

BOARD FOR BARBERS AND COSMETOLOGY

TENTATIVE AGENDA January 29, 2024

9:00 a.m., Board Room 2, Second Floor

**Department of Professional and Occupational Regulation
9960 Mayland Drive
Richmond, Virginia 23233**

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* 5-minute public comment, with the exception of any open disciplinary files. Persons desiring to attend the meeting and requiring special accommodations and/or interpretive services should contact the Board Office at (804) 367-8590 at least ten (10) days before the meeting so that suitable arrangements can be made for appropriate accommodation. The Department and Board fully comply with the Americans with Disabilities Act.

2024 MEETING DATES:

March 25, 2024

April 29, 2024

July 8, 2024

September 30, 2024

November 18, 2024

Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position

PERIMETER CENTER CONFERENCE CENTER
EMERGENCY EVACUATION OF BOARD AND TRAINING ROOMS
(Script to be read at the beginning of each meeting.)

PLEASE LISTEN TO THE FOLLOWING INSTRUCTIONS ABOUT EXITING THE PREMISES IN THE EVENT OF AN EMERGENCY.

In the event of a fire or other emergency requiring the evacuation of the building, alarms will sound. When the alarms sound, leave the room immediately. Follow any instructions given by Security staff

Board Room 1

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Board Room 2

Exit the room using one of the doors at the back of the room. (Point) Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

You may also exit the room using the side door, turn **Right** out the door and make an immediate **Left**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Board Rooms 3 and 4

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Training Room 1

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Training Room 2

Exit the room using one of the doors at the back of the room. Upon exiting the doors, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

BOARD FOR BARBERS AND COSMETOLOGY

MINUTES OF MEETING

The Board for Barbers and Cosmetology met at 9:00 a.m. on Thursday, September 25, 2023, at the Department of Professional and Occupational Regulation Offices, 9960 Mayland Drive, 2nd Floor, Board Room 2, Richmond, Virginia.

The following board members were present:

Matthew D. Roberts
Margaret B. LaPierre
Oanh "Tina" Pham Kim Dang
Marques Blackmon
Gregory Edwards
Emmanuel Gayot
Kailey Blakeney

The following board members were not present:

Bo Machayo
Sandra G. Smith
Claudia Espinoza

DPOR staff present for all, or part of the meeting included:

Kishore Thota, Director
Brian Wolford, Chief Deputy Director
Stephen Kirschner, Deputy Director, Licensing & Regulatory Programs
Kelley Smith, Executive Director
Tamika Rodriguez, Regulatory Operations Administrator
Wendy Duncan, Licensing Operations Administrator

A representative from the Office of the Attorney General was present for the meeting.

Mr. Roberts, Chair, determined a quorum was present and called the meeting to order at 9:14 a.m.

CALL TO ORDER

Mr. Roberts read the Department of Professional & Occupational Regulations mission and stated Board meeting reminders.

Ms. Smith, Executive Director, explained the emergency egress procedure for board room 2.

**EMERGENCY
EGRESS**

Ms. Smith introduced Kishore Thota, Director, and Brian Wolford, Deputy Director.

**DIRECTOR AND
DEPUTY DIRECTOR
INTRODUCTION**

The Board took the agenda under consideration.

**APPROVAL OF
AGENDA**

Ms. LaPierre motioned to approve the agenda, second by Ms. Dang.

The members voting "yes" were Mr. Roberts, Ms. LaPierre, Marques Blackmon, Ms. Dang, Emmanuel Gayot, and Kailey Blakeney. There were no negative votes. The motion carries.

The Board took the minutes of the Board meeting on September 25, 2023, Regulatory Review Committee meetings on September 25, 2023, and November 13, 2023, and the Esthetics Regulatory Advisory Panel on September 29, 2023, under consideration as a block.

**APPROVAL OF
MINUTES AS A
BLOCK**

Ms. LaPierre motioned to approve the minutes as a block, second by Ms. Dang.

The members voting “yes” were Mr. Roberts, Ms. LaPierre, Marques Blackmon, Ms. Dang, Emmanuel Gayot, and Kailey Blakeney. There were no negative votes. The motion carries.

Jonathan Melloul addressed the Board with concerns about lowering the cosmetology training hours and the burden of reporting school instructors.

PUBLIC COMMENT

Penelope Jones asked the Board to consider establishing a body piercing curriculum.

Mr. Davis addressed the Board with barber instructor training hour concerns.

CASES

Disciplinary

In the matter of **File Number 2021-01788, Zahra Ali Lakhani**, Ms. Smith requested the Board to continue the case due to lack of quorum and a request from Ms. Lakhani for a future date.

**File Number 2021-
01788, Zahra Ali
Lakhani**

Zahra Ali Lakhani was in attendance.

Mr. Blackmon motioned to continue the case until spring 2024, second by Ms. Blakeney.

The members voting “yes” were Mr. Roberts, Ms. LaPierre, Marques Blackmon, Ms. Dang, Emmanuel Gayot, and Kailey Blakeney. There were no negative votes. The motion carries.

Mr. Roberts asked if anyone was present to speak on any of the Consent Order cases.

**Consent Orders
Considered as a
Block**

Ms. LaPierre motioned to consider the Consent Order agenda items 2 and 3 as a block and seconded by Mr. Blackmon.

The members voting “yes” were Mr. Roberts, Ms. LaPierre, Marques Blackmon, Ms. Dang, Emmanuel Gayot, and Kailey Blakeney. There were no negative votes. The motion passed unanimously.

In the matter of File Number **2022-02526, AVI Career Training Inc t/a AVI Day Spa**, Board members reviewed the Consent Order as seen and agreed to by AVI Career Training Inc t/a AVI Day Spa.

**File Number 2022-
02526, AVI Career
Training Inc t/a AVI
Day Spa**

A representative of AVI Career Training Inc t/a AVI Day Spa was not present at the meeting.

Ms. LaPierre motioned to adopt the Consent Order and to accept the violations, second by Mr. Blackmon:

Count 1:	18 VAC 41-50-420.C.1	\$2,500.00
Count 2:	18 VAC 41-50-420.C.2	\$2,500.00
Count 3:	18 VAC 41-50-420.A.4	\$1,400.00
Count 4:	18 VAC 41-50-420.C.3	\$2,500.00
Sub-total		\$8,900.00
Board Costs		\$150.00
Total		\$9,050.00

For violation of Counts 1,2,3, and 4, AVI Career Training Inc. agrees to revocation of its Permanent Cosmetic Tattooing School license.

In acknowledgment that AVI Career Training Inc. previously terminated its Permanent Cosmetic Tattooing School license, the Board shall waive the imposition of license revocation and \$6,400.00 in monetary penalties.

Further, AVI Career Training Inc. agrees to the surrender of its Permanent Cosmetic Tattooing School license.

In addition, AVI Career Training Inc. agrees that it shall not apply for a Permanent Cosmetic Tattooing School license for a period of two years.

