

**MANITOBA HUMAN RIGHTS COMMISSION  
BOARD OF COMMISSIONERS POLICY**

**POLICY # I-9  
version 1.1**

**SECTION: Interpretation**

Effective date: September 20, 2011  
**REVISED DATE: February 13, 2015**

**SUBJECT: SERVICE ANIMALS**

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**Purpose:**

This policy is intended to assist in the interpretation of the term “service animal” referred to in sections 1 and 9(2)(l) of *The Human Rights Code* (“*The Code*”). Where there is any conflict between this policy and *The Code*, *The Code* prevails.

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**Context:**

A “service animal” is defined in section 1 of *The Code* as “an animal that has been trained to provide assistance to a person with a disability that relates to that person’s disability.” Subsection 9(2)(l) of *The Code* protects people who have a physical or mental disability, and who rely on a service animal because of their disability, from discrimination. This protection from discrimination includes requiring service providers, employers and landlords to reasonably accommodate an individual’s need to rely on a service animal.

The Commission recognizes that the definition of a service animal is evolving and will continue to review its policies to ensure they are in step with this evolution. The Commission is informed, in part, by the direction taken by human rights agencies in Canada, and the United States, in applying the protections set out in *The Code*.

In determining whether or not a particular animal meets the definition of a service animal, the Commission will consider the circumstances of each case.

Factors for consideration will include:

1. Does the animal provide assistance to a person with a disability, which relates to the person’s disability?
2. Has the animal been individually trained to provide assistance to a person with a disability that relates to the person’s disability?
  - a. Examples of assistance include:

- guiding a person who is blind or visually impaired;
- alerting a person who is deaf or hearing impaired;
- pulling a wheelchair;
- alerting or protecting a person who is having a seizure;
- reminding a person to take their medication;
- calming or addressing other disability-related needs of a person with mental health issues.

It is acknowledged that dogs remain the most common form of service animal, but other animals may be trained to be service animals.

A dog or other animal that is not trained to provide assistance that relates to a person's disability is not considered a "service animal".

APPROVED BY:

"Yvonne Peters"

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Chairperson

February 13, 2015

Date