

# **COMPLIANCE DIVISION REPORT**

## ***Barber Advisory Board Meeting***

June 23, 2014

### **Personnel Matters**

- After a statewide call for applicants and an intense interview process, the top candidate from our interviews ended up being one of our own from here in the Austin region. Our new Deputy Barber and Cosmetology Programs Specialist is Marinela La Fleur. Her name should be familiar to you - she has years of experience in the industry, previously served as inspector with the Texas Cosmetology Commission, and has most recently served the Barber and Cosmetology industries for years as a key member of our Education and Examination (E&E) Division. We have once again “stolen” from another Division to increase our Compliance Division bench strength. I know this is a huge blow to our newly appointed E&E Division Director, Ray Pizarro, so I want to publicly thank him for his contributions to the Compliance Division’s success.

### **Public Outreach**

- TDLR staff also represented the agency at two trade shows since the last advisory meeting. Elizabeth Perez and David Gonzales from Compliance, Marco Rodriguez from Field Operations and Irma Mendoza from Customer Service attended the Armstrong McCall show in Corpus Christi May 4-5 and the Image Expo Show May 18-19 in Houston.
- Elizabeth Perez, Marinela LaFleur and David Gonzales participated in the PSI Barber and Cosmetology Exam Development review on June 3-5 in Austin.
- We continue to assist with various industry related questions; provide information on license renewals, and offer any other helpful information. We, with the help of our social media guru, Terry Westrum, have also increased our Facebook and Twitter presence – doing even more to engage our licensees and the industry.

### **Upcoming Trade Shows**

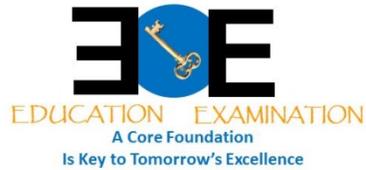
- Elizabeth Perez and Marinela LaFleur will be attending the TIVA Conference @ July the 14-18 in Irving Texas.

### **Compliance Efforts**

- Elizabeth and Marinela continue to assist Field Operations staff and Customer Service with questions that arise during inspections as well as directly responding to industry inquiries and emails.
- Compliance staff continue to participate in monthly Barber and Cosmetology Taskforce meetings which help to enhance communications between agency staff and ensure consistency for the program.



**Barber Advisory Board**  
June 23, 2014



- PSI and the Subject Matter Experts met on June 3-5 to review poorly performing items and write new questions where needed in the content outline.
- The Instructor SMEs worked on referencing the Instructor examinations to the new Milady 2014. These changes will take effect Sept 1, 2014.
- The Barber and Cosmetology SME Instructors met to discuss the practical examination content outline. Revisions will be made so that both exams reflect the same content, since the instructor exam is the same for both industries.