The members voting "yes" were Mr. Roberts, Ms. LaPierre, Marques Blackmon, Ms. Dang, Emmanuel Gayot, and Kailey Blakeney. There were no negative votes. The motion carries.

In the matter of File Number **File Number 2023-01740, CA Nails & Spa**, Board members reviewed the Consent Order as seen and agreed to by CA Nails & Spa.

File Number 2023-01740, CA Nails & Spa

A representative of CA Nails & Spa was not present at the meeting.

Ms. LaPierre motioned to adopt the Consent Order and to accept the violations, second by Mr. Blackmon:

Count 1:	18 VAC 41-20-280.14	\$950.00
Count 2:	18 VAC 41-20-260.A	\$100.00
Sub-total		\$1,050.00
Board Costs		\$150.00
Total		\$1,200.00

The members voting "yes" were Mr. Roberts, Ms. LaPierre, Marques Blackmon, Ms. Dang, Emmanuel Gayot, and Kailey Blakeney. There were no negative votes. The motion carries.

Licensing

In the matter of **File Number 2023-03114, 2023-03115, 2023-03116, 2024-000001, 2024, 000002, PS Virginia LLC**, Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the Informal Fact-Finding Conference, transcript, investigative file, Report of Findings, and exhibits.

File Number 2023-03114, 2023-03115, 2023-03116, 2024-000001, 2024,

Ms. Smith mentioned Mr. Polatz agreed to proceed with hearing licensing cases for Salon PS Virginia LLC as a block at the previous board meeting. A Salon PS Virginia LLC representative was in attendance but did not address the Board.

000002, Salon PS Virginia LLC Considered as a Block

Mr. Blackmon motioned to consider the Salon PS Virginia LLC licensing cases agenda items 4, 5, 6, 7, and 8 as a block and approve the Salon PS Virginia LLC applications for cosmetology salon, second by Ms. Blakeney.

The members voting "yes" were Mr. Roberts, Ms. LaPierre, Marques Blackmon, Ms. Dang, Emmanuel Gayot, and Kailey Blakeney. There were no negative votes. The motion carries.

In the matter of, **File Number 2024-00003, Sean Weiss**, Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the Informal Fact-Finding Conference, transcript, investigative file, Report of Findings, and exhibits.

File Number 2024-00003, Sean Weiss

Sean Weiss was in attendance but did not address the Board.

Mr. Blackmon motioned to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Sean Weiss' application for tattoo license, second by Ms. LaPierre.

The members voting "yes" were Mr. Roberts, Ms. LaPierre, Marques Blackmon, Ms. Dang, Emmanuel Gayot, and Kailey Blakeney. There were no negative votes. The motion carries.

Gregory Edwards, Board member, arrived at 9:40 a.m.

Board Member Arrival

In the matter of, **File Number 2024-00102, Jaquade Carty** Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the Informal Fact-Finding Conference, transcript, investigative file, Report of Findings, and exhibits.

File Number 2024-00102, Jaquade Carty

Jaquade Carty was not in attendance. On behalf of Jaquade Carty, Ms. Carty's mother was in attendance and read written letter from Jaquade Carty to the Board.

Mr. Blackmon motioned to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Jaquade Carty's application for wax license, second by Mr. Gayot.

The members voting "yes" were Mr. Roberts, Ms. LaPierre, Marques Blackmon, Ms. Dang, Emmanuel Gayot, Kailey Blakeney, and Mr. Edwards. There were no negative votes. The motion carries.

In the matter of, **File Number 2024-00181, Chadale Dye Withrow**, Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the Informal Fact-Finding Conference, transcript, investigative file, Report of Findings, and exhibits.

File Number 2024-00181, Chadale Dye Withrow

Chadale Dye Withrow did not appear at the meeting in person, by counsel, or by any other qualified representative.

Ms. LaPierre motioned to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Chadale Dye Withrow's application for cosmetology license, second by Mr. Blackmon.

The members voting "yes" were Mr. Roberts, Ms. LaPierre, Marques Blackmon, Ms. Dang, Emmanuel Gayot, Kailey Blakeney, and Mr. Edwards. There were no negative votes. The motion carries.

In the matter of, **File Number 2024-00204, Gross Ink LLC**, Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the Informal Fact-Finding Conference, transcript, investigative file, Report of Findings, and exhibits.

File Number 2024-00204, Gross Ink LLC

Stefen Gross was in attendance but did not address the Board.

Mr. Edwards motioned to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Gross Ink LLC's application for tattoo parlor license, second by Ms. Blackmon.

The members voting "yes" were Mr. Roberts, Ms. LaPierre, Marques Blackmon, Ms. Dang, Emmanuel Gayot, Kailey Blakeney, and Mr. Edwards. There were no negative votes. The motion carries.

REPORTS

Mr. Roberts requested the Board review the examination statistics provided in the electronic agenda.

Examination Statistics

Mr. Roberts requested the Board review the regulatory report provided in the electronic agenda. The Board discussed the regulatory report.

Regulatory Report

Ms. Smith present the Board with new NIC database and membership information. Board will discuss NIC membership in a future 2024 Board meeting.

NIC Annual Conference

NEW BUSINESS

Ms. Smith reviewed the amended final draft of the lowering of cosmetology training hours regulations.

Approval of Final Cosmetology Reduction Hour Regulations

Board and Board staff discussed the amended final draft.

Mr. Gayot motioned to accept the final draft of the lowering of cosmetology training hours regulations, as amended, including the reduction of performances, second by Mr. Edwards.

The members voting "yes" were Mr. Roberts, Ms. LaPierre, Marques Blackmon, Ms. Dang, Emmanuel Gayot, Kailey Blakeney, and Mr. Edwards. There were no negative votes. The motion carries.

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Mr. Roberts exited the meeting at 10:35 a.m. Ms. LaPierre filled the Board Chair position.

Board Member Exit Meeting

Ms. Smith reviewed the revision of the remote participation policy.

Remote Participation Policy

Mr. Edwards motioned to adopt the revision to the Board's remote participation policy as amended, second by Ms. Dang.

The members voting "yes" were Ms. LaPierre, Marques Blackmon, Ms. Dang, Emmanuel Gayot, Kailey Blakeney, and Mr. Edwards. There were no negative votes. The motion carries.

RESOLUTION

Ms. LaPierre read the resolution of Renee Gilanshah.

Renee Gilanshah

Department of Professional and Occupational Regulation

Board for Barbers and Cosmetology

Resolution To

Renee H. Gilanshah

WHEREAS, Renee H. Gilanshah faithfully and diligently served as a member of the Virginia Board for Barbers and Cosmetology from 2019 to 2023; and

WHEREAS, Renee H. Gilanshah has given generously of her knowledge, time, and talent to the Board, including serving as a member of the Board's Standing Committee on Training, the Board's Regulatory Review Committee, chairing numerous Informal Fact-finding Conferences, and providing expertise to the Board as needed; and

WHEREAS, Renee H. Gilanshah endeavored always to protect the health, safety, and well-being of the public by rendering fair and wise decisions, which were in the best interest of the Board and the Commonwealth's citizens; and

WHEREAS, the Board for Barbers and Cosmetology acknowledges its gratitude and deepest appreciation for the devoted service of Renee H. Gilanshah who is highly regarded by the members of the Board and the citizens of the Commonwealth.

