

# **“WHEN A SERVICE DOG COMES TO CHURCH”**

## **A handy reference guide produced by EqUUal Access\***

### **Canadian Edition**

*\*EqUUal Access is a member organization of Unitarian Universalists living with disabilities, our families, friends, and allies, all working “to enable the full engagement of people with disabilities in Unitarian Universalist communities and the broader society.”*

## **Introduction**

In keeping with Unitarian Universalist principles recognizing the inherent worth and dignity of every person, and seeking justice, equity, and compassion in human relations, we welcome and provide accommodations for people with disabilities.

When an individual with a disability comes to church with a service animal, members of the congregation and staff should be acquainted with best practices and legislation concerning service animals, so that all can respond appropriately, and ensure the service animal and its human handler are safe and feel welcomed.

## **Frequently Asked Questions**

### **WHAT LAWS OR LEGISLATION REFLECT THE RIGHTS OF INDIVIDUALS WITH DISABILITIES AND THEIR SERVICE ANIMALS?**

In Canada, the rights of individuals with disabilities are broadly protected under the Canadian Charter of Human Rights and Freedoms.<sup>1</sup> More specifically regarding people with disabilities who have service animals, laws vary depending on which province is considered. All provinces have Human Rights Legislation and Access laws in place that allow people with service dogs which mitigate the impact of their disability to accompany them wherever the general public is permitted to go. Alberta, British Columbia, Ontario, and Nova Scotia each have specific legislation regarding Accessibility, persons with disabilities, and service dogs. Contravention of provincial service dog access laws allow imposing penalties up to \$5000.00 per incident. Some provinces have adopted a

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<sup>1</sup> <http://laws-lois.justice.gc.ca/eng/Const/page-15.html>

Service Dog Act which also increases the protection of service dogs from interference and harm by people and off-leash dogs, making it a criminal offense.

Some provinces' laws stipulate that service dogs be accredited by leading regulatory bodies such as the *International Guide Dog Federation* or *Assistance Dogs International*.

### **ARE SERVICE ANIMALS PERMITTED TO ENTER CHURCHES?**

Any religious organization in Canada that is a legal society, must observe the same Access laws regarding persons with disability, as places of business, institutions, etc. therefore service dogs are permitted to enter churches.

### **CAN ANY ANIMAL BE A SERVICE ANIMAL?**

At this time, the laws in Canada concerning service animals reference only one species: dogs.

### **HOW DO I KNOW A DOG IS A SERVICE DOG?**

A service dog will normally wear a vest indicating it is a service dog. Specifically, a guide dog (sometimes referred to as a "seeing eye dog") wears a harness, with a leash and handle held by a person who is blind or partially sighted when the dog is working. When a service dog isn't needed for guidance it will be on a leash.



### **WHAT IF THE DOG ISN'T WEARING A VEST?**

There is no requirement that a service dog wear an identifying vest. Since most people don't know this, service dogs almost always wear a vest. If there is no identifying vest, you may ask if it is a service dog and what service the dog performs, but not what disability the person has.

### **CAN I ASK FOR REGISTRATION PAPERS OR CERTIFICATION CARDS TO ENSURE THE DOG IS A REGISTERED SERVICE DOG?**

There is no national guideline on this, and provincial rules vary. Some individuals with service dogs will possess an identity card from a service dog training centre that they could show, or a provincial identification card, though these are not used in every province. EqUUal Access recommends against asking for identity papers as it encourages a hermeneutic of suspicion that is potentially discriminatory.

Some service dogs are trained by accredited centres, some are privately trained, and some are trained by their owners or handlers. Some centres provide their own ID cards or certificates, but handlers of service dog cannot be expected to have papers.

### **ARE EMOTIONAL SUPPORT OR COMFORT DOGS SERVICE ANIMALS?**

Unless an animal is trained to perform a specific task it is not considered a service dog. Some dogs qualify as psychiatric service dogs (example: dogs trained to detect when a person is about to have an anxiety attack or to remind their handler to take medication). Companion dogs that provide comfort merely by being present are not considered service dogs and are not covered by service dog access legislation.