## Barber Schools

2	ACRES HOME COLLEGE OF BARBER DESIGN	HOUSTON TX 77088
3	ADVANCED BARBER COLLEGE HAIR DESIGNS INC	WESLACO TX 78596
5	BUCKNER BARBER SCHOOL INC	DALLAS TX 75217
9	DALLAS BARBER & STYLIST COLLEGE	DALLAS TX 75243
10	EL PIPO BARBER COLLEGE	EL PASO TX 79903
11	FRAZIER'S BARBER COLLEGE	HOUSTON TX 77021
12	GRAHAM'S BARBER COLLEGE	DALLAS TX 75215-1701
13	HAIR EXPRESSIONS BARBER SCHOOL LLC	CORPUS CHRISTI TX 78416
14	JAY'S TECHNICAL INSTITUTE	HOUSTON TX 77071
15	JAYS TECHNICAL INSTITUTE INC	BEAUMONT TX 77703
17	LUBBOCK HAIR ACADEMY	LUBBOCK TX 79410
18	MID CITIES BARBER COLLEGE	GRAND PRAIRIE TX 75051
19	MODERN BARBER COLLEGE	HOUSTON TX 77002
21	OG'S SCHOOL OF HAIR DESIGN	KILLEEN TX 76541
22	ROFFLER SCHOOL OF HAIR DESIGN	AUSTIN TX 78756
23	HEALTHY HAIR ACADEMY	DALLAS TX 75227
24	R S INSTITUTE	HOUSTON TX 77023
25	SOUTH TEXAS BARBER COLLEGE	CORPUS CHRISTI TX 78415
29	TEXAS BARBER COLLEGES & HAIRSTYLING SCHO	HOUSTON TX 77063
30	TEXAS BARBER COLLEGES & HAIRSTYLING SCHO	HOUSTON TX 77009
31	TREND BARBER COLLEGE	HOUSTON TX 77071
32	WILLIAMS BARBER COLLEGE	FORT WORTH TX 76104
101	TEXAS BARBER COLLEGES & HAIRSTYLING SCHO	DALLAS TX 75241
103	TREND BARBER COLLEGE INC	HOUSTON TX 77090
104	MESA BARBER SCHOOL	HOUSTON TX 77028-2006
106	DALLAS BARBER & STYLISTS COLLEGE #2	DALLAS TX 75237
107	TEXAS BARBER COLLEGES & HAIRSTYLING SCHO	DALLAS TX 75228
109	EAST TEXAS BARBER SCHOOL	TYLER TX 75702-7110
110	HEALTHY HAIR ACADEMY 2	DALLAS TX 75216
111	BARBER INSTITUTE OF TEXAS LLC	LONGVIEW TX 75602
113	CUTT MASTER BARBER COLLEGE	EL PASO TX 79930
115	K & G 5 STAR BARBER COLLEGE	TEXAS CITY TX 77591
116	SOUTHEAST BARBER COLLEGE	FORT WORTH TX 76105
118	GLORIA'S BARBER COLLEGE	SAN ANTONIO TX 78238
119	ALAMO CITY BARBER COLLEGE	SAN ANTONIO TX 78250
120	PREPARING PEOPLE BARBER STYLING COLLEGE	DALLAS TX 75215
121	ACAPULCO BARBER SCHOOL	SAN ANTONIO TX 78207
122	FRANKLIN BARBER SCHOOL	HOUSTON TX 77084
124	MEI BARBER SCHOOL	DONNA TX 78537
125	MISSION BARBER COLLEGE	MC ALLEN TX 78504
126	MASTER BARBERS INSTITUTE	DALLAS TX 75208
127	SOL BARBER ACADEMY #2	DALLAS TX 75208
128	MEI BARBER SCHOOL	BROWNSVILLE TX 78520
129	NEECEE'S BARBER COLLEGE	ABILENE TX 79602
130	DALLAS BARBER AND STYLIST COLLEGE	ARLINGTON TX 76018
131	KALIBUR BARBER COLLEGE	GRAND PRAIRIE TX 75052
132	METRO BARBER SCHOOL INC	HARLINGEN TX 78550
133	KINGS-KUTS BARBER & HAIRSTYLING COLLEG	DALLAS TX 75243
134	MYSTROS BARBER ACADEMY	HOUSTON TX 77090
135	MJ'S BARBER ACADEMY	DALLAS TX 75224
136	SOUTH POST OAK BARBER COLLEGE	HOUSTON TX 77045
137	CUTT MASTER BARBER COLLEGE	EL PASO TX 79936
138	R & E BARBER SCHOOL	BAYTOWN TX 77520
139	BARBER'S INC TRADE SCHOOL	BEAUMONT TX 77701
140	WILLIAMS BARBER COLLEGE	SAN ANTONIO 78220
141	CONLESS'S COLLEGE OF BARBERING	KERRVILLE TX, 78028
142	HAIR DOCTOR #2	FORTH WORTH, TX76133
143	CENTRAL TEXAS BARBER COLLEGE	HARKER HEIGHTS, TX 76548

## Barber Students Enrolled

As of April 1, 2014 there were 2,208 barber students enrolled at 57 private barber schools.

