

Stylist article – June 2015

Board Inspections, Part II

Last month, this column answered several frequently asked questions regarding the Board of Barbering and Cosmetology's inspections program. This month, this column will take a look at when and where inspections may occur.

It's important for licensees to remember that the Legislature, under Section 7303.1 of the Business and Professions Code (B&P), has made "protection of the public ... the highest priority" for the Board in exercising its licensing, regulatory, and disciplinary functions. In keeping with that priority, California law gives the Board broad authority to inspect establishments. Section 7313 of the California Business and Professions Code (B&P) states, in part:

"To ensure compliance with the laws and regulations of this chapter, the board's executive officer and authorized representatives shall... have access to, and shall inspect, any establishment or mobile unit during business hours or at any time in which barbering, cosmetology, or electrolysis are being performed."

This means that Board inspectors have the right to inspect all areas of an establishment at any time services are being performed or during business hours. The inspection can even include areas in which services not regulated by the Board are performed. If your shop has a massage room or a room where permanent makeup is applied, the inspector has the right to inspect that room. The only limitation would be if a client was receiving services at the time of the inspection. While the service itself might not be regulated, the Board's inspector will examine the facilities for compliance with health and safety regulations. Towels in a massage room, for instance: are they kept in a covered container? Are the various oils that are used properly labeled? Often times, the massage therapist or permanent makeup technician will share a room with an esthetician. Are the products related to skin care properly labeled and stored?

Another area where confusion can occur is access to work stations. Inspectors have the right to inspect all stations, as well as any drawers and cabinets in that station, regardless of whether the person who works there is present. Nor does it matter if that person is an employee of the shop, a booth renter, or an independent contractor. Moreover, the establishment must have keys on hand to unlock any cabinets or drawers, regardless of whether the owner is present. Failure to have the keys can mean a citation by the Board.

New Board Member Appointed: Polly Ann Codorniz, 55, of Colusa, has been appointed to the California Board of Barbering and Cosmetology by Gov. Jerry Brown. Codorniz has been co-owner at Changes Salon since 2013. She was co-owner at Shear Class from 1986 to 2013. Codorniz is a member of the California Cosmetology Association. This position requires Senate confirmation and the compensation is \$100 per diem.