

COMPLIANCE DIVISION REPORT

Barber Advisory Board Meeting

August 24, 2015

Public Outreach

- Elizabeth Perez, Marinela LaFleur and David Gonzales participated in the PSI Cosmetology written examination review from June 29 thru July 1, 2015 in Austin.
- Compliance has also attended many trade shows since the last advisory meeting. Elizabeth Perez, Marinela La Fleur, David Gonzales, Enforcement, Education and Examination, Field Operations and Customer service all have contributed at some point with our outreach efforts at the shows. We answer industry related questions; provide information on license renewals, and provide any other assistance asked of us. Facebook and Twitter have also been used to let the industry know we were there and increase our interaction with participants.

Armstrong McCall - September 7&8 2014 Austin

Beauty Culturist League - October 12&13 2014 Dallas

TIVA Mid-winter Conference - January 15-17 San Antonio

Armstrong McCall - May 3&4 2015 Arlington

Image Expo Show - May 17&18, 2015 Houston

TIVA Summer Conference - July 2 - 4, 2015 Houston

Upcoming Trade Shows

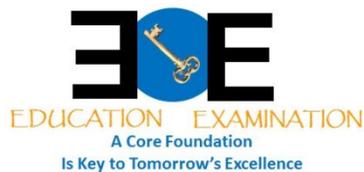
Elizabeth Perez, Marinela LaFleur and David Gonzales will be attending the Armstrong McCall - August 30&31 at the George R. Brown Convention Center in Houston.

Compliance Efforts/Statistics

- Elizabeth and Marinela continue to assist Enforcement, Field Operations staff, and Customer Service with questions that arise during investigations, inspections, as well as addressing daily industry inquiries/emails.
- We continue our participation in monthly BAR/COS taskforce meetings.
- We continue our work on bill implementation efforts for HB104 & HB 2717.

Barber Advisory Board

August 24, 2015



Growth & Changes in the Education & Examination Division:

- Marco Rodriguez is the new Team Leader for the newly created School Inspections/Site Visits section within the Education and Examination Division. Having an extensive background and the ability to command both English and Spanish, Marco will undoubtedly help E&E establish uniform procedures to inspect Education School Providers and their courses.
 - Joining Marco will be Dalinda Jew, Ramon Rodriguez and Soyica White. They will be performing periodic school and special inspections.
- Cari Hodges is the new Team Leader for Driver Education and Safety Section within the Education and Examination Division. Cari comes to us from The Texas Department of Public Safety (DPS). She has more than 8 years' experience with the laws, rules and procedures for the Driver Training program. Cari without a doubt will be able to lead the new Driver Education and Safety team into thinking outside the box and incorporate new ideas to improve the service we provide for the citizens of Texas.
- Every six years a Request for Proposal to seek an exam provider for the development and administration of TDLR's examinations is published. The current contract will expire on August 31, 2015. TDLR published the request for proposal on February 2015 and the Commission approved and awarded PSI the contract on July 29, 2015. The new contract will take effect September 1, 2015.
- The Education and Examination Division has begun utilizing Zeacom for emails. Zeacom allows us to track what has been received, completed, and the time it has taken to answer emails. Currently, E&E receives more than 1,000 emails a month. The goal is to be able to report the work staff has accomplished. As we continue to grow as a model agency, our workload and performance numbers will increase. The use of Zeacom is an important step toward utilizing the effectiveness of innovation.

Barber Examination Statistics:

Fiscal Year 2015

Barber Written	922	812	1,734	53.17%	131
Barber Practical	802	71	873	91.87%	108
Barber Manicurist Written	3	3	6	50.00%	0
Barber Manicurist Practical	3	0	3	100.00%	0
Barber Technician Written	0	0	0	0.00%	0
Barber Technician Practical	0	0	0	0.00%	0
Barber Hairweaving Written	3	4	7	42.86%	0
Barber Hairweaving Practical	2	1	3	66.67%	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	1	3	66.67%	0
Barber Technician/Hairweaving Practical	2	0	2	100.00%	0
Subtotal	1,739	892	2,631	66.10%	239
Barber Instructor Written	42	78	120	35.00%	7
Barber Instructor Practical	31	16	47	65.96%	5
Subtotal	73	94	167	43.71%	12
Total	1,812	986	2,798	64.76%	251

Fiscal Year 2014

Barber Written	765	656	1,421	53.84%	134
Barber Practical	641	35	676	94.82%	121
Barber Manicurist Written	1	7	8	12.50%	4
Barber Manicurist Practical	0	0	0	0.00%	0
Barber Technician Written	2	0	2	100.00%	0
Barber Technician Practical	2	0	2	100.00%	1
Barber Hairweaving Written	1	2	3	33.33%	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	1	0	1	100.00%	1
Subtotal	1,415	700	2,115	66.90%	261
Barber Instructor Written	32	61	93	34.41%	3
Barber Instructor Practical	23	2	25	92.00%	2
Subtotal	55	63	118	46.61%	5
Total	1,470	763	2,233	65.83%	266

Barber Examinations

Fiscal Year 2013

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
Subtotal	1,950	1,064	3,014	64.70%	343
Barber Instructor Written	37	55	92	40.22%	8
Barber Instructor Practical	39	9	48	81.25%	5
Subtotal	76	64	140	54.29%	13
Total	2,026	1,128	3,154	64.24%	356

Barber Students Enrolled

As of August 12, 2015 there were 2,277 barber students enrolled at 65 private barber schools.