## Barber Examinations

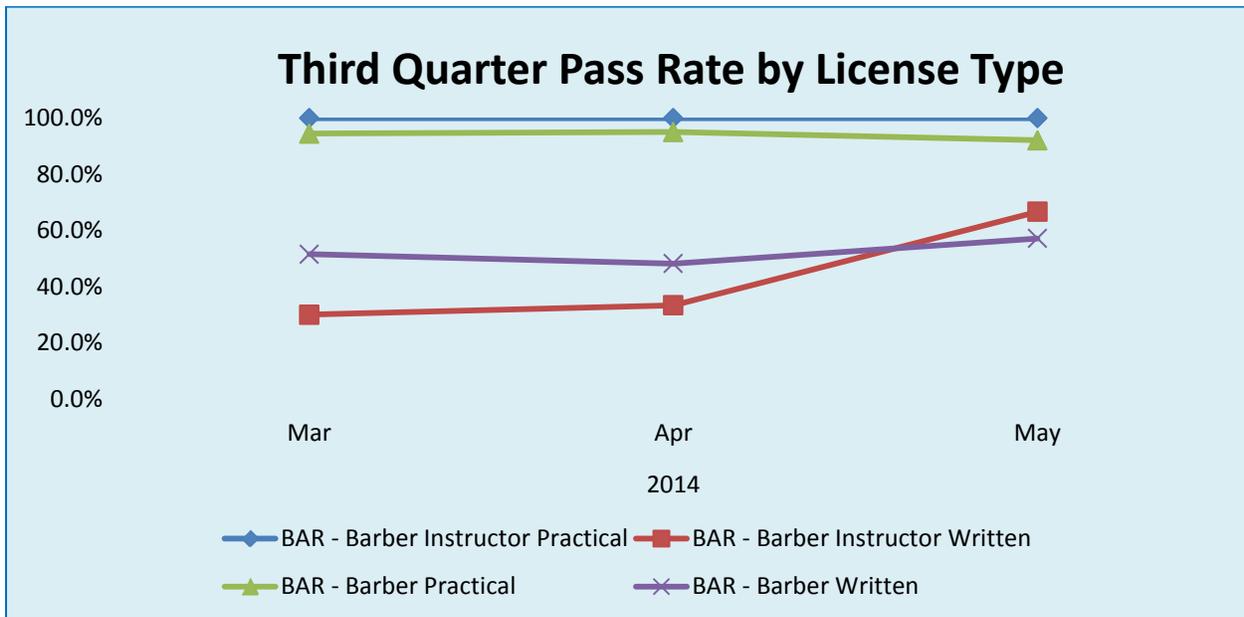
<b>FY 2012</b>	<b>Pass</b>	<b>Fail</b>	<b>Total</b>	<b>Rate</b>	<b>No Show</b>
Barber Written	1,058	1,002	2,060	51.36%	201
Barber Practical	960	62	1,022	93.93%	190
Barber Manicurist Written	2	1	3	66.67%	0
Barber Manicurist Practical	2	1	3	66.67%	1
Barber Technician Written	2	1	3	66.67%	0
Barber Technician Practical	2	0	2	100.00%	0
Barber Technician/Manicurist Written	0	0	0	0.00%	0
Barber Technician/Manicurist Practical	0	0	0	0.00%	0
Barber Technician/Hairweaving Written	0	0	0	0.00%	0
Barber Technician/Hairweaving Practical	0	0	0	0.00%	0
<b>Subtotal</b>	<b>2,035</b>	<b>1,071</b>	<b>3,106</b>	<b>65.52%</b>	<b>392</b>
Barber Instructor Written	26	51	77	33.77%	3
Barber Instructor Practical	17	8	25	68.00%	0
<b>Subtotal</b>	<b>43</b>	<b>59</b>	<b>102</b>	<b>42.16%</b>	<b>3</b>
<b>Total</b>	<b>2,078</b>	<b>1,130</b>	<b>3,208</b>	<b>64.78%</b>	<b>395</b>

