

Pets in the Workplace: Preventing Claims Involving Animals



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From delivering equipment, to in-home care and treatments, to senior care settings—and even in the office—there’s a high probability that you and your employees will encounter animals in the course of your day, making the threat of bites or injuries related to animals a very real possibility. Let’s look at a few scenarios where risks could arise, along with the steps you can take to protect your employees, your clients, and your business.

Animals in the Office

***The Scene:** A business owner brings their dog to work on Thursday. Their company has assigned each of their office staff a day every couple of weeks when they’re allowed to bring their dog to work which limits how many animals are on-site at a time. The policy has been in place for a while, and it’s been going very well. However, another individual sees this particular dog and excitedly approaches it. The dog, startled, lashes out and bites the employee.*

Bring-your-dog-to-work policies can be very attractive to employees, and it may seem like a cost-effective perk to offer. That can change quickly if a claim arises as the result of an injury. There are other considerations to take into account, too. Employees and clients alike may have allergies to dogs. Some may even be frightened of dogs, potentially having been bitten before. And, as in the senior care example below, trips and falls are always a possibility also, regardless of the demographic of your team.

When it comes to animals in the workplace, it’s also important to note that there is a difference between service animals and emotional support animals, and employers have different obligations regarding each.

Service animal – A service animal has been defined by the ADA as “any animal individually trained to

work or perform tasks for the benefit of an individual with a disability.” This means a service animal is not considered a pet, and employers must accommodate the employee’s needs to have a service animal on the premises. Employers are also responsible for accommodating employees who may have allergies to another employee’s service animal.

Emotional support animal – Sometimes called a comfort animal, these are animals used as part of medical treatment or therapy. Because these animals are not trained in the same way as service animals, they are not covered under the ADA. However, there may be state or local laws that call for accommodating emotional support animals. It’s important to understand the laws in your area.

Animals in a Home Delivery Setting

***The Scene:** A worker approaches a home to deliver a piece of home medical equipment when suddenly a large dog comes barreling up and begins barking at the worker through the sliding glass door. The worker is startled, but they’ve seen this before. After a moment, the homeowner hustles the dog away. The worker then enters and completes the setup. But at some point, the dog gets loose and bites the worker.*

Unfortunately, the risk of dog bites during home deliveries and equipment set ups is very real. And whether the worker is one of your permanent employees or contracted by a third party, your business may be liable. There are a number of factors that go into determining where the liability actually lies. In some cases, either the homeowner’s insurance or the business’s Workers’ Compensation policy may need to cover the claim.

Animals in a Hospice Care Setting

The Scene: A patient in a hospice facility has a cat in her room while her family visits. It's not an uncommon sight, and this cat has been great with other patients and staff. On this particular day, however, the cat manages to escape the patient's room and begins running through the hallways. It's an endearing scene until the cat trips up another patient who's on a walk, causing them to fall.

Animals can be incredibly helpful in boosting morale and providing emotional support for patients (and staff) in a variety of hospice and senior care settings. It's a benefit that many facilities see as outweighing the potential risk. However, understanding where your risk lies is essential to help minimize the damage from a potential claim.

Injuries from trips and falls can be serious, especially for the patients in this type of setting who are already high-risk. The possibility of bites and scratches from animals also still exists. No matter how friendly the animal may be, it may bite or scratch to defend itself if it is startled or scared. It's important to note that elderly patients are at greater risk following a bite or serious scratch. In addition to the tissue damage, the lesion may be a vector for the spread of disease or infection.

What You Can Do

As we've outlined, animals can be unpredictable. But that doesn't mean there's nothing you can do. Here are a few steps you can take to help minimize your risk, regardless of which scenario you find yourself in, that will help to protect your clients, your employees, and your business.

Ensure You're Adequately Covered

Depending on the scenario, different coverages may apply when an animal bite or injury is involved. In the case of a dog in the office, the pet owner's homeowner's policy might apply as well as your business's General Liability policy. Be sure to work with your insurance agent or broker to ensure you have adequate coverage in place. This includes Workers' Compensation coverage, which is essential in covering medical costs associated with any injury an employee sustains on the job.

Create Written Policies and Procedures

Whether it's allowing pets in the office or protecting workers who are out on deliveries, it's essential to have written policies and procedures in place. Ensure everyone on your team is familiar with your company's policies. It's also important to outline what pet owners and employees should do if a bite or other injury occurs. In the case of the delivery worker, your procedure could include asking if an animal will be present when you schedule the delivery.

Provide Training

If your employees could encounter an animal in their day-to-day work, make sure they're properly trained to avoid and treat animal bites, and in basic first aid. The good news is rabies is not common in the U.S., and it's unlikely someone would contract the disease from a bite.

For more information and guidance, contact your VGM Insurance Services Account Manager or contact us today at info@vgminsurance.com or **800-362-3363**.