BARBERING ADVISORY BOARD

Enforcement Division Staff Report

August 24, 2015

- On October 23, 2014, an agreed order was entered against Alamo City Barber College assessing a penalty in the amount of \$10,500 for failing to instruct students in the correct number of hours.
- On January 14, a default order was entered against Burton Johnson assessing a \$7,000 penalty for operating a barber shop without a license and failing to comply with a Department order.
- On March 3, a default order was entered against Frank Gilbert assessing a penalty of \$8,500 for performing barber services without a license and failing to comply with a Department order.
- On July 8, a default order was entered against Roberto Corona assessing a penalty of \$8,000 for operating a barber shop without a license and employing unlicensed barbers.
- On July 28, a default order was entered against Javier Leon assessing a penalty of \$6,500 for offering barber services without a license and creating a fictitious license.
- Since the last advisory board report was written on June 23, 2014, there have been 288 final orders issued in the Barbering program. Of those, 126 were against respondents that engaged or were involved in unlicensed activity. The total penalties against those unlicensed individuals and shops were \$163,450.

Key Statistics for Fiscal Year 2015

Shown below are key statistics for the Barbering program and for all TDLR programs combined through July 31, 2015.

<u>Statistic</u>	<u>BAR</u>	<u>TDLR</u>
• Number of cases opened:	646	9,593
• Number of cases resolved:	842	12,372
• Number of Agreed Orders:	142	2,126
• Total amount of penalties assessed:	\$276,950	\$4,190,545
• Total amount of penalties collected:	\$116,055	\$2,143,442

Barber Advisory Board Meeting

Field Operations Division Report

“The Face of TDLR”

August 24, 2015

Barber Most Common Violations Found During Inspections

- 1. 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.
- 2. 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.
- 3. 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.
- 4. Establishment, furniture, equipment and/or fixtures are unclean or are not in good repair -** 16 Tex. Admin. Code Ch. 82.114(a). Establishments shall keep the floors, walls, ceilings, shelves, furniture, furnishings, and fixtures clean and in good repair. Any cracks, holes, or other similar disrepair not readily accessible for cleaning shall be repaired or filled in to create a smooth, washable surface.
- 5. Failure to have rest room on or near premises without stored chemicals -** 16 Tex. Admin. Code Ch. 82.114(e). Every establishment shall provide at least one restroom located on or near the premises of the establishment. For public safety, chemical supplies shall not be stored in the restroom.
- 6. Failure to post a sign directing complaints to the department --** Tex. Occupations Code. Section 1603.151(2). Salons must notify consumers and service recipients of the name, mailing address, and telephone number of the department for the purpose of directing complaints to the department regarding barbering and cosmetology on a sign prominently displayed in the place of business.
- 7. 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.
- 8. Failure to maintain and make available a list of current employees and independent contractors.** - 16 Tex. 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.
- 9. Shop failed to post the most recent inspection report issued by the department in a conspicuous place clearly visible to the public -** 16 Tex. Admin Code Ch. 82.71(m). 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.
- 10. 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.

Division Projects

New Technology – Route Optimization

Mobi is now implemented throughout the division.

Update on New Technology – E-Inspection

On June 30, 2015, agency representatives met with Canvas a software company for E-Inspection. Canvas presented a Demo to us. Morgan O’Keefe, North Region Liaison, tested the solution and found that it can meet the division’s needs. A follow-up meeting is scheduled with Canvas for Wednesday, August 19, 2015.

Personnel Update

New Liaison

We would like to congratulate Fernando Reyes and Shawn O’Neal on their recent promotion to Field Operations Liaisons.



Fernando has law enforcement and animal control experience with the City of El Paso and he is also well versed in all Field Operations inspection processes and will work out of Austin.



Shawn joined TDLR as an inspector from the Barber Board in 2005. He holds a barber’s license and is well versed in all Field Operations inspections processes. He has been instrumental in training several new employees in the East Region and will continue to work out of the Houston office.

Moving to E&E



We also would like to congratulate Marco Rodriguez on his recent promotion to Team Leader for the newly created School Inspections/Site Visits section within the Education and Examination Division. Marco started with TDLR in 2005 coming from the Cosmetology Commission.



Congratulations to Ramon Rodriguez, Soyica White, and Dalinda Jew on their promotion to Education Inspector in the Education & Examination Division. These three new education inspectors, all of whom currently work as Field Operations Division inspectors, will coordinate school inspections including the driver education and safety schools added to TDLR's purview by House Bill 1786.