<b>FY 2013</b>	<b>Pass</b>	<b>Fail</b>	<b>Total</b>	<b>Rate</b>	<b>No Show</b>
Barber Written	1,054	1,026	2,080	50.67%	184
Barber Practical	881	30	911	96.71%	157
Barber Manicurist Written	4	5	9	44.44%	1
Barber Manicurist Practical	4	0	4	100.00%	0
Barber Technician Written	0	0	0	0.00%	0
Barber Technician Practical	0	0	0	0.00%	0
Barber Hairweaving Written	2	1	3	66.67%	0
Barber Hairweaving Practical	3	0	3	100.00%	1
Barber Technician/Manicurist Written	0	0	0	0.00%	0
Barber Technician/Manicurist Practical	0	0	0	0.00%	0
Barber Technician/Hairweaving Written	2	2	4	50.00%	0
Barber Technician/Hairweaving Practical	0	0	0	0.00%	0
<b>Subtotal</b>	<b>1,950</b>	<b>1,064</b>	<b>3,014</b>	<b>64.70%</b>	<b>343</b>
Barber Instructor Written	37	55	92	40.22%	8
Barber Instructor Practical	39	9	48	81.25%	5
<b>Subtotal</b>	<b>76</b>	<b>64</b>	<b>140</b>	<b>54.29%</b>	<b>13</b>
<b>Total</b>	<b>2,026</b>	<b>1,128</b>	<b>3,154</b>	<b>64.24%</b>	<b>356</b>

<b>First Quarter</b>	<b>Pass</b>	<b>Fail</b>	<b>Total</b>	<b>Rate</b>	<b>No show</b>
Barber Written	257	228	485	52.99%	55
Barber Practical	238	14	252	94.44%	35
Barber Manicurist Written	0	2	2	0.00%	1
Barber Manicurist Practical	0	0	0	0.00%	0
Barber Technician Written	0	0	0	0.00%	0
Barber Technician Practical	0	0	0	0.00%	0
Barber Hairweaving Written	0	1	1	0.00%	0
Barber Hairweaving Practical	0	0	0	0.00%	0
Barber Technician/Manicurist Written	0	0	0	0.00%	0
Barber Technician/Manicurist Practical	0	0	0	0.00%	0
Barber Technician/Hairweaving Written	0	0	0	0.00%	0
Barber Technician/Hairweaving Practical	1	0	1	100.00%	0
<b>Subtotal</b>	<b>496</b>	<b>245</b>	<b>741</b>	<b>66.94%</b>	<b>91</b>
Barber Instructor Written	11	26	37	29.73%	2
Barber Instructor Practical	6	0	6	100.00%	2
<b>Subtotal</b>	<b>17</b>	<b>26</b>	<b>43</b>	<b>39.53%</b>	<b>4</b>
<b>Total</b>	<b>513</b>	<b>271</b>	<b>784</b>	<b>65.43%</b>	<b>95</b>

<b>Second Quarter</b>	<b>Pass</b>	<b>Fail</b>	<b>Total</b>	<b>Rate</b>	<b>No Show</b>
Barber Written	238	179	417	57.07%	38
Barber Practical	187	7	194	96.39%	26
Barber Manicurist Written	0	2	2	0.00%	3
Barber Manicurist Practical	0	0	0	0.00%	0
Barber Technician Written	1	0	1	100.00%	0
Barber Technician Practical	0	0	0	0.00%	0
Barber Hairweaving Written	0	0	0	0.00%	0
Barber Hairweaving Practical	0	0	0	0.00%	0
Barber Technician/Manicurist Written	0	0	0	0.00%	0
Barber Technician/Manicurist Practical	0	0	0	0.00%	0
Barber Technician/Hairweaving Written	2	0	2	100.00%	0
Barber Technician/Hairweaving Practical	0	0	0	0.00%	0
<b>Subtotal</b>	<b>428</b>	<b>188</b>	<b>616</b>	<b>69.48%</b>	<b>67</b>
Barber Instructor Written	9	16	25	36.00%	0
Barber Instructor Practical	10	2	12	83.33%	0
<b>Subtotal</b>	<b>19</b>	<b>18</b>	<b>37</b>	<b>51.35%</b>	<b>0</b>
<b>Total</b>	<b>447</b>	<b>206</b>	<b>653</b>	<b>68.45%</b>	<b>67</b>

