



**CALIFORNIA STATE BOARD  
OF  
BARBERING AND COSMETOLOGY**

**HEALTH AND SAFETY ADVISORY COMMITTEE MEETING**

**MINUTES OF OCTOBER 23, 2017**

Crowne Plaza San Diego – Mission Valley  
2270 Hotel Circle North  
San Diego, CA 92108

**BOARD MEMBERS PRESENT**

Dr. Kari Williams, President  
Lisa Thong

**COMMITTEE MEMBERS PRESENT**

Teni Adewumi  
Paul Bryson  
Deedee Crossett  
Brandon Hart  
Fred Jones  
Leslie Roste  
Delane Sims  
Dr. Charles Washington  
Holly Wright

**COMMITTEE MEMBERS ABSENT**

Shirley Arnett  
Janet Blaschke  
Anna Marie Brown  
Amy Coombe  
Julia Liou  
Lori Schaumleffel  
Robert Von Essen  
Hermine Warren, DNP

**STAFF MEMBERS PRESENT**

Kristy Underwood, Executive Officer  
Michael Santiago, Board Legal Representative  
Tami Guess, Board Project Manager  
Marcene Melliza, Board Analyst

**1. Agenda Item #1, CALL TO ORDER / ROLL CALL**

Dr. Kari Williams, Board President, called the meeting to order at approximately 1:00 p.m. and confirmed the presence of a quorum.

**2. Agenda Item #2, EXECUTIVE OFFICER'S OPENING REMARKS**

Kristy Underwood, Executive Officer, provided a brief overview of the agenda.

**3. Agenda Item #3, PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

No members of the public addressed the Board.

**4. Agenda Item #4, APPROVAL OF COMMITTEE MEETING MINUTES**

**June 26, 2017**

**MOTION:** Lisa Thong made a motion, seconded by Fred Jones, that the Health and Safety Advisory Committee approves the June 26, 2017, Meeting Minutes as presented. Motion carried 7 yes, 0 no, 3 abstain per roll call vote as follows:

The following Health and Safety Advisory Committee Members voted "Yes": Ms. Crossett, Mr. Jones, Ms. Roste, Ms. Sims, Ms. Thong, Mr. Washington, and Ms. Wright.

The following Health and Safety Advisory Committee Members abstained: Ms. Adewumi, Mr. Bryson, Mr. Hart and Ms. Williams.

**5. Agenda Item #5, UPDATE TO THE COMMITTEE ON ACTIONS IMPLEMENTED BY STAFF SINCE THE LAST MEETING**

Ms. Underwood stated Committee recommendations made at the last meeting are currently being incorporated into the Know Your Worker's Rights document to improve licensee awareness of labor laws. The updated document will be presented to the Board at the January 2018 Board meeting. She stated staff will send the updated document to community groups, nonprofit organizations, legislative offices, and licensees pending Board approval.

Ms. Underwood stated the California Department of Industrial Relations' (DIR) frequently asked questions (FAQ) page for Assembly Bill (AB) 1513 has been posted to the worker's rights section of the CASafeSalon webpage.

Ms. Underwood stated the first town hall meetings will be held October 24<sup>th</sup> in Poway and November 6<sup>th</sup> in Sacramento. The DIR, the Employment Development Department (EDD), and the Division of Occupational Safety and Health (Cal OSHA) will present. Inspectors have been handing postcard invitations out to licensees. The town hall meeting will be videotaped and posted on the website for reference.

Ms. Underwood stated staff has been working on ways to increase the email list and to better reach licensees, such as email sign-up lists at trade shows.

Ms. Underwood stated staff has been in contact with the NIC to determine if there are labor issue questions on the current national examination.

Ms. Underwood stated staff is working with the DCA to determine the most appropriate way to talk about outreach avenues for encouraging consumers to evaluate their role in labor trafficking and wage theft.

Ms. Underwood stated staff has added a new section in the Health and Safety Training Course, which offers information to service providers regarding their right to refuse

service. The updated course is expected to be presented to the Board at the July 2018 Board meeting for approval.

Ms. Underwood stated staff is currently reviewing online waxing and eyelash safety tips and will work with legal counsel to make that information available to the industry and consumers.

Ms. Underwood stated staff is working on collaboration between the BreZE system, the computer-based testing vendor system, and the National-Interstate Council of State Boards of Cosmetology (NIC) system to identify Board-approved schools and NIC examination scores so the Board can send schools how their students did in each area of the NIC examination.