NOW, THEREFORE, BE IT RESOLVED, by the Board for Barbers and Cosmetology this thirteenth day of November, in the year two-thousand and twenty-three, that Renee H. Gilanshah be given all honors and respect due her for his outstanding service to the Commonwealth, its citizens, and the Board for Barbers and Cosmetology; and

BE IT FURTHER RESOLVED, that this Resolution be presented to her and be made a part of the official minutes of the Board so that all may know of the high regard in which she is held.

The Board agreed to this resolution by consensus.

Ms. LaPierre invited all Board members to participate in the Conflict of Interest Act Training. The Board members who completed the training were Margaret LaPierre, Oanh Pham Kim "Tina" Dang, Gregory Edwards, Kailey Blakeney, Emmanuel Gayot, and Marques Blackmon.

**CONFLICT OF
INTEREST ACT
TRAINING**

Ms. LaPierre reminded the Board the next scheduled Board meeting is January 29, 2024.

Next Board Meeting

There being no further business to be brought before the Board, Ms. LaPierre adjourned the meeting at 11:05 a.m.

Adjourn

Matthew Roberts, Board Chair

Kishore S. Thota, Board Secretary

Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulations. Official Board position
Draft Agenda
Draft Agenda



**Occupational Safety
and Health Administration**

www.osha.gov
800-321-OSHA



Health Hazards in Nail Salons



OSHA's Mission

With the Occupational Safety and Health Act of 1970, Congress created the Occupational Safety and Health Administration (OSHA) to ensure safe and healthful working conditions for workers by setting and enforcing standards and by providing training, outreach, education and assistance.

Click on the button below to review OSHA's guidance on health hazards in nail salons!



National Interstate Council of State Boards of Cosmetology

www.nictesting.org

National Interstate Council of State Boards of Cosmetology | Post Office Box 48, MCCLEARY, WA 98557-9502

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**Occupational Safety
and Health Administration**

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UNITED STATES DEPARTMENT OF LABOR

Health Hazards in Nail Salons



Nail salon workers can be exposed to chemical, ergonomic, and biological hazards

back to **SAFETY AND HEALTH TOPICS**



Health Hazards in
NAIL SALONS

Nail technicians working in salons across the United States face possible health hazards every day.

Chemical Hazards 	Muscle Strains from Awkward Positions 	Biological Hazards 	OSHA Assistance for Workers and Employers 	Standards 
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Products used in nail salons can contain chemicals that workers can inhale or come in contact with

Hazardous Chemicals Found in Nail Salon Products

Products used in nail salons can contain many chemicals that can have serious health effects.

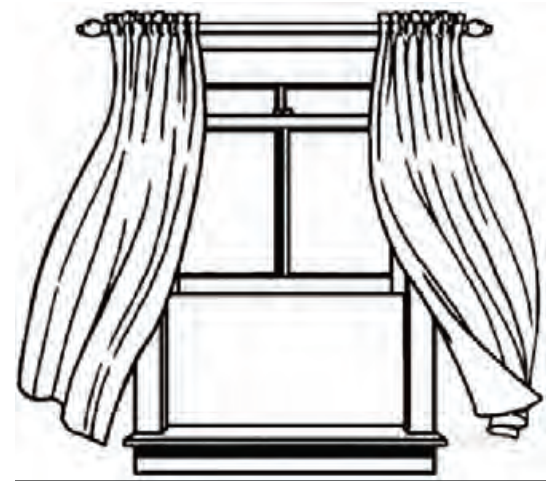
Some potentially hazardous chemicals, the types of products they can be found in, and how they can affect a worker include:

- **Acetone** (nail polish remover): headaches; dizziness; and irritated eyes, skin, and throat.
- **Acetonitrile** (fingernail glue remover): irritated nose and throat; breathing problems; nausea; vomiting; weakness; and exhaustion.
- **Butyl acetate** (nail polish, nail polish remover): headaches and irritated eyes, skin, nose, mouth, and throat
- **Dibutyl phthalate (DBP)**, (nail polish): nausea and irritated eyes, skin, nose, mouth, and throat. Long-term exposures to high concentrations may cause other serious effects.
- **Ethyl acetate** (nail polish, nail polish remover, fingernail glue): irritated eyes, stomach, skin, nose, mouth, and throat; high levels can cause fainting.
- **Ethyl methacrylate (EMA)**, (artificial nail liquid): asthma; irritated eyes, skin, nose, and mouth; difficulty concentrating. Exposures while pregnant may affect your child.

Tip: Make sure your doctor or healthcare provider knows what kind of work you do and the chemicals you use. Tell them if you are pregnant or planning to become pregnant.



Product substitution, ventilation and simple work practices can reduce exposures



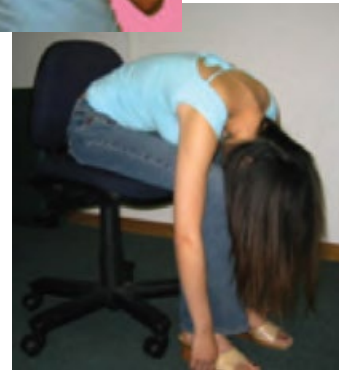
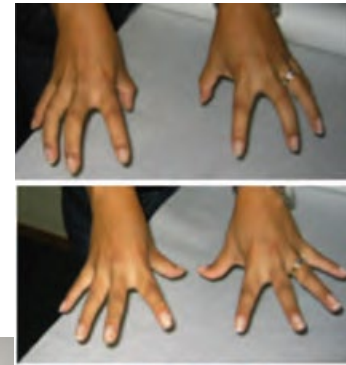
OSHA requires that workers are trained on these hazards and about how to protect themselves



Ergonomic hazards like static work and repetitive tasks can cause injuries to workers' muscles, joints, ligaments, tendons, and nerves



Proper positioning, stretching, and other work practices can reduce the risk of these hazards



Bacteria, fungi, and viruses are potential biological hazards if workers come in contact with infected blood, skin, or equipment from clients or co-workers



OSHA has two resources that summarize this information for salon owners and workers

back to **SAFETY AND HEALTH TOPICS**

Health Hazards in
NAIL SALONS

Nail technicians working in salons across the United States face possible health hazards every day.

Chemical Hazards **Muscle Strains from Awkward Positions** **Biological Hazards** **OSHA Assistance for Workers and Employers** **Standards**

The more than 375,000 nail technicians working in salons across the United States face possible health hazards every day. The hazards include exposure to chemicals from glues, polishes, removers, and other salon products; muscle strains from awkward positions or repetitive motions; and risk of infection from contact with client skin, nails, or blood.