Third Quarter					
	Pass	Fail	Total	Rate	No Show
Barber Written	270	249	519	52.02%	41
Barber Practical	216	14	230	93.91%	60
Barber Manicurist Written	1	3	4	25.00%	0
Barber Manicurist Practical	0	0	0	0.00%	0
Barber Technician Written	1	0	1	100.00%	0
Barber Technician Practical	2	0	2	100.00%	1
Barber Hairweaving Written	1	1	2	50.00%	0
Barber Hairweaving Practical	0	0	0	0.00%	0
Barber Technician/Manicurist Written	0	0	0	0.00%	0
Barber Technician/Manicurist Practical	0	0	0	0.00%	0
Barber Technician/Hairweaving Written	0	0	0	0.00%	0
Barber Technician/Hairweaving Practical	0	0	0	0.00%	1
Subtotal	491	267	758	64.78%	103
Barber Instructor Written	12	19	31	38.71%	1
Barber Instructor Practical	7	0	7	100.00%	0
Subtotal	19	19	38	50.00%	1
Total	510	286	796	64.07%	104



# **BARBERING ADVISORY BOARD**

## **Enforcement Division Staff Report June 23, 2014**

- On April 2, a default order was entered against Byron Adams d/b/a Scissor Cut Salon assessing an administrative penalty of \$2,500 for performing barbering without the required license.
- On April 23, an agreed order was entered against Williams Barber College assessing an administrative penalty of \$1,900 for failing to properly account for hours granted to each student; failing to have a refund policy in the enrollment agreement; failing to electronically submit a student's withdrawal or termination to the Department within ten days.
- On April 23, an agreed order was entered against Grace Aluko d/b/a Amazing Hair & Beauty Supply assessing an administrative penalty of \$1,575 for failing to properly clean and disinfect hair cutting, styling and equipment, implements, and tools prior to servicing each client; failing to supply list of independent contractors to the Department upon request; and leasing space in a barber shop to an individual who engaged in the practice of barbering but had not obtained a barber license.
- On April 30, an agreed order was entered against Samuel P. Padilla d/b/a DCO Salon assessing an administrative penalty of \$1,500 for leasing space in a barber shop to an individual who engaged in the practice of barbering but had not obtained a barber license.
- On May 20, an agreed order was entered against Barber Institute of Texas, LLC assessing an administrative penalty of \$1,350 for allowing an individual to enroll in a barbering school without a student permit; failing to electronically submit a student's withdrawal or termination to the Department within 10 days; failing to submit an electronic record of a student's accrued clock hours at least once per month; and failing to have in the enrollment agreement a description of the school's refund policy.
- Since the last advisory board report was written on April 9, there have been 22 closing orders issued in the Barbering program. Of those, 17 were against respondents that engaged or were involved in unlicensed activity. The total penalties against those unlicensed individuals and shops were \$14,325.

### **Key Statistics for Fiscal Year 2014**

Shown below are key statistics for the Barbering program and for all TDLR programs combined through May 31, 2014.

<b><u>Statistic</u></b>	<b><u>BAR</u></b>	<b><u>TDLR</u></b>
• Number of cases opened:	526	8,864
• Number of cases resolved:	461	7,388
• Number of Agreed Orders:	87	1,496
• Total amount of penalties assessed:	\$110,475	\$2,660,880
• Total amount of penalties collected:	\$43,470	\$1,358,819

**Field Operations Division Report  
Barber Advisory Board Meeting  
June 23, 2014**

**Ten Most Common Code Violations in Barber Shops**  
**Barber Top 10 Violations:**

**1. Failure to display sanitation rules** - Tex. Occupations Code. Sections. 1601.452. Each barbershop or specialty shop shall post in the shop a copy of the commission's sanitation rules.