**6. Agenda Item #6, DISCUSSION AND PRESENTATION ON THE ENVIRONMENTAL IMPACT OF BEAUTY PRODUCTS**

**Presenters**

Chris Geiger, PhD, Toxics Reduction Program, San Francisco Department of the Environment

Swati Sharma, Toxics Reduction Program, San Francisco Department of the Environment

Tami Guess stated the presenters were unable to be in attendance but they provided a narrated slide presentation of the definitions, methodology, findings and recommendations, and regulatory issues of disinfectants and sanitizers in nail salons.

Recommendation to the Board: Nail Salons start to incorporate peroxide based disinfectants (institutional strength, closed loop auto dilution product).

**7. Agenda Item #7, DISCUSSION AND PRESENTATION ON DISINFECTION OPTIONS AVAILABLE TO THE BARBERING AND BEAUTY INDUSTRY**

**Presenter**

Leslie Roste, National Director, Education and Market Development, King Research/Barbicide

Leslie Roste, National Director, Education and Market Development, King Research, and Committee Member, provided an overview, accompanied by a slide presentation, of the definitions, requirements, financial, time, and environmental costs of disinfection options.

Ms. Roste suggested removing the term "hospital grade" from Board material - the Environmental Protection Agency (EPA) does not recognize that term. In addition, she stated that when states use the phrase, "*something should be kept in a sanitary manner*" within regulatory language, it is ambiguous and open to interpretation. She suggested that the wording be edited out of California's regulations.

Ms. Roste included a spreadsheet of the processes, advantages, and disadvantages of several types of disinfectants, which was included in the meeting packet.

## Questions and Discussion

Ms. Guess asked about continuing to require quaternary ammonia compounds but allowing the use of disinfectant wipes for foot spas with disposable liners. Ms. Roste stated wipes can be a good option. They have a much lower contact time, no chemical for licensees to be in contact with, no concentrates to mix, and no fumes that may be breathed in. She stated the importance of reading labels and selecting wipes with shorter required contact times (under two minutes). She suggested efforts should be made to move the industry to using pedicure bowls without jets.

Ms. Guess asked what other tools Ms. Roste would suggest being allowed to be disinfected by the use of disinfectant wipes. Ms. Roste stated other states use wipes and sprays as an alternative for disinfecting shears.

Ms. Crossett stated that licensees are already using EPA – registered disinfectant wipes on skin care machine electrodes and shears. She suggested putting out information on how to use a wipe for increased compliance, especially for licensees with expensive shears who are reluctant to immerse them in liquid disinfectant.

Ms. Roste stated the two license areas of most concern that can benefit from increased education on properly using disinfectant wipes are nail care providers and estheticians. Effort should be made to help licensees understand the disinfectant label.

Ms. Crossett suggested educating licensees to use a wipe on the service area - drawers, handles, jars, lids, etc. - between clients.

Ms. Crossett asked about the efficiency of disinfectant tablets and pouches/pods. Ms. Roste stated the thought on disinfectant tablets/pods has gone back and forth. She stated manufacturing consistency is difficult in this industry. Use of tablet/pouches and pods is not recommended.

Ms. Underwood stated the current procedures for disinfecting foot spas that are plumbed require an EPA-registered hospital liquid disinfectant. Ms. Roste recommended using the following regulatory language: “*EPA-registered disinfectant that is bactericidal, viricidal, and fungicidal and approved for use in a hospital, clinic, or doctor’s office*”. The EPA regulates what can go on labels, word for word.

Ms. Guess, asked if it would be better to require an EPA-registered disinfectant that has been approved for use in a beauty shop or salon. Ms. Roste answered in the affirmative and stated the exact location categories put out by the EPA are barber shop, beauty salon, and nails.

Mr. Bryson stated the EPA has specific labeling requirements for disinfectants. He suggested looking for products that have an EPA-registered approved usage for whirlpool foot spas on the label.

Ms. Roste stated the EPA is in the process of updating their forms and disinfectant labels will change to reflect those updates.

Fred Jones, stated California regulations currently state wipes are permitted to disinfect shears and electric tools. He suggested including wipe usage to disinfect the workspace and foot spa basins where liners are used.

Ms. Roste encouraged the Board to allow licensees to use disinfecting wipes on any tools deemed appropriate. Obviously, wipes will not work on hair brushes but they could work on nail implements.