This webpage gives important information about these hazards and the steps that nail salon workers and employers can take to prevent injuries and illnesses. Information

Nail salons are mostly small businesses that employ or contract with trained professionals to provide clients with nail services including, but not limited to, nail filing and polishing, artificial nail application, and

Visit the nail salon webpage at: www.osha.gov/SLTC/nailsalons/



OSHA also has services to help nail salon owners and workers

On-site Consultation

Welcome!

OSHA's On-site Consultation Program offers free and confidential advice to small and medium-sized businesses in all states across the country, with priority given to high-hazard worksites. In FY 2010, responding to requests from small employers looking to create or improve their safety and health management systems, OSHA's On-site Consultation Program conducted over 30,000 visits to small business worksites covering over 1.5 million workers across the nation.

On-site Consultation services are separate from enforcement and do not result in penalties or citations. Consultants from state agencies or universities work with employers to identify workplace hazards, provide advice on compliance with OSHA standards, and assist in establishing safety and health management systems.

On-site Consultation Program Information

- [How does the On-site Consultation Program work and what are its benefits?](#)
- [How do I get started?](#)
- [What is the Consultant's role?](#)
- [How can a small business receive OSHA recognition for an exceptional safety and health management system through On-site Consultation? \(SHARP\)](#)



OSHA Consultation Directory

Click on the map to find the local [Consultation Office](#) in your state.

Highlights

Consultation Services

The graphic includes a map of the United States with states color-coded by OSHA region. Below the map is a small photo of two people in a consultation session.

Contact Us

To Report Unsafe Working Conditions or Safety & Health Violations:

Contact the OSHA Office nearest you, [see map of offices](#), or, contact our toll free number: 1-800-321-OSHA (6742)... TTY 1-877-889-5627.

To File a Complaint Form:

To file an OSHA-7 report online, see [How to File a Complaint with OSHA](#).

For more information regarding your rights, see [Worker Rights](#)

Emergency Notice:

If you have an **EMERGENCY** (EX: to report a fatality or imminent life threatening situation) Please contact our toll free number immediately: 1-800-321-OSHA (6742) TTY 1-877-889-5627 **DO NOT SEND EMAIL.**





**Occupational Safety
and Health Administration**

**www.osha.gov
800-321-OSHA**



UNITED STATES DEPARTMENT OF LABOR

Exam Statistics (scores through November 30, 2023)

Barber

- The pass rates for the Barber theory exam in 2023 **increased** from 2022, ranging 50% (2022 36%). The 2023 practical pass rates **increased** from 2022 averaging 89% (2022 83%).

Master Barber

- The Master Barber theory exam pass rates **decreased** from 2022 averaging 19% (2022 27%)
The Master Barber practical exam pass rates **decreased** from 2022 averaging 63% (2022 73%).

Cosmetology

- The cosmetology 2023 theory pass rates **decreased** from 2022 averaging 49% (2022 53%) and the 2023 practical pass rates are **consistent** with 2022 averaging 90% (2022 91%).

Nail Technician

- The nail technician theory exam pass rates for 2023 **decreased** from 2022 averaging 54% (2022 66%) and the practical exam pass rates are **consistent** with 2022 averaging 81% (2022 80%).

Esthetician

- The 2023 theory exam pass rates for estheticians are **decreased** from 2022 averaging 64% (2022 76%). The practical pass rates **increased** from 2022 averaging 96% (2023 93%).

Master Esthetics

- The Master Esthetics theory exam pass rates **increased** from 2022 averaging 2023 to 73% (2022 70%).
- The Master Esthetics practical exam pass rates **increased** from 2022 averaging 99% (2022 92%) .

Tattoo

- The tattoo theory exam pass rates for 2023 **decreased** from 2022 averaging 82% (2022 90%)

Permanent Cosmetic Tattooer

- The Permanent Cosmetic Tattooer pass rates for 2023 are **consistent** with 2022 averaging 49% (2022 49%)

Body Piercer

- The body piercer theory exam pass rates for 2023 **decreased** from 2022 averaging 67% (2022 78%)

Wax Technician

- The Wax Technician theory pass rates for 2023 **increased** since 2022 averaging 76% (2022 74%)
- The Wax Technician practical exam pass rates for 2023 **decreased** from 2022 averaging 77% (2022 81%)

Board for Barbers and Cosmetology
Current Regulatory Actions
As of January 29, 2024

In the Governor's Office:

VAC	Stage	Subject Matter	Date Submitted for Executive Branch Review	Office; time in office	Notes
18 VAC 41-20	Proposed	Amendment to the instructor training program	07/01/2022 Re-submitted recommended changes to the Governor's office on 07/18/23	Governor 544 days 195 days since re-submittal	Establish a uniform instructor program among licensed cosmetology, barber, nail, wax, and esthetic schools.

In the Secretary's Office:

None

At Department of Planning and Budget (DPB)/OAG:

None

Public Comment:

VAC	Stage	Subject Matter	Date Public Comment period begins and ends	Notes
18 VAC 41-20	NOIRA	General review of Barbering and Cosmetology Regulations	Public comment period began on 12/18/23 and ended on 01/17/24	A general review of the barber and cosmetology regulations was necessary due to the Executive Directive Number One (2022). The regulatory review committee ensured the regulations provides minimum burdens on regulants while still protecting the public.
18 VAC 41-50	NOIRA	General review of Tattooing Regulations	Public comment period began on 12/18/23 and ended on 01/17/24	A general review of the tattoo regulations was necessary due to the Executive Directive Number One (2022). The regulatory review committee ensured the regulations

				provides minimum burdens on regulants while still protecting the public.
18 VAC 41-60	NOIRA	General review of Body-Piercing Regulations	Public comment period began on 12/18/23 and ended on 01/17/24	A general review of the body piercing regulations was necessary due to the Executive Directive Number One (2022). The regulatory review committee ensured the regulations provides minimum burdens on regulants while still protecting the public.
18 VAC 41-70	NOIRA	General review of Esthetics Regulations	Public comment period began on 12/18/23 and ended on 01/17/24	A general review of the esthetics regulations was necessary due to the Executive Directive Number One (2022). The regulatory review committee ensured the regulations provides minimum burdens on regulants while still protecting the public.

Completed Public Comment and awaiting final regulatory stage:

VAC	Stage	Subject Matter	Date Public Comment period begins and ends	Notes
18 VAC 41-20	Proposed to Final	Lower Cosmetology Training to 1,000 Hours	Public comment period began on 7/17/2023 and ended on 9/15/2023	Changes the cosmetology curriculum from 1500 hours to 1000 hours. Revised the number of performances in the cosmetology curriculum.

