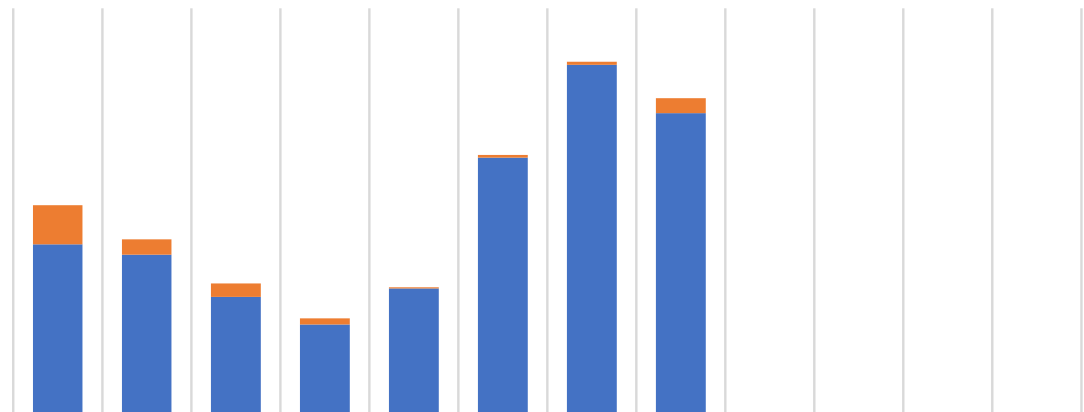


# Barber Advisory Board Licensing Statistics Fiscal Years 2015 to 2018

	New Licenses Issued	Percent New Licenses Issued Online	Renewal Licenses Issued	Percent Renewals Issued Online	FY 2018 TOTAL POPULATION	FY 2017 TOTAL POPULATION	FY 2016 TOTAL POPULATION	FY 2015 TOTAL POPULATION
Class A Barber	775	N/A	4862	84.9%	17,220	16,383	15,941	15,435
Manicurist	2	N/A	86	84.9%	288	292	299	324
Technician	0	N/A	6	66.7%	14	15	16	16
Technician/Manicurist	1	N/A	N/A	N/A	1	0	0	0
Technician/Hair Weaving	0	N/A	N/A	N/A	5	5	5	4
Class A Barber Instructor	45	N/A	128	94.5%	480	419	367	323
Manicure Instructor	0	N/A	N/A	N/A	0	0	0	0
Technician Instructor	0	N/A	N/A	N/A	0	0	0	0
Hair Weaving Instructor	0	N/A	N/A	N/A	0	0	0	0
Hair Weaving Specialist	2	N/A	3	33.3%	11	12	9	8
Barber Student	2966	94.3%	N/A	N/A	3,104	2,813	2,708	2,300
Barber Shops	318	73.9%	824	72.7%	3,567	3,607	3,621	3,656
Manicurist Shops	5	100.0%	9	88.9%	49	60	56	60
Dual Shop	764	0.0%	875	0.0%	4,669	4,164	3,835	3,417
Weaving Shop	0	0.0%	1	0.0%	6	5	7	7
Mobile Salon	2	N/A	2	0.0%	15	17	14	17
Private Barber School	6	N/A	44	N/A	86	78	75	65
Vocational Barber School	2	N/A	N/A	N/A	2	1	0	0
Community College Barber School	0	N/A	N/A	N/A	0	0	0	0
<b>TOTAL INDIVIDUALS</b>	<b>3791</b>	<b>94.3%</b>	<b>5087</b>	<b>85.1%</b>	<b>21,123</b>	<b>19,939</b>	<b>19,345</b>	<b>18,410</b>
<b>TOTAL FACILITIES</b>	<b>1334</b>	<b>0.0%</b>	<b>1831</b>	<b>21.5%</b>	<b>9,387</b>	<b>4,166</b>	<b>4,114</b>	<b>7,421</b>
<b>TOTAL BARBER LICENSEE POPULATION</b>					<b>30,510</b>	<b>24,104</b>	<b>23,459</b>	<b>25,831</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.

