

**BOARD OF SUPERVISORS, COUNTY OF SIERRA, STATE OF CALIFORNIA**

**RESOLUTION  
ADOPTING THE SIERRA COUNTY ANIMALS IN THE WORKPLACE POLICY**

**Resolution 2024-127**

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of the County of Sierra, State of California, does hereby adopt the attached updated Sierra County Animals in the Workplace policy.

**ADOPTED** by the Board of Supervisors of the County of Sierra on the 20th day of August, 2024, by the following vote:

AYES: Supervisors Adams, Heuer, LeBlanc, Dryden, and Roen

NOES: None

ABSTAIN: None

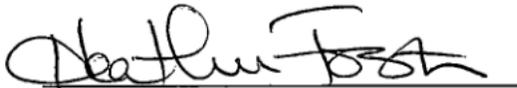
ABSENT: None

COUNTY OF SIERRA



\_\_\_\_\_  
PAUL ROEN, CHAIR  
BOARD OF SUPERVISORS

ATTEST:



\_\_\_\_\_  
HEATHER FOSTER  
CLERK TO THE BOARD

APPROVED AS TO FORM:



\_\_\_\_\_  
RHETTA VANDER PLOEG  
COUNTY COUNSEL



## Sierra County Animals in the Workplace Policy

### **PURPOSE**

This policy establishes rules and procedures related to service animals and non-service animals within Sierra County buildings and vehicles, for both employees and members of the public.

### **DEFINITIONS**

1. Service Animal

A service animal is an animal that is individually trained to do work or perform tasks for a person with a disability.

Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, or calming a person with Post Traumatic Stress Disorder during an anxiety attack. Service animals are working animals, not pets. The work or task an animal has been trained to provide must be directly related to the person's disability.

Service animal also includes an animal that is individually trained to do work or perform tasks in support of a function provided by the County. For example, a dog in the service of the Sheriff's department which is individually trained to support the business purposes of the department.

2. Emotional Support Animal

An emotional support animal is any animal that provides emotional support alleviating one or more symptoms or effects of a person's disability.

The ADA makes a distinction between psychiatric service animals and emotional support animals. If the dog has been trained to sense that an anxiety attack is about to happen and take a specific action to help avoid the attack or lessen its impact, that would qualify as a service animal. However, if the dog's mere presence provides comfort, that would not be considered a service animal under the ADA.

### **POLICY**

1. Non-service animals are not allowed in County vehicles or County buildings.
2. **Members of the Public – Service Animals**

- A. Sierra County allows members of the public with disabilities to bring service animals to all County facilities where members of the public are allowed.
- B. A service animal must be under the control of its handler.
  - i. Under the Americans with Disabilities Act (ADA), service animals must be harnessed, leashed, or tethered, unless the individual's disability prevents using these devices or these devices interfere with the service animal's safe, effective performance of tasks. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.
- C. When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two questions:
  - i. (1) is the dog a service animal required because of a disability?
  - ii. (2) what work or task has the dog been trained to perform?
- D. Staff cannot ask about a member of the public's disability, require medical documentation, require a special identification card or training documentation for the animal, or ask that the animal demonstrate its ability to perform the work or task.
- E. Allergies and fear of animals are not valid reasons for denying access or refusing service to members of the public using service animals.
  - i. When a person who is allergic to animal dander and a person who uses a service animal must spend time in the same room or facility, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.
- F. A member of the public with a disability cannot be asked to remove their service animal from the premises unless:
  - i. the animal is out of control (displaying aggressive behavior or causing unreasonable disruption) and the handler does not take effective action to control it; or
  - ii. the animal is not housebroken.
  - iii. When there is a legitimate reason to ask that a service animal be removed, staff must offer the members of the public with disabilities the opportunity to obtain goods or services without the animal's presence.
- G. County establishments that sell or prepare food must generally allow service animals in public areas even if state or local health codes prohibit animals on the premises.
- H. County staff are not required to provide care for or supervision of a service animal.
  - i. Employees must not touch, feed, or otherwise interact with a service animal.
  - ii. Employees must not separate a member of the public from their service animal.
- I. The handler is responsible for all service animal needs including providing for all needs (food, water, exercise, hygiene walks outside the County premises, removing or arranging for the removal of all animal waste).

3. **Sierra County Employees - Service Animals**

- A. Sierra County will engage in the interactive process with employees requesting accommodation involving a service animal. The interactive process requires the medical verification of work restrictions, an ongoing dialogue to determine if an accommodation is reasonably available, and a determination of what temporary or permanent accommodation is appropriate that does not pose an undue burden on the County.

The law specifies that only well-trained, housebroken, and even-tempered animals are authorized to accompany their handlers to places of work. This applies to both members of the public and employees.

- B. Sierra County employees requesting accommodation which involves a service animal must submit medical verification to the Personnel Department.
- i. The Personnel Department, the employee's department representative (department head or manager), and the employee will engage in an ongoing interactive process to determine what temporary accommodation, permanent accommodation, job transfer, follow up verification, fit for duty evaluation, or other case-by-case accommodation is appropriate for any specific situation.
  - ii. For employment purposes, the service animal must not be allowed onto County property for any Sierra County employee, prior to the accommodation decision made by the Personnel Department, with legal guidance from County Counsel.
  - iii. During the interactive process, Personnel will verify with Animal Services that the service animal is fully vaccinated and licensed (per CA Health and Safety Code § 121690), and does not have a bite history.
- C. Service Animal Guidelines for Employees
- i. In the event that the County has officially approved the presence of an employee service animal in the workplace, the service animal must be under the control of its handler and be housebroken.
  - ii. Under the ADA, service animals must be harnessed, leashed, or tethered, unless the individual's disability prevents using these devices or these devices interfere with the service animal's safe, effective performance of tasks. In that case, the employee must maintain control of the animal through voice, signal, or other effective controls as verified by the County via the ongoing interactive process and ongoing department supervision.
  - iii. Employees with approved service animals will be asked to remove themselves and their service animals from the workplace if the animal is not housebroken.
  - iv. Employees with approved service animals will be asked to remove themselves and their services animals from the workplace if they lose control of their animal, or the animal causes unreasonable disruption or interference in the workplace, and do not take effective action to take control of its behavior.
  - v. In the event that an employee service animal is not housebroken or otherwise causes damage to County property, the County, to the extent appropriate and as determined lawful, may require the employee to clean up after their animal and/or reimburse the County for any property damage associated with the service animal.
  - vi. County staff are not required and must not provide care for or supervision of another employee's service animal. Employees must not touch, feed, or otherwise interact with another employee's service animal.
  - vii. The employee handler is responsible for all service animal needs including providing for all needs (food, water, exercise, hygiene walks outside the County premises, removing or arranging for the removal of all animal waste). The time required to care for the service animal, including hygiene activities and waste disposal will be treated as break time, lunchtime, or unpaid leave.

Questions reading this policy may be addressed with the Sierra County Personnel Department