

Hypothetical # 1

A person you know has a service dog. They arrive with their service animal. Another patron enters the building and says they are allergic to dogs and asks you to remove the service animal. What do you do?





Hypothetical #2

A person enters your facility using a wheelchair with a capuchin monkey on their shoulder. The monkey is wearing a retractable leash. What do you do?



Hypothetical # 3

A person arrives with a small cat in a bag. They report that the cat is an emotional support animal and provide you with a document to that effect. What are your options?



Hypothetical #4

An animal reported to you to be a service animal is hyper, barking, and jumping on other patrons. What do you do?

Thank you for your Commitment to Access

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