**2. Establishments not clean and not in good repair** - 16 Tex. Admin Code Ch. 82.114(a)&(b). Establishments shall be kept clean and in good repair. All floors in areas where services are performed, including restrooms and areas where chemicals are mixed or where water may splash, must be of a material which is not porous or absorbent and is easily washable.

**3. Failure to prepare fresh disinfectant daily or more often if solution becomes diluted or soiled** – 16 Tex. Admin. Code Ch. 82.101(a)(3). Disinfectants in which implements are to be immersed shall be prepared fresh daily or more often if solution becomes diluted or soiled.

**4. Failure to store clean and disinfected implements and materials in a clean, dry, debris-free environment** - 16 Tex. Admin. Code. Ch. 82.102(f). All clean and disinfected implements and materials when not in use shall be stored in a clean, dry, debris-free environment including but not limited to drawers, cases, tool belts, rolling trays, or hung from hooks. They must be stored separate from soiled implements and materials. Ultraviolet electrical sanitizers are permissible for use as a dry storage container. Non-barber related supplies must be stored in separate drawers or locations.

**5. Failure to display and attach a photograph license** - Tex. Occupations Code. Sections 1601.451. Each licensee shall display the original certificate or license and an attached photograph of the certificate or license holder in a conspicuous place adjacent to or near the certificate or license holder's work chair in the shop in which the certificate or license holder is working.

**6. Failure to display a sign containing the word "Barber" on shop's exterior** - 16 Admin. Code Ch. 82.71(e). Barbershops shall display on the exterior of the building or premises a sign containing the words "Barber Shop" or "Barber Salon" or any phrase containing the word "Barber".

**7. Failure to maintain and make available a list of current employees and independent contractors.** -- 16 Admin. Code Ch. 82.52(b) and 82.71(c). The shop owner and/or shop manager shall maintain a current list of all individuals who work in a shop at the time of inspection including employees and independent contractors who engage in barbering. The list is to be made available to department inspectors upon demand.

**8. Shop failed to post the most recent inspection report in public view** - 16 Admin. Code Ch. 82.71(k). A barber establishment shall display in the establishment, in a conspicuous place clearly visible to the public, a copy of the establishment's most recent inspection report issued by the department.

**9. Location of Practice** - Tex. Occupations Code. Section 1601.453 A person licensed by the department may practice barbering only at a location for which the department has issued a barbershop permit, specialty shop permit, or barber school permit under Chapter 1601 or a permit issued under Chapter 1603.

**10. Failure to keep products labeled** - 16 Tex. Admin. Code Ch. 82.102(n). Each barber establishment shall keep all products used in the conduct of their business properly labeled in compliance with OSHA requirements.

## **Division Projects**

### Update on New Technology - Route Optimization

June 5, 2014 TDLR representatives met with MobiCorp representative to kick off this project.

### Update on New Technology - Einspection

We continue to expect a workable version of the Einspection program, however Brazos has run into delays. The next deadline for a test version is June 17, 2014.

## **Division Personnel Update**

On April 15, 2014 Jennifer Harless accepted the position of South Region Manager in the Field Operations Division.

I completed the interviews for the Field Operations Facilitator at the end of May and expect to make an offer very soon.

We are expecting to post for eight inspector positions throughout the state. Four will be in the Houston area, one in East Texas, one in the Austin area, and one in the DFW area.