## BARBERS CUSTOMER SERVICE CONTACTS FISCAL YEAR 2018



	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
■ Email Totals	135	52	47	22	4	9	10	51				
■ Call Totals	588	553	407	312	437	887	1,206	1040				

# Barber Advisory Board Meeting

## Field Operations Division Report



May 21, 2018

### Barber Most Common Violations Found During Inspections

2<sup>nd</sup> Quarter, Fiscal Year 2018

**1. Establishments not clean and 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.

**2. 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.

**3. 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. (

**4. 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.

**5. 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.

**6. 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.

**7. Failure to display most recent Proof of Inspection.** – 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.

**8. Failure to display Notification of Public Interest Information and Participation.** Tex. Occupations Code Section 1603.151(2). The commission by rule shall establish methods by which consumers and service recipients are notified of the name, mailing address, and telephone number of the department for the purpose of directing complaints to the department regarding barbering on a sign prominently displayed in the place of business of each person regulated under this chapter, Chapter 1601, or Chapter 1602.

**9. Failure to keep all products used in the conduct of business properly labeled in compliance with OSHA requirements.** 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.

**10. Failure to display sanitation rules.** - Tex. Occupations Code Sections. 1601.452. Each barbershop, Specialty shop, Dual Shop, Mini-Barbershop, and Mini-Dual Shop shall post in the shop a copy of the commission's sanitation rules.

## **Division Projects**

### Prevention of Human Trafficking

The office of Strategic Communication printed a double-sided Anti-Human Trafficking poster in color for the field inspectors to pass out during their inspections. Each side of the poster has a different design so the licensees can choose which design they prefer. These posters will be more noticeable by the public.

### Mini Salon Round Ups

Field staff in the East, North and South Regions have completed 51 mini-salon round-ups throughout Texas, completing approximately 2863 inspections this fiscal year so far.

### Outreach

Public Information Officer Brenda Flores-Dollar and Communication Specialist Doug Van Pelt accompanied Field Inspector Ginette Devastey on several nail and hair salons inspections in the Austin area. This gave Brenda and Doug insight on the inspection procedures.

## **Personnel Update**

Sharon Hollins joined Field Inspections in the North Region on May 1, 2018. Sharon is a veteran with experience with other state agencies. We are happy to welcome her to our TDLR family.

South Region Manager, Jennifer Harless accepted a new position as TDLR's Strategic Response Coordinator in the RPM division. In her new role, Jennifer will coordinate with

TDLR's efforts in combatting human trafficking. Jennifer will also coordinate TDLR's response in emergencies and natural disasters. We look forward to working with Jennifer in her new capacity!

An internal listing for the Field Inspections Region Manager position has been posted through May 4, 2018.

## Inspection Statistics Barber

	Barber Establishments		Dual Establishments		Barber Mini-Shops		Dual Mini-Shops		Barber Program Totals	
	FY 2018	FY 2017	FY 2018	FY 2017	FY 2018	FY 2017	FY 2018	FY 2017	FY 2018	FY 2017
SEPT	123	131	149	158	23	5	12	2	307	296
OCT	182	124	171	134	12	1	9	1	374	260
NOV	179	110	165	115	11	0	18	0	373	225
QTR 1	484	365	485	407	46	6	39	3	1054	781
DEC	95	105	108	120	1	6	4	10	208	241
JAN	173	144	215	168	19	10	12	5	419	327
FEB	209	118	202	135	21	17	13	8	445	278
QTR 2	477	367	525	423	41	33	29	23	1072	846
MAR	284	152	296	195	47	7	55	13	682	367
APR		130		142		7		16		295
MAY		121		159		7		6		293
QTR 3	284	403	296	496	47	21	55	35	682	955
JUNE		155		174		10		8		347
JUL		146		189		15		6		358
AUG		126		164		46		75		411
QTR 4		427		527		71		89		1116
Year to Date/ Year End	1245	1562	1306	1853	134	131	123	150	2808	3698
†Barber Schools Inspections were transferred to the Education and Examination Division as of September 1, 2015										
Barber Schools were transferred back to Field Inspections on March 1, 2018										

**Inspection Statistics Barber Schools**

	<b>Barber Schools</b>	
	<b>FY 2018</b>	
<b>SEPT</b>		
<b>OCT</b>		
<b>NOV</b>		
<b>QTR 1</b>		
<b>DEC</b>		
<b>JAN</b>		
<b>FEB</b>		
<b>QTR 2</b>		
<b>MAR</b>	19	
<b>APR</b>		
<b>MAY</b>		
<b>QTR 3</b>	19	
<b>JUNE</b>		
<b>JUL</b>		
<b>AUG</b>		
<b>QTR 4</b>		
<b>Year to Date/ Year End</b>	19	

## **ADVISORY BOARD ON BARBERING**

MAY 21<sup>ST</sup>, 2018

### **RECENT ACCOMPLISHMENTS**

#### **EDUCATION, EXAMINATION, & SCHOOL SERVICES**

##### Student Hour and Enrollment Automatic Reporting System (SHEARS)

SHEARS updates and improvements were made to ensure that schools only enroll students in course types which have been approved by the department. An instructional video has been created for schools which will be available on our website.

