



IDAHO NATIONAL GUARD
JOINT FORCE HEADQUARTERS
HUMAN RESOURCE OFFICE
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BOISE, IDAHO 83705-8112



NGID-HRO

16 January 2025

MEMORANDUM FOR All Members and Employees of the Idaho Military Division

SUBJECT: HR Policy Letter 023; Animals in the workplace

1. References.

- a. 42 USC § 12102, Section 3, 25 September 2008, *ADA Amendments Act of 2008*
- b. 28 CFR Part 35, Section 35.136, 15 September 2010, *ADA Title II Regulations*
- c. 28 CFR Part 36, Section 36.302 (c), 26 September 2010, *ADA Title III Regulations*
- d. Idaho Statute Title 56, Ch. 7, 1 July 2022, Rights of Individuals with Disabilities

2. PURPOSE. To establish guidance on animals in the workplace and maintain a standardized, safe, and productive environment for all Idaho Military Division employees consistent with federal and state law concerning individuals with disabilities.

3. In accordance with 41 CFR 102-74.425 animals are prohibited in the work centers of all Idaho Military Division buildings. Except for:

- a. Animals critical to fulfilling the agency's missions, such as Police K9 or Military Working Dogs.
- b. Service Dogs, to include service dogs in training.

4. Service Dog.

a. Definition: A dog individually trained to do work or perform tasks for the benefit of a "person with a disability." The work or tasks performed by the service dog must be directly related to the individual's disability.

b. 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 nonviolent 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.

c. Per the Americans with Disabilities Act (ADA), animals whose sole function is to provide comfort or emotional support do not qualify as service dogs.

5. A service dog shall be under the control of its handler. A service dog shall have a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service dog's safe, effective performance of work or a task, in which case the service dog must be under the handler's control through voice control or other effective means.

6. "Dogs in Training" are future service dogs being socialized and accompanied by individuals who may or may not have a disability. The individual accompanying the dog-in-training shall carry and, upon request, display an identification card issued by a recognized school for service dogs or training dogs or an organization that serves individuals with disabilities. The dog-in-training shall be visually identified as such and must be under the trainer's control as specified in Paragraph 5 above.

7. The Human Resource Office (HRO), through the HRO Disability Program Manager (DPM), is responsible for validating requests by disabled employees who require a service dog through the Reasonable Accommodation (RA) process. A "person with a disability" is any person with a physical or mental impairment that substantially limits one or more of such person's major life activities, has a record of such impairment, or is regarded as having such an impairment. RA is a process outlined in the IDNG Processing Request for Reasonable Accommodations or Personal Assistance Services SOP. Inquire with your applicable HRO branch (Federal or State).

8. The Idaho Military Division, through the HRO DPM, may choose among reasonable accommodations if the chosen accommodation is practical. The organization may offer alternative suggestions for reasonable accommodations and discuss their effectiveness in removing the workplace barrier impeding the disabled individual.

9. Commanders, Directors, and Managers/Supervisors at all levels will ensure the dissemination and execution of this policy. Leaders and supervisors within the organization will assist any employee with a disability through the RA process to ensure that the employee experiences the same benefits and privileges of employment equal to those offered to employees without disabilities.

10. POC – HRO Disability Manager, DSN 422-3334 or (208) 272-4226

FOR THE ADJUTANT GENERAL:

JAMES W. HICKS
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Director, Human Resource Office