## Barber Inspection Statistics

	Barber Establishments		Dual Establishments		Barber Schools		Barber Booth Renters		Dual Booth Renters		Barber Program Totals	
	FY 2014	FY 2013	FY 2014	FY 2013	FY 2014	FY 2013	FY 2014	FY 2013	FY 2014	FY 2013	FY 2014	FY 2013
SEPT	199	126	135	50	5	3	91	40	182	89	612	308
OCT	224	168	128	91	9	6	93	85	181	82	635	432
NOV	108	150	86	78	9	5	40	78	139	107	382	418
QTR 1	531	444	349	219	23	14	224	203	502	278	1629	1158
DEC	95	108	88	64	12	10	43	43	207	134	445	359
JAN	114	228	103	146	10	4	35	89	144	229	406	696
FEB	143	181	109	88	13	10	0	103	0	128	265	510
QTR 2	352	517	300	298	35	24	78	235	351	491	1116	1565
MAR	148	161	120	91	4	6	0	72	0	321	272	651
APR	197	236	156	134	4	9	0	133	0	154	357	666
MAY	129	215	111	112	12	6	0	76	0	120	252	529
QTR 3	474	612	387	337	20	21	0	281	0	595	881	1846
JUNE	0	231	0	111	0	8	0	99	0	145	0	594
JUL	0	209	0	119	0	13	0	83	0	142	0	566
AUG	0	177	0	87	0	6	0	69	0	151	0	490
QTR 4	0	617	0	317	0	27	0	251	0	438	0	1650
Year to Date/ Year End	1357	2190	1036	1171	78	86	302	970	853	1802	3626	6219

# Barber Advisory Board Licensing Statistics Fiscal Years 2012 to 2014

	New Licenses Issued	Percent New Licenses Issued Online	Renewal Licenses Issued	Percent Renewals Issued Online	FY 2014 TOTAL POPULATION	FY 2013 TOTAL POPULATION	FY 2012 TOTAL POPULATION
Class A Barber	621	N/A	4954	67.4%	14,727	14,428	14,114
Manicurist	0	N/A	121	48.8%	326	338	345
Technician	1	N/A	6	33.3%	16	15	19
Technician/Manicurist	0	N/A	N/A	N/A	0	0	0
Technician/Hair Weaving	1	N/A	N/A	N/A	2	1	0
Class A Barber Instructor	26	N/A	109	61.5%	252	224	190
Manicure Instructor	0	N/A	N/A	N/A	0	0	0
Technician Instructor	0	N/A	N/A	N/A	0	0	0
Hair Weaving Instructor	0	N/A	N/A	N/A	0	0	0
Hair Weaving Specialist	1	N/A	1	0.0%	8	7	5
Hair Braiding Specialist	136	N/A	61	49.2%	374	287	220
Barber Student	2541	95.8%	N/A	N/A	2,194	2,091	2,209
Booth Rentals	239	36.5%	427	56.0%	0	5,329	5,069
Barber Shops	321	81.3%	1075	44.7%	3,831	4,016	4,198
Manicurist Shops	6	100.0%	23	43.5%	61	70	77
Dual Shop	659	86.9%	550	96.4%	2,878	2,260	2,226
Weaving Shop	3	100.0%	0	0.0%	4	4	3
Braiding Shop	6	83.3%	1	100.0%	12	9	10
Mobile Salon	10	N/A	0	0.0%	10	2	2
Private Barber School	6	N/A	30	N/A	57	53	43
Vocational Barber School	0	N/A	N/A	N/A	0	0	0
Junior College Barber School	0	N/A	N/A	N/A	0	0	1
<b>TOTAL INDIVIDUALS</b>	<b>3327</b>	<b>73.2%</b>	<b>5252</b>	<b>66.5%</b>	<b>19,241</b>	<b>18,027</b>	<b>17,408</b>
<b>TOTAL FACILITIES</b>	<b>591</b>	<b>72.9%</b>	<b>1556</b>	<b>47.0%</b>	<b>3,975</b>	<b>9,483</b>	<b>9,403</b>
<b>TOTAL BARBER LICENSEE POPULATION</b>					<b>23,216</b>	<b>27,510</b>	<b>26,811</b>

\*The population number is a snapshot of the number of active licenses on the first day of the month. The number of licenses issued and renewed is the total activity performed during the fiscal year.

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