##### Search Barber and Cosmetology School Approved Curriculum

The foundation of TDLR is based on the importance of our core values. We are proud to offer a new service to the public which focuses on customer service, innovation and open and free communication. We now have available an option for future students to search for a specific course type in Barbering or Cosmetology. Future students and parents will be able to search by city for schools in the area and find the approved courses the schools have to offer.

- Barbering – first page <https://www.tdlr.texas.gov/barbers/barbers.htm>
- Cosmetology – first page <https://www.tdlr.texas.gov/cosmet/cosmet.htm>
- Search Data Page - <https://www.tdlr.texas.gov/verify.htm>

##### Examination Review Committee (ERC) Updates

- Examination Staff attended the Barber ERC from February 19<sup>th</sup> – 21<sup>st</sup>, 2018 and the Barber/Cosmetology Instructor ERC on February 21<sup>st</sup>, 2018 to review poorly performing items, reference question items, and review new question items.

### **PUBLIC OUTREACH**

The Education Liaison, Rebecca Armas gave a legislative update at the Texas Community College Teachers Association (TCCTA) in Frisco March 1<sup>st</sup> – 3<sup>rd</sup>, 2018.



**Education Liaison, Rebecca Armas at the March TCCTA.**



## BARBER STATISTICS AND TRENDS

### BARBER EXAMINATION STATISTICS

(AS OF MARCH 31<sup>ST</sup>, 2018)

2018	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
Pass	200	247	233	680	195	177	272	644	274			274				0	1,598
Fail	160	195	163	518	144	119	166	399	193			193				0	1,110
Total	360	442	396	1198	309	296	438	1043	467			467				0	2,708
Rate	55.6%	55.9%	58.8%	56.8%	63.1%	59.8%	62.1%	61.7%	58.7%	0.0%	0.0%	58.7%	0.0%	0.0%	0.0%	0.0%	59.0%

2017	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
Pass	168	216	204	588	190	193	196	579	237	222	211	670	208	210	192	610	2,447
Fail	135	147	150	432	113	111	129	353	144	159	148	451	137	138	157	432	1,668
Total	303	363	354	1020	303	304	325	932	381	381	359	1,121	345	348	349	1042	4,115
Rate	55.4%	59.5%	57.6%	57.6%	62.7%	63.5%	60.3%	62.1%	62.2%	58.3%	58.8%	59.8%	60.3%	60.3%	55.0%	58.5%	59.5%

2016	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
Pass	137	195	165	497	177	143	193	513	201	200	211	612	194	199	193	586	2,208
Fail	101	97	95	293	80	87	103	270	112	117	89	318	154	124	128	406	1,287
Total	238	292	260	790	257	230	296	783	313	317	300	930	348	323	321	992	3,495
Rate	57.6%	66.8%	63.5%	62.9%	68.9%	62.2%	65.5%	65.5%	64.2%	63.1%	70.3%	65.8%	55.7%	61.6%	60.1%	59.1%	63.2%

### BARBER CURRICULUM STATISTICS

(AS OF MARCH 31<sup>ST</sup>, 2018)

2018	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
Curriculum Approvals Issued	25	17	10	52	0	38	11	49	46			46				0	147

## EXAMINATION LICENSE TYPES STATISTICS

FY – 2018

(AS OF MARCH 31<sup>ST</sup>, 2018)