### **ARE THERAPY DOGS SERVICE ANIMALS?**

Therapy dogs are sometimes used by therapists to help patients with conditions related to trauma or emotional problems; other dogs are minimally oriented and socialized in order to visit patients in hospitals. These are not considered service dogs.

### **HOW CAN WE BE CERTAIN THAT AN ANIMAL IS A BONA FIDE SERVICE ANIMAL?**

You cannot. Some people who do not have disabilities might pass their pets off as service animals and even have fake ID. And, it is difficult to estimate legitimacy from a person's behaviour. However, service dogs are well trained. If a dog misbehaves, barks continually, or seems not to be in sync with its handler, it probably hasn't been trained. It is against the law to fraudulently pass a companion or pet dog off as a service animal. Given the challenge in proving or disproving if a dog has been trained or if it is being used legitimately, one can anticipate to encounter occasions of misrepresentation. It is preferable to not risk breaching the privacy and rights of individuals whom you suspect of misrepresentation and possessing an untrained dog.

**WHAT IF A DOG BITES SOMEONE OR CAUSES DAMAGE TO THE PREMISES?**

The service dog handler is equally liable for damages as any person whose pet dog (not a service dog) would be.

**MAY WE DEMAND THAT A DISRUPTIVE DOG BE REMOVED?**

Yes. If a service dog displays excessive barking, or howling, or if it growls or lunges at people, you may ask that the dog be removed immediately. However, the person must be allowed to return without the dog. A single bark does not mean the dog is being disruptive.

Most trained service dogs have exemplary behaviour and good manners, and will remain quiet and calm. They will not damage property or soil indoors. In some situations, the handler might not notice that their service dog has gotten up and wandered steps away from them. It is appropriate to advise them immediately so they can correct the dog.

**IS A SERVICE DOG ALLOWED IN THE KITCHEN?**

A service dog is allowed anywhere that their human handler would normally be allowed. Restaurant kitchens would normally not have service dogs in them unless an employee has a service a dog. Church kitchens are usually open to all, so a service dog would be permitted to enter with its owner.

**WHAT IF THE SERVICE DOG IS WITH A PERSON WITHOUT A DISABILITY?**

Only the person with the disability is allowed access with their service dog.

**MUST THE DOG BE PROVIDED WITH FOOD, WATER, OR TOILETING FACILITIES?**

No. But it is considerate to offer water, or to offer to take the dog of a person who is blind or partially sighted outside to relieve itself if he/she is not familiar with the area.

**DO WE HAVE TO ALLOW SERVICE DOGS TO ENTER EVEN IF SOME MEMBERS ARE ALLERGIC TO THEM?**

Yes. It may be helpful to create distance between the person with allergies and the person with the dog. However, it is important not to restrict where the dog owner chooses to go.

**IS A SERVICE ANIMAL IN TRAINING ALLOWED IN PUBLIC PLACES?**

Service dogs in training are not identified under the law, however many provinces and municipalities allow service dogs in training to be treated as service animals. Airlines do not. The socialization period of the service dog in training is extremely important to help develop its overall skills for its future as a working dog in the field, and to learn to keep a calm demeanor in busy public places.

**FINAL NOTE:**

It is important to understand that in the last two decades in many countries around the world, there has been rapid development and interest in the field of training animals for various support roles and tasks to assist humans. This has meant that related regulations, training standards, and policies can barely catch up to reflect new realities. But, know that the majority of individuals with a disability, who have a service dog, take great pride in their canine helpers and will want to ensure that other people also feel positively about the dog by monitoring the dog's behavior in public places. It is a best practice for congregations that communication be respectful and considerate. It is important that the spirit of love in our congregations allow for dialogue, the airing of concerns, and resolution, without resorting to harshness.

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