Materials contained in this agenda are proposed topics for discussion and are not to be considered final Board position



TO: VIRGINIA BOARD FOR BARBERS AND COSMETOLOGY
FROM: KELLEY SMITH, EXECUTIVE DIRECTOR
SUBJECT: COSMETOLOGY APPRENTICESHIP HOURS
DATE: JANUARY 16, 2024

At the September 26, 2022, meeting, the Board discussed making a change to the 3,000 cosmetology apprenticeship hours to correspond with the proposed reduction in cosmetology school training hours from 1,500 to 1,000 hours. The Regulatory Review Committee recommended the attached changes to the hour and performance requirements. The hour requirements have been reduced to 2,000 hours with the same curriculum as the cosmetology school training hours and the performances were reduced to 367 to align with the performances required in school training.

The Board may approved these changes by making a motion to “accept the changes to the cosmetology apprenticeship hours and performances.”

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STATE APPRENTICESHIP STANDARDS

FOR

COSMETOLOGY

BARBERING

AND

NAIL TECHNOLOGY

CONSISTING OF

MINIMUM STANDARDS FOR REGISTERED APPRENTICESHIP

Registered with the Virginia Apprenticeship Council, According to Act of Virginia Legislature, Chapter 6, Title 40.1, Code of Virginia, **Effective March 31, 2023**, and Recognized by the **U.S.**

Department of Labor, Virginia Department of Workforce Development and Advancement, Office
of Apprenticeship.

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DEVELOPED BY THE

DIVISION OF REGISTERED APPRENTICESHIP

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

Virginia Department of Workforce Development and Advancement

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WITH AMENDMENTS BY THE

VIRGINIA BOARD FOR BARBERS AND COSMETOLOGY

Revised March 31, 2023

These minimum standards, approved and registered with the Virginia Apprenticeship Council, have been developed to comply with Chapter 6 of Title 40.1, Code of Virginia, Voluntary Apprenticeship Act.

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PURPOSE

The purpose of these Standards of Registered Apprenticeship is to establish minimum requirements for the training of apprentice Cosmetology, Barbering and Nail Technology in accordance with the Virginia Apprenticeship Act.

CONTENTS

1. Interpretations and Implementation of Standards
2. Definitions
3. Apprenticeship Programs
4. Apprenticeship Agreements
5. Equal Employment Opportunity
6. Term of Apprenticeship Suspension or Cancellation
7. Credit for Previous Experience
8. Supervision of Apprentices
9. Responsibilities of Apprentices
10. On-The-Job Training
11. Related Technical Instruction
12. Initial Probationary Period
13. Periodic Evaluation
14. Hours of Work
15. Apprentice Wages
16. Transfer, Layoff/Reinstatement
17. Certificate of Completion
18. Student Apprentices
19. Number of Apprentices to be Trained In Program
20. Additional Sponsor Apprentice Qualifications
21. Modifications
22. Work Processes

1. INTERPRETATIONS AND IMPLEMENTATION OF STANDARDS

- a. The Minimum Standards For Registered Apprenticeship ("Standards") are based on, and conform to:
 - i. "Regulations Governing the Administration of Apprenticeship Programs in the Commonwealth of Virginia", Chapter 20 of the Virginia Administrative Code." (*Regulation 16VAC20-21-10 et. seq.*)
 - ii. "Voluntary Apprenticeship Act", §§40.1-117 through 40.1-126 of the Code of Virginia
- b. Each Registered Apprenticeship program must comply, at a minimum, with all items in these Standards. (*Regulation 16VAC20-21-30*)
- c. Each apprenticeship agreement will be governed by the terms and conditions in these Standards. (*Regulation 16VAC20-21-70; VA Code §40.1-121*)
- d. If a sponsor and apprentice have a difference of opinion in the interpretation of the Standards which cannot be satisfactorily resolved, either of them may consult with the Commissioner through the Apprenticeship Director, for clarification of the matter in question. (*Regulation 16VAC20-21-120*)

2. DEFINITIONS

- A. In accordance with the MINIMUM STANDARDS FOR REGISTERED APPRENTICESHIP,
- a. Apprentice - A person at least 16 years old, (whose employment is currently in compliance with all State and Federal laws) who is learning and working in an apprenticeable occupation and is covered by a written Apprenticeship Agreement with an employer, registered with the Virginia Department of Labor and Industry (DOLI), Virginia Department of Workforce Development and Advancement (DWDA). (*Regulation 16VAC20-21-20; VA Code §40.1-120*)
 - b. Apprenticeable Occupation - A skilled occupation which: is customarily learned in a practical way through a structured systematic program of on-the-job supervised work experience; is clearly identifiable and recognized throughout an industry; involves manual, mechanical or technical skills which require a minimum of 2,000 hours of on-the-job work experience; requires related technical instruction to supplement the on-the-job work experience. (*Regulation 16VAC20-21-20, VA Code §40.1-120*)
 - c. Apprenticeship Agreement - (Agreement) An approved written agreement between a sponsor and apprentice (and guardian if apprentice is under 18), as defined in Regulation 16VAC20-21-20. By signing the Agreement, all parties agree to accept all terms and requirements contained in the Standards, the sponsor's Program Registration, the Act and the Regulations. (*Regulation 16VAC20-21-70; VA Code §40.1-121*)
 - d. Sponsor - An employer, association of employers, joint apprenticeship committee or organization of employees that has an approved apprenticeship program registered with the DOLI, DWDA. A program shall be operated by the sponsor and registered in the sponsor's name. (*Regulation 16VAC20-21-20; VA Code §40.1-120*)
 - e. Supervisor of Apprenticeship - The person designated by the sponsor to perform the duties outlined in the Standards and will be designated on the Program Registration. (*Regulation 16VAC20-21-20*)

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- f. Program Registration - An approved written description of the terms and conditions of apprentices' employment, training and supervision under a sponsor's apprenticeship program for a specific apprenticeable occupation, in accordance with the Act, Regulations, Standards, and any additional State Board Registered Apprenticeship Standards which apply. The Program Registration shall incorporate a written Schedule of Work Processes. (Regulation 16VAC20-21-50)
- g. Virginia Apprenticeship Council (VAC) - Advisory organization which provides guidance on regulations and policies. Members are appointed by the Governor. The U.S. Department of Labor's Office of Apprenticeship has granted VAC authority to issue Certificates of Completion upon completion of the program. (Regulation 16VAC20-21-20, VA Code §§40.1-117 & 40.1-118, items 1, 3, 4, 5)
- h. Virginia Department of Labor and Industry (DOLI) Virginia Department of Workforce Development and Advancement (DWDA) The agency which administers the Voluntary Apprenticeship Act and its related regulations in Virginia. DOLI DWDA acts as the official agent of the VAC. (Regulation 16VAC20-21-20, VA Code §40.1-125)
- i. Commissioner – The Commissioner of the Virginia Department of Labor and Industry - Virginia Department of Workforce Development and Advancement as defined by VA Code §40.1-2.

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B. In addition to subsection A of this section.