SEPT – OCT – NOV					DEC – JAN - FEB				
1 <sup>ST</sup> QUARTER					2 <sup>ND</sup> QUARTER				
LICENSE TYPE	PASS	FAIL	TOTAL	RATE	LICENSE TYPE	PASS	FAIL	TOTAL	RATE
CLASS A WRITTEN	346	472	818	42.30%	CLASS A WRITTEN	334	369	703	47.51%
CLASS A PRACTICAL	310	29	339	91.45%	CLASS A PRACTICAL	295	20	315	93.65%
MANICURIST WRITTEN	0	1	1	0.00%	MANICURIST WRITTEN	0	0	0	0.00%
MANICURIST PRACTICAL	1	0	1	100.00%	MANICURIST PRACTICAL	0	1	1	0.00%
TECHNICIAN WRITTEN	1	0	1	100.00%	TECHNICIAN WRITTEN	0	0	0	0.00%
TECHNICIAN PRACTICAL	0	0	0	0.00%	TECHNICIAN PRACTICAL	0	0	0	0.00%
HAIRWEAVING WRITTEN	1	1	2	50.00%	HAIRWEAVING WRITTEN	0	0	0	0.00%
HAIRWEAVING PRACTICAL	0	0	0	0.00%	HAIRWEAVING PRACTICAL	1	0	1	100.00%
TECH/MANI WRITTEN	1	0	1	100.00%	TECH/MANI WRITTEN	0	0	0	0.00%
TECH/MANI PRACTICAL	1	0	1	100.00%	TECH/MANI PRACTICAL	0	0	0	0.00%
TECH/HAIRWEAV WRITTEN	0	0	0	0.00%	TECH/HAIRWEAV WRITTEN	0	0	0	0.00%
TECH/HAIRWEA PRACTICAL	0	0	0	0.00%	TECH/HAIRWEA PRACTICAL	0	0	0	0.00%
INSTRUCTOR WRITTEN	12	15	27	44.44%	INSTRUCTOR WRITTEN	5	7	12	41.67%
INSTRUCTOR PRACTICAL	7	0	7	100.00%	INSTRUCTOR PRACTICAL	9	2	11	81.82%
<b>TOTAL</b>	<b>680</b>	<b>518</b>	<b>1,198</b>	<b>56.76%</b>	<b>TOTAL</b>	<b>644</b>	<b>399</b>	<b>1,043</b>	<b>61.74%</b>

MAR – APR – MAY					JUN – JUL – AUG				
3 <sup>RD</sup> QUARTER					4 <sup>TH</sup> QUARTER				
LICENSE TYPE	PASS	FAIL	TOTAL	RATE	LICENSE TYPE	PASS	FAIL	TOTAL	RATE
CLASS A WRITTEN	147	178	325	45.23%	CLASS A WRITTEN				
CLASS A PRACTICAL	117	8	125	93.60%	CLASS A PRACTICAL				
MANICURIST WRITTEN	0	0	0	0.00%	MANICURIST WRITTEN				
MANICURIST PRACTICAL	0	0	0	0.00%	MANICURIST PRACTICAL				
TECHNICIAN WRITTEN	0	0	0	0.00%	TECHNICIAN WRITTEN				
TECHNICIAN PRACTICAL	0	0	0	0.00%	TECHNICIAN PRACTICAL				
HAIRWEAVING WRITTEN	0	0	0	0.00%	HAIRWEAVING WRITTEN				
HAIRWEAVING PRACTICAL	0	0	0	0.00%	HAIRWEAVING PRACTICAL				
TECH/MANI WRITTEN	0	0	0	0.00%	TECH/MANI WRITTEN				
TECH/MANI PRACTICAL	0	0	0	0.00%	TECH/MANI PRACTICAL				
TECH/HAIRWEAV WRITTEN	0	1	1	0.00%	TECH/HAIRWEAV WRITTEN				
TECH/HAIRWEA PRACTICAL	0	0	0	0.00%	TECH/HAIRWEA PRACTICAL				
INSTRUCTOR WRITTEN	6	6	12	50.00%	INSTRUCTOR WRITTEN				
INSTRUCTOR PRACTICAL	4	0	4	100.00%	INSTRUCTOR PRACTICAL				
<b>TOTAL</b>	<b>274</b>	<b>193</b>	<b>467</b>	<b>58.67%</b>	<b>TOTAL</b>				

# **ADVISORY BOARD ON BARBERING**

## **Enforcement Division Staff Report**

**May 21, 2018**

### **Case Highlights**

#### **Case No. BAR20170014814**

- ❖ On July 31, 2017, the Executive Director signed an agreed order that finalized the settlement agreement between the Department and Moises A. Rodriguez (Respondent) d/b/a LMV Cutz.
  - ◆ As part of this negotiated settlement, Respondent accepted liability for the following violations:
    - Allowing three unlicensed individuals to perform barbering on the premises of LMV Cutz (three separate violations); and
    - Failing to properly clean and disinfect multi-use implements.
  - ◆ To resolve these violations, Respondent agreed to pay the Department an administrative penalty of \$3,750.

#### **Case Nos. BAR20170006922 and BAR20170009127.**

- ❖ On September 18, 2017, the Executive Director signed an agreed order that finalized the settlement agreement between the Department and TBES, Inc. d/b/a Texas Barber College.
  - ◆ Both cases alleged the same violation: that Respondent claimed a former student owed a debt for tuition earned but not paid, when in fact it was the school that owed the student a refund of her outstanding tuition.
- ❖ As part of the negotiated settlement that resolved both cases, Respondent agreed to:
  - ◆ Adopt the Department's tuition refund calculation method in all tuition refund calculations going forward,
  - ◆ Refund each student the amount due; and
  - ◆ Pay the Department an administrative penalty of \$3,000.

