

BOARD OF BARBERING AND COSMETOLOGY

**FINAL STATEMENT OF REASONS**

**Hearing Date:** April 9, 2014

**Subject Matter of Proposed Regulations:** Apprenticeships

**Sections Affected:** Sections 914.1, 914.2, 918, 921, 921.1 and 921.2, Title 16 of the California Code of Regulations (CCR)

**Updated Information**

During the course of this rulemaking, the Department of Consumer Affairs' Division of Legislative and Regulatory Review asked the Board of Barbering and Cosmetology (Board) to explain why apprentice barbers under the amendments proposed for Section 921 would be required to have 2,800 hours of hairdressing, whereas under the current curriculum, only 2,600 is required. The explanation is that it's simply how the math plays out. The health and safety component, which at 20 hours is practically non-existent under the current curriculum, has been bumped up to 200 hours (Note: the 20 hours of health and safety training was inadvertently left off the chart in the Initial Statement of Reasons summarizing the existing apprentice curriculum). This matches the health and safety hours now required of students at barber, cosmetology and electrology schools, which satisfies the requirements of 7334(f) of the Business and Professions Code (B&P). Students at barber schools are required to take 200 hours in the shaving category; therefore, apprentice barbers under the Board's regulatory proposal will also take 200 hours in shaving to satisfy 7334(f) of the B&P.

At the same time, the Board has long defined all apprenticeships as being 3,200 hours for the two-year program (16 CCR Section 916). Consequently:

	3,200
-	200 (H&S)
-	<u>200 (Shaving)</u>
	2,800

While it's true the Board might have increased the health & safety or shaving component requirements to satisfy the 3,200 hours, 200 hours of health & safety training is already a significant bump in the requirement. Since the brunt of what a barber does is hairdressing rather than shaving (it's important to remember that apprentices train in the real world where barbershop shaves are relatively rare, rather than in an artificial classroom environment), placing the additional 200 hours in the hairdressing category makes the most sense.

**Local Mandate**

A mandate is not imposed on local agencies or school districts.

### **Small Business Impact**

There is no significant impact to small business.

### **Consideration of Alternatives**

No reasonable alternative which was considered or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the regulation is proposed, would be as effective and less burdensome to affected private persons than the adopted regulation, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy on other provision of law.

### **Summary of, and Responses to, Comments Received During the 45-day Comment Period**

#### **Comment No. 1**

Jonn Potter, Barber and Establishment Owner

**Mr. Potter doesn't appear to direct his comments to a particular regulatory section of the Board's proposed changes to the apprenticeship program, or offer specific changes he would like the Board to make to this rulemaking proposal. This makes it difficult for the Board to respond in specifics. However, his general complaint is that student and apprentice barbers are poorly trained and don't get enough practice doing haircuts because they spend too much time on services that barbers only rarely perform.**

Board response:

The Board rejects this comment. Over the last several years, the Board has revised the school curriculums for all its licensing categories, in an effort to give schools more discretion with regard to what students are taught and how much time is devoted to each procedure. The Board, in amending the apprenticeship curriculums, is now doing the same thing within the apprenticeship program. The Board believes that the 2,800 hours dedicated to hair dressing under the Board's proposal for 16 CCR Section 921 is ample time for an apprentice to learn the minimum skills to be a barber. Assuming an hour for each practical operation, it would take an apprentice nearly 1,140 hours to complete the hair dressing minimums (which include a minimum of 750 practical hair cutting or styling operations). That leaves 1,660 hours that could be devoted to hair cutting or styling if the barber-trainer believes his apprentice needs more practice.

#### **Comment No. 2**

Mildred Biglen, Sponsor, Nor-Cal Barber Cosmetology Apprenticeship Program

**Ms. Biglen indicates she is pleased with the Board's revisions to the apprenticeship program and states that it is important that the Board make sure all apprentice programs follow the appropriate curriculum. She also urges the Board to set guidelines for fees charged for esthetics and manicuring programs.**

Board response:

The Board accepts Ms. Biglen's comment regarding the revisions. Fees, however, are not part of this particular rulemaking and, therefore, the Board rejects her comment regarding the setting of fees for esthetics and manicuring programs. Moreover, there currently is no apprenticeship program for esthetics and manicuring.