- a. 'State Board' shall mean the Virginia Board for Barbers and Cosmetology.
- b. 'Journeyworker' shall mean an individual who holds a valid, current cosmetologist, barber, or nail technician license issued by the Virginia Board for Barbers and Cosmetology.
- c. 'Work Process' shall mean the apprenticeship program registration materials and performance completion requirements

3. APPRENTICESHIP PROGRAMS

A. In accordance with the MINIMUM STANDARDS FOR REGISTERED APPRENTICESHIP,

- a. Program Approval - Sponsors must have written notice of registration before establishing any Apprenticeship Agreements to employ and train individual apprentices. (Regulation 16VAC20-21-30, items A, C, D)
- b. Program Termination - Programs may be canceled by sponsor request or de-registered by the DOLI DWDA. Canceled programs may be reinstated upon sponsor request, if they meet registration requirements. De-registered programs may be reinstated if the DOLI DWDA determines that there is adequate evidence that the program is being operated in accordance with the Act and Regulations. (Regulations 16VAC20-21-70 & 16VAC20-21-80)
- c. Program Evaluation - DOLI DWDA shall review and evaluate each sponsor's program as required. (Regulation 16VAC21-30, item H)

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B. In addition to subsection A of this section.

- a. The salon or shop must have a current Virginia Cosmetology Salon, Barber Shop or Nail Salon license issued by the Board for Barbers and Cosmetology and local Business and Professional Occupation License if applicable.

- b. The supervisor of apprentices must be a Virginia licensed Cosmetologist, Barber or Nail Technician.
- c. The salon or shop shall comply with the Rules and Regulations promulgated by the Virginia Department of Health.
- d. The salon or shop shall have sufficient licensed cosmetologists, barbers or nail technicians as to be in compliance with the ratio established in these Standards of Registered Apprenticeship.

4. APPRENTICESHIP AGREEMENTS

- a. Each Apprenticeship Agreement is a contract between, and must be signed by, the apprentice (and guardian if apprentice is under 18 years of age) and the sponsor's authorized representative and registered with the **DOLI DWDA**. (Regulation 16VAC20-21-70 item 1, VA Code §40.1-122)
- b. A signed Apprenticeship Agreement indicates that both apprentice (and guardian) and sponsor understand and agree to all apprenticeship requirements.
- c. To be valid, each Apprenticeship Agreement must:
 - i. Comply with Regulation 16VAC20-21-70, VA Code §40.1-121.
 - ii. Contain all required signatures. (Regulation 16VAC20-21-70 item 1, VA Code §40.1-121)
 - iii. Be approved by the **DOLI DWDA**. (Regulation 16VAC20-21-30, VA Code §40.1-122)
 - iv. Be registered and filed by the sponsor. (Regulation 16VAC20-21-30, item C.1&2)
- d. All required signers must receive a copy of the signed Apprenticeship Agreement and Standards.

5. EQUAL EMPLOYMENT OPPORTUNITY

- a. Sponsors and potential sponsors must not discriminate (based on race, color, religion, national origin, sex or physical handicap, which is unrelated to the person's qualifications and ability to perform the job) in recruiting, selecting, employing or training apprentices. (Regulation 16VAC20-21-30 item 2; and 16VAC20-21-50, item 23)
- b. Sponsors must take affirmative action to provide equal opportunity in operating apprenticeship programs. Programs must operate as required under the Virginia State Plan, and they must comply with Title 29 of the Code of Federal Regulations, part 30. (Regulation 16VAC20-21-30, item B.2)

6. TERM OF APPRENTICESHIP

A. In accordance with the MINIMUM STANDARDS FOR REGISTERED APPRENTICESHIP,

- a. The minimum term for any apprenticeship program shall be 2,000 hours of reasonably continuous employment, or if the Competency or Hybrid term is proposed, **DOLI DWDA** will review on a case-by-case basis and may approve if requirements are addressed. (Regulation 16VAC20-21-50, item B.2.a., VA Code §40.1-120)
- b. Employment must be supplemented by the amount of related technical instruction required in the occupation. A minimum of 144 hours of related technical instruction is required for each year of apprenticeship to be completed by the end of the term. (Regulation 16VAC20-21-50, item B.4.)

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c. When the apprentice is required to work overtime, these overtime hours WILL/WILL NOT be credited to the term of apprenticeship. (Regulation 16VAC20-21-50, item B.2.)

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B. In addition to subsection A of this section.

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a. The minimum term of a cosmetology, barbering, or nail technology apprenticeship shall be at least ~~3,000~~ 2,000 hours of work experience during a period of ~~18~~ 12 months (~~1½ years~~) as stipulated in the Program registration materials and shall consist of continuous employment, supplemented by the required related technical instruction for the trade of cosmetology. Credit for previous experience will be included in the required ~~3,000 hours~~, 2,000 hours.

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Commented [TR1]: I believe we should change this to 12 month period. We should have 1 sub section that state:

The minimum term of a cosmetology, barbering, or nail technology apprenticeship shall be at least 2,000 hours of full-time employment over a 12 month period, supplemented by the related study. Credit for previous experience will be included in the required 2,000 hours.

b. ~~The minimum term of a barbering or nail technology apprenticeship shall be at least 2,000 hours of full-time employment over a 12-month period, supplemented by the related study.~~

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7. CREDIT FOR PREVIOUS EXPERIENCE

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A. In accordance with the MINIMUM STANDARDS FOR REGISTERED APPRENTICESHIP,

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a. An applicant for apprenticeship may be allowed credit on the term of apprenticeship documented for prior experience whether with the sponsor or elsewhere.

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b. The sponsor's Supervisor of Apprenticeship must review and approve the applicant's record of previous experience before such experience will be credited. (Regulation 16VAC20-21-50, item B.14)

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B. In addition to subsection A of this section.

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a. An apprentice may be allowed credit on the term of apprenticeship for that portion of experience, whether with the sponsor or elsewhere, which is equivalent to that which he/she would have received under these Standards of Registered Apprenticeship.

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b. An apprentice transferring from a cosmetology school or a barber school to the apprenticeship program may be allowed credit for training received on the basis of two (2) hours of apprenticeship for each hour of school training. Certification of training must be presented to the apprenticeship representative before credit can be awarded.

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c. An apprentice transferring from a nail technician school to the apprenticeship program shall receive hour for hour credit toward the apprenticeship. Evidence of training must be presented to the apprenticeship representative before credit can be awarded.

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d. Any licensed cosmetologist with less than two years of licensure, cosmetology apprentice, or cosmetology student who transfers from cosmetology to barbering may receive no more than fifty percent (50%) credit for their previous experience of training or training towards the term of apprenticeship.

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e. Any licensed barber with less than two years of licensure, barber apprentice, or barber student who transfers from barbering to cosmetology may receive no more than fifty percent (50%) credit for their previous experience of training or training towards the term of apprenticeship.

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f. Applicant who was formerly enrolled in A VDOE Approved program while in high school may be allowed credit for that portion of time spent on the job.