**Case No. BAR20170010827**

- ❖ On July 11, 2017, the Executive Director signed an agreed order that finalized the settlement agreement between the Department and Julio Valentino Villarreal d/b/a Tino's Cuts.
  - ◆ As part of this negotiated settlement, Respondent accepted liability for the following violation:
    - Allowing two unlicensed individuals to perform barbering on the premises of Tino's Cuts.
  - ◆ The violation alleged in this case is Respondent's second violation of the Department's law and rules.
    - Specifically, as part of an agreed order signed on March 1, 2015, Respondent admitted to allowing an unlicensed individual perform barbering on the premises of Tino's Cuts, and to operating a business at which barbering was performed without a shop license.
    - This agreed order assessed a \$1,800 penalty against Respondent, which he paid in full.
  - ◆ Since prior violations increase the penalties sought in subsequent actions, to resolve these most recent violations, Respondent agreed to pay an administrative penalty of \$3,750.

**Case No. BAR20170010544**

- ❖ On July 26, 2017, the Executive Director granted the Department's Motion for Default against Julia S. Santayygo (Respondent) d/b/a Jade Beauty Salon.
  - ◆ The default order found Respondent liable for:
    - Allowing an unlicensed individual to perform barbering on the premises of Jade Beauty Salon; and
    - Failing to ensure that all representatives of Jade Beauty Salon cooperated with the Department Inspector during the inspection.
  - ◆ The default order assessed an administrative penalty of \$3,000.

## **Key Statistics for Fiscal Year 2018**

Shown below are key statistics for the Barbering program and for all TDLR programs combined through March for Fiscal Year 2018.

<b><u>Statistic</u></b>	<b><u>BAR</u></b>	<b><u>TDLR</u></b>
• Number of cases opened:	415	5,772
• Number of cases resolved:	501	5329
• Number of Agreed Orders:	99	757
• Total amount of penalties assessed:	\$262,700	\$1,845,325
• Total amount of penalties collected:	\$105,182.50	\$766,398

## **REGULATORY PROGRAM MANAGEMENT DIVISION REPORT**

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

May 21, 2018

#### **New Division Name & Leadership**

- The name of the Division has changed from Compliance to the Regulatory Program Management Division (RPM). David Gonzales is our new Director of RPM and Lee Parham is our new Deputy Director of RPM.

#### **Outreach & Projects**

- Elizabeth Perez and Marinela La Fleur represented the agency at The Image Expose, November 10<sup>th</sup> – 11<sup>th</sup>, 2017 in Dallas. Elizabeth and Marinela answered questions and provided information to industry attendees.
- Elizabeth, Marinela, and David Gonzales participated in the PSI Cosmetology and Barber Examination Review Committees (ERC), February 19<sup>th</sup> – 23<sup>rd</sup>, 2018. All ERCs have been held in Austin.
- Elizabeth and Marinela will participate PSI Cosmetology and Barber ERCs examination reviews in June 2018.
- Marinela and Don Vera represented the agency at RDA Beauty Show April 8<sup>th</sup> – 9<sup>th</sup>, 2018 in Dallas. Marinela and Don answered questions and provided information to industry attendees.
- Marinela, Irma Mendoza, and Keitha Chester represented the agency at the Armstrong McCall Fashion Focus show in Galveston, April 29<sup>th</sup> – 30<sup>th</sup>, 2018. Marinela, Irma, and Keitha answered questions and provided information to industry attendees.
- Information provided at the trade shows include; license renewals, the agency's Human Trafficking initiative, continuing education requirements and any other assistance asked of us. Facebook and Twitter are also to let the industry know we are in attendance and to increase our interaction with participants.
- Elizabeth and Marinela continue to assist Enforcement, Field Inspections, Licensing and Customer Service with questions that arise during investigations, inspections, as well as addressing daily industry inquiries and emails.

**REGULATORY PROGRAM MANAGEMENT DIVISION REPORT**

***Barber Advisory Board Meeting***

May 21, 2018

**Upcoming Trade Shows**

- The Image Expose: May 20<sup>th</sup> – 21<sup>st</sup> in Houston.
- Foundation for Advancement of Careers & Technical Education (FACTED) Conference: July 8<sup>th</sup> – 12<sup>th</sup> in Galveston
- Texas Industrial Vocational Association (TIVA) Conference: July 15<sup>th</sup> – July 21<sup>st</sup> in Irving.