Ms. Roste stated the EPA mandates using one wipe for mechanical cleaning and a second wipe for disinfecting.

Mr. Jones stated current policy is to keep it simple. He questioned whether providing more options a good thing. Ms. Roste stated when Clorox wipes came on the home market, compliance went up because individuals found it more convenient to use a wipe and throw it away. Education on proper wipe usage and contact time will be necessary. She suggested using disinfectants that have a contact time in the two-minute range.

Ms. Crossett asked if wipes leave a residue that may interfere with equipment efficiency, such as high frequency glass electrodes. Ms. Roste stated wipes leave no residue after the alcohol dries off during the required contact time; no rinsing is necessary.

Mr. Jones made a motion to add the use of wipes to disinfect foot spa basins that use liners and non-electric instruments and to remove the word "hospital" from Board regulations.

#### **Public Comment**

Wendy Jacobs, Founder, California Aesthetic Alliance, stated chain employees have five minutes to turn the rooms over to prepare for the next client. She stated wipes will help. She asked that estheticians be included in the language.

Ms. Roste suggested using the EPA's terminology because it coincides with labeling requirements.

**MOTION:** Mr. Jones made a motion, seconded by Ms. Sims that the Health and Safety Advisory Committee recommends that the Board adds the use of wipes to disinfect foot spa basins that use liners, non-electric instruments, and workstations, and removes the word "hospital" from Board materials. Motion carried 10 yes, 0 no, 0 abstain per roll call vote as follows:

The following Health and Safety Advisory Committee Members voted "Yes": Ms. Adewumi, Mr. Bryson, Ms. Crossett, Mr. Jones, Ms. Roste, Ms. Sims, Ms. Thong, Mr. Washington, Ms. Williams, and Ms. Wright.

#### **8. Agenda Item #8, PRESENTATION AND DISCUSSION ON UNDERSTANDING PIECE-RATE LAW AND SUGGESTIONS ON HOW TO BRING AWARENESS OF THIS LAW TO BOARD LICENSEES**

##### **Presenter**

Holly Wright, Department of Industrial Relations (DIR)

Holly Wright, provided an overview, accompanied by a slide presentation, of the AB 1513 mandate, piece-rate compensation, and how to determine the average hourly rate to be paid for rest periods if employees are paid by piece-rate.

## **Questions and Discussion**

Ms. Crossett, Mr. Jones and Dr. Williams asked clarifying questions about minimum wage, rest periods, piece-rate earnings, and commissions.

Mr. Jones asked how a bonus that is paid equally to all members of the team that are paid by salary would work. Ms. Wright stated she would get back to staff with the answer to that question.

Mr. Jones suggested creating a summary instead of referring individuals to the FAQ section of the DIR website. Ms. Thong stated questions may be better asked of the DIR than the Board.

Mr. Jones suggested that staff work with the DIR in developing summary bullets that can be posted to the Board website to help answer some questions and refer them to the DIR. Ms. Underwood stated the Board does not have the resources or the authority to pursue his suggestion.

Ms. Underwood stated the currently discussed agenda item is in response to questions that came up during the last meeting. It is informational only.

### **9. Agenda Item #9, AGENDA ITEMS FOR THE NEXT MEETING**

Ms. Underwood stated the Advisory Committee term was for one year. The Board will reinstate the Committee at the January 2018 Board meeting. She asked Committee Members to email Ms. Guess if they would like to be considered for the next Committee term.

Mr. Jones suggested an agenda item to clarify Senate Bill (SB) 490 with legal options that may be taken. Ms. Underwood stated, although she agrees, this Committee's role is to make suggestions to the Board, not the DIR.

Ms. Crossett asked if it was appropriate for this committee to address and discuss the selling of school training hours in relation to health and safety preservation. Ms. Underwood stated that a report is scheduled to be presented on that topic at the next Board meeting.

Ms. Sims suggested the creation of a Safety Compliance Officer who would be an intern to help salons become compliant. Ms. Underwood stated this is not possible because the Board is under a civil servant classification.

Ms. Crossett asked if the Committee could consider ways to educate licensees on the Board's mobile unit provision. She expressed concern that licensees do not realize they are working unlicensed if they have not licensed their mobile units.

### **10. Agenda Item #10, ADJOURNMENT**

There being no further business, the meeting was adjourned.