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8. SUPERVISION OF APPRENTICES

A. In accordance with the MINIMUM STANDARDS FOR REGISTERED APPRENTICESHIP,

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- a. Each sponsor must designate a Supervisor of Apprenticeship. *(Regulation 16VAC20-21-20)*
- b. The Supervisor of Apprenticeship must assure that:
 - i. All programs are registered with the Department of Labor and Industry, Virginia Department of Workforce Development and Advancement. Formatted: Highlight
 - ii. All apprentices receive a company orientation that includes: Standards of Registered Apprenticeship, any additional industry standards, company policies, safety rules and regulations.
 - iii. All apprentices receive instruction in safe and healthful working methods in each operation as it is encountered throughout the term of apprenticeship.
 - iv. All apprentices are adequately trained and supervised in all areas by qualified personnel. *(Regulation 16VAC20-21-50, item B.11)*
 - v. Each apprentice's progress is reviewed and documented prior to moving to a new wage level. *(Regulation 16VAC20-21-50, items B.5, B.6)*
 - vi. Credit for previous experience is granted when appropriate. *(Regulation 16VAC20-21-50, item B.14)*
 - vii. Each apprentice is notified of related technical instruction requirements and the name and location of each approved related technical instruction provider. *(Regulation 16VAC-20-21-50, item B.4)*
 - viii. Records are prepared and filed at specified intervals of apprentice's aptitude, skill and progress. Submits prompt and complete written notification to DLI, DWDA of any change in apprentice status. *(Regulation 16VAC20-21-30.E;16VAC20-21-50, item B.6.)* Formatted: Highlight
 - ix. Any other duties needed to develop and maintain an effective apprenticeship program. *(Regulation 16VAC20-21-50)*

B. In addition to subsection A of this section.

The Supervisor of Apprenticeship must assure that apprentice is under supervision of a journeyworker licensed in the applicable profession of the apprenticeship.

9. RESPONSIBILITIES OF APPRENTICES

- a. Apprentices are employees and have basic employee responsibilities. Each apprentice must make every effort to become a well-qualified journeyworker.
- b. Each apprentice must be on time for work, learn all work processes, complete all work assignments, and take initiative to ask appropriate questions.
- c. Each apprentice must be registered for related technical instruction, attend regularly and be on time.
- d. Each apprentice should review these Standards and the sponsor's Program Registration to ensure that he/she is trained and paid according to these documents.

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- e. Each apprentice has the responsibility to consult with the Supervisor of Apprenticeship to assure that all accurate and appropriate records are updated and **DOLI, DWDA** is notified promptly of any changes in status.
- f. Each apprentice must use appropriate conduct during related technical instruction process and on the job site.
- g. Each apprentice must obtain licensing applications following completion of the apprenticeship program.

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10. ON-THE-JOB TRAINING

- a. The apprentice shall be given instruction and work experience as established by industry practice and as listed in the work processes.
- b. The work experiences do not need to be in the precise order as listed in the work processes.
- c. The work processes must be recorded in the Program Registration.

11. RELATED TECHNICAL INSTRUCTION

- a. Each apprentice shall receive related technical instruction and shall provide the Supervisor of Apprenticeship with evidence of satisfactory participation and progress following completion of each designate portion.
- b. A minimum of 144 hours of related technical instruction is required for each year of apprenticeship, to be completed during the full term. (*Regulation 16VAC20-21-50, item B.4; 16VAC20-21-70, item 5.b.*)
- c. The Apprenticeship Agreement can be suspended or canceled when an apprentice does not satisfactorily complete either the on-the-job training or related technical instruction. Exceptions may be allowed for sickness or injury. (*Regulation 16VAC-20-21-70, item 8.b. (1)&(2)*)

12. INITIAL PROBATIONARY PERIOD

- a. Each apprentice must serve between 500 and 2,000 hours of the apprenticeship term as an initial probationary period. The specific number of hours is stated in each Program Registration. (*Regulation 16VAC20-21-50, items B.2 & B.10; 16VAC20-21-70, item 8.a*)
- b. During the probationary period cancellation of the Apprenticeship Agreement may be requested by the sponsor or the apprentice. Notice of such actions must be given to the **DOLI, DWDA**. (*Regulation 16VAC20-21-50, item B.20-22; 16VAC20-21-60, item B.2.b*)
- c. Full credit will be given for the initial probationary period toward completion of the apprenticeship program. (*Regulation 16VAC20-21-50, item B.10*)
- d. All apprentices registered under these Standards shall be subject to an initial probationary period of ___ hours of employment.

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13. PERIODIC EVALUATION

The progress of each apprentice's job performance and related technical instruction shall be subject to a periodic review prior to the expiration of each wage period. Should a review reveal a lack of interest or

ability on the part of the apprentice, the apprentice will be informed of the deficiency and may be placed on probation for a sufficient period to determine improvement or failure. At the end of the probationary period, if the apprentice has not shown acceptable improvement, the apprenticeship agreement may be suspended or canceled. The sponsor must promptly notify the apprentice and the **DOLI-DWDA** in writing of any suspension or cancellation. (Regulation 16VAC20-21-50, items B.6 & B.22; 16VAC20-21-70, item 8.b)

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14. HOURS OF WORK

- a. Hours of work for apprentices shall be determined by the Sponsor and apprentice with full-time being the norm. Part-time schedules are permitted and must be recorded the same as for all other employees.
- b. Time spent at related technical instruction MAY OR MAY NOT be considered as hours of work. The sponsor's decision must be documented in the Program Registration. (Regulation 16VAC20-21-70, item b.7)
- c. Sponsors shall not require apprentices to work hours that would interfere with attending related technical instruction except in emergencies.

15. APPRENTICE WAGES

- A. In accordance with the MINIMUM STANDARDS FOR REGISTERED APPRENTICESHIP:
 - a. The term of each apprenticeship program shall be divided into periods, with wages that progressively increase as the apprentice progresses in skill and productivity. Wages will be established in accordance with federal and state wage laws. (Regulation 16VAC20-21-50, items B.5 & B.14; 16VAC20-21-70, item 7; 16VAC20-21-80, item C.1.(iii))
 - b. Wages are based on the basic rate paid to journeymen and must reflect any credit given for previous experience. Overtime shall be based on the same percentage as that paid all other hourly employees. (Regulation 16VAC20-21-50, item B.5)
 - c. The minimum wages paid all apprentices employed under these Standards must be recorded in the Program Registration. (Regulation 16VAC20-21-50, item B.5)
 - d. Apprentices who are given credit for previous training or experience shall be paid the wage rate commensurate with the period to which such credit advances them. (Regulation 16VAC20-21-50, items B.5 & B.14)
- B. In addition to subsection A of this section.

Under no circumstances shall a sponsor charge an apprentice a fee for apprenticeship training or booth or space rental during the term of the apprenticeship.