Ramon will serve as the Houston Education Inspector. He began his career at TDLR in 2008 after working in the private sector and has seven years of TDLR inspector experience.

Soyica will serve as the Dallas/Fort Worth Education Inspector. He began his career at TDLR in 2011 after working as Program Specialist for the Texas Department of Aging and Disability Services. White has four years of TDLR inspector experience and is a licensed, non-practicing, cosmetologist.

Dalinda will serve as the South Texas Education Inspector. She began her career at TDLR in 2008 after working as Area Operations Manager for the Vanguard Institute of Technology and has many years of experience coaching and supervising students. Jew has seven years of TDLR inspector experience.

Opening Positions

At this time, Field Operations have three open positions, El Paso, East Region, and South Region (McLennan and Bell Counties).

- Field Inspector - Inspector IV – El Paso area - closed 8/3/2015
- Field Inspector - Inspector IV – East Region - closes 8/11/2015
- Field Inspector - Inspector IV – South Region (McLennan and Bell Counties) – closes 8/10/2015

Inspection Statistics Barber

	Barber Establishments		Dual Establishments		Barber Schools		*Barber Mini-Shops		*Dual Mini-Shops		Barber Program Totals	
	FY 2015	FY 2014	FY 2015	FY 2014	FY 2015	FY 2014	FY 2015	FY 2014	FY 2015	FY 2014	FY 2015	FY 2014
SEPT	188	199	139	135	5	5	0	91	0	182	332	612
OCT	154	224	165	128	7	9	0	93	0	181	326	635
NOV	103	108	111	86	7	9	0	40	0	139	221	382
QTR 1	445	531	415	349	19	23	0	224	0	502	879	1629
DEC	108	95	91	88	11	12	0	43	0	207	210	445
JAN	248	114	184	103	15	10	0	35	0	144	447	406
FEB	170	143	122	109	13	13	0	0	0	0	305	265
QTR 2	526	352	397	300	39	35	0	78	0	351	962	1116
MAR	167	148	133	120	7	4	0	0	0	0	307	272
APR	208	197	170	156	7	4	0	0	0	0	385	357
MAY	184	129	135	111	9	12	0	0	0	0	328	252
QTR 3	559	474	438	387	23	20	0	0	0	0	1,020	881
JUNE	201	99	165	78	2	11	4	0	2	0	374	188
JUL	205	161	165	105	14	8	0	0	0	0	384	274
QTR 4	406	416	330	297	16	32	4	0	2	0	758	745
Year to Date/ Year End	1936	1773	1580	1333	97	110	4	302	2	853	3619	4371

*Counts for FY 2014 are for Booth Renters which were discontinued February 1, 2014. Counts for Mini-Shops/Salons began in June of FY2015.

Barber Advisory Board Licensing Statistics Fiscal Years 2013 to 2015

	New Licenses Issued	Percent New Licenses Issued Online	Renewal Licenses Issued	Percent Renewals Issued Online	FY 2015 TOTAL POPULATION	FY 2014 TOTAL POPULATION
Class A Barber	820	N/A	6135	71.3%	15,419	14,823
Manicurist	4	N/A	139	38.8%	326	319
Technician	2	N/A	5	60.0%	16	15
Technician/Manicurist	0	N/A	N/A	N/A	0	0
Technician/Hair Weaving	2	N/A	N/A	N/A	4	3
Class A Barber Instructor	51	N/A	81	75.3%	323	272
Manicure Instructor	0	N/A	N/A	N/A	0	0
Technician Instructor	0	N/A	N/A	N/A	0	0
Hair Weaving Instructor	0	N/A	N/A	N/A	0	0
Hair Weaving Specialist	1	N/A	4	100.0%	8	6
Barber Student	3288	96.2%	N/A	N/A	2,288	2,196
Barber Shops	403	74.7%	1410	48.2%	3,669	3,748
Manicurist Shops	9	77.8%	14	42.9%	55	64
Dual Shop	760	83.4%	850	97.8%	3,337	2,988
Weaving Shop	2	50.0%	0	0.0%	7	6
Mobile Salon	4	N/A	0	0.0%	16	13
Private Barber School	15	N/A	45	N/A	64	57
Vocational Barber School	0	N/A	N/A	N/A	0	0
Junior College Barber School	0	N/A	N/A	N/A	0	0
TOTAL INDIVIDUALS	4313	73.3%	6445	70.4%	18,384	19,407
TOTAL FACILITIES	1480	32.1%	2410	28.4%	7,403	3,908
TOTAL BARBER LICENSEE POPULATION					25,787	23,315

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

**FY 2013
TOTAL
POPULATION**

14,428
338
15
0
1
224
0
0
0
7
2,091
4,016
70
2,260
4
2
53
0
0
18,027
9,483
27,510

re month.

year.