16. TRANSFER, LAYOFF/REINSTATEMENT, SUSPENSION, OR CANCELLATION

- a. Transfer - If a sponsor is no longer able to fulfill his obligations for the training of an apprentice, the apprentice may be transferred or registered with credit for previous training to another sponsor. **DOLI-DWDA** must be notified in writing and must approve all transfers. (Regulation 16VAC20-21-30.E; 16VAC20-21-50, item B.15; 16VAC20-21-80, item B.)
- b. Layoff/Reinstatement - Apprentices may be laid-off in the commensurate ratio of apprentices to journeymen. Apprentices laid-off under these Standards shall be entitled to seniority privileges and shall be reinstated in the seniority standing before any new apprentices are registered. **DOLI-DWDA** must be notified in writing of all apprentices laid-off and/or reinstated.

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- c. Suspension and Cancellation - Apprenticeship agreements may be suspended or canceled at any time for appropriate reason. The sponsor must notify **DOLI-DWDA** in writing within 45 days stating the reason for the suspension or cancellation. (*Regulation 16VAC20-21-70, item 8.b. (1 & 2); 16VAC20-21-30, item E; 16VAC20-21-50, item B.20*)

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17. CERTIFICATE OF COMPLETION

Upon the completion of the term of apprenticeship and having met the requirements of the program, the VAC shall be requested by the sponsor to prepare a Certificate of Completion, to be issued in the name of the apprentice who has successfully completed training and the term of apprenticeship. (*Regulation 16VAC20-21-30, item E; 16VAC20-21-50, item B.17*)

18. STUDENT APPRENTICES

- a. Student apprentices are defined as a high school student participating in Registered Apprenticeship.
- b. Youth Registered Apprentices are defined as a high school student participating in Registered Apprenticeship where the related technical instruction is provided in large part by the Career and Technical Education division within the school division.
- c. All apprenticeships requirements and restrictions described in the Standards shall apply to student apprentices, except the following:
 - i. Student status must be maintained. If a student leaves school prior to graduation his/her student apprenticeship will be canceled;
 - ii. Work hours and related technical instruction requirements may be different for student apprentices than non-student apprentices.

19. NUMBER OF APPRENTICES TO BE TRAINED IN THE PROGRAM

A. In accordance with the MINIMUM STANDARDS FOR REGISTERED APPRENTICESHIP,

The number of apprentices shall be determined by the adequacy of facilities, the need of journeyworkers in the community and reasonable assurance of employment in the occupation establishment upon completion of training. To ensure adequate training the ratio of apprentices to journeyworkers shall not exceed: two (2) apprentices to one (1) journeyworker. The default ratio is 2 apprentices to 1 journeyworker. A variance may be requested on a case-by-case basis. (*Regulation 16VAC20-21-50, items B.8 & B.9*) All variances must also be approved by the Commissioner of the **DOLI-DWDA**.

B. In addition to subsection A of this section

- a. If a facility has one (1) licensed cosmetologist, there may be two (2) cosmetology apprentices. If a facility has two (2) licensed cosmetologists, there may be up to four (4) cosmetology apprentices. If a facility has five (5) licensed cosmetologists, there may be up to ten (10) cosmetology apprentices. Etc.
- b. If a facility has one (1) licensed barber, there may be two (2) barbering apprentices. If a facility has two (2) licensed barbers, there may be up to four (4) barbering apprentices. If a facility has five (5) licensed barbers, there may be up to ten (10) barbering apprentices. Etc.
- c. If a facility has one (1) licensed nail technician, there may be two (2) nail technology apprentices. If a facility has two (2) licensed nail technicians, there may be up to four (4) nail technology apprentices. If a facility has five (5) licensed nail technicians, there may be up to ten (10) nail technology apprentices. Etc.

20. ADDITIONAL SPONSOR APPRENTICE QUALIFICATIONS (optional)

- a. Age: Minimum * _____
- b. Education _____
- c. Physical capability _____
- d. Other _____
- e. See attached _____

*minimum permitted by law is 16 years of age (whose employment is currently in compliance with all State and Federal laws)

21. MODIFICATIONS

The sponsor must notify the **DOLI DWDA** promptly in writing of any proposed program modifications and request approval from the **DOLI DWDA**. Any program modifications shall not alter or affect apprenticeship agreements in effect at the time of modification without the consent of all parties affected. (*Regulation 16VAC20-21-30, items E. and H.2; 16VAC20-21-50, item B.20*)

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The apprenticeship program may be cancelled by the **DOLI DWDA** for due cause. The sponsor may withdraw his program by submitting a written request to the **DOLI DWDA**. (*Regulation 16VAC20-21-80, item B.1*)

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22. WORK PROCESSES

COSMETOLOGY REGISTERED APPRENTICESHIP PROGRAM REGISTRATION MATERIALS

A. Haircutting and grooming..... 1200-1150 hours

- 1. Manicuring and pedicuring:
 - a. Anatomy and physiology;
 - b. Diseases and disorders;
 - c. Procedures to include both natural and artificial application; and
 - d. Sterilization.

1. Shampooing, rinsing, and scalp treatments for all hair types, including textured hair:

- a. Client consultation and analysis; and
- b. Procedures, manipulations, and treatments.

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2. Shampooing and rinsing:

- a. Fundamentals;
- b. Safety rules;
- c. Procedures; and
- d. Chemistry, anatomy, and physiology.

2. Hair styling for all hair types, including textured hair:

- a. Fingerwaving, molding, and pin curling;
- b. Roller curling, combing, and brushing; and
- c. Heat curling, waving, and pressing.

3. Scalp treatments:

- a. Analysis;
- b. Disorders and diseases;
- c. Manipulations; and
- d. Treatments.

3. Hair cutting for all hair types, including textured hair:

- a. Fundamentals, materials, and equipment; and
- b. Procedures.

4. Hair styling:

- a. Anatomy and facial shapes;
- b. Finger waving, molding and pin curling;
- c. Roller curling, combing, and brushing; and
- d. Heat curling, waving, braiding and pressing.

4. Wigs, hair pieces, and related theory:

- a. Types; and
- b. Procedures.

5. Hair cutting:

- a. Anatomy and physiology;
- b. Fundamentals, materials, and equipment;
- c. Procedures; and
- d. Safety practices.

5. Straight razor use and shaving

6. Skin care and make-up:

- a. Analysis;
- b. Anatomy;
- c. Health, safety, and sanitary rules;
- d. Procedures;
- e. Chemistry and light therapy;
- f. Temporary removal of hair; and
- g. Lash and brow tinting.

6. Manicuring and pedicuring:

- a. Nail theory, nail structure, and composition;
- b. Nail procedures, including manicuring, pedicuring, and nail extensions; and
- c. Electric filing.

7. Wigs, hair pieces, and related theory:

- a. Sanitation and sterilization;
- b. Types; and
- c. Procedures.

7. Skin care:

- a. Client skin analysis and consultation;
- b. Effleurage and related movements and manipulations of the face and body;
- c. Cleansings procedures;
- d. Masks;
- e. Extraction techniques;
- f. Machines, equipment, and electricity;
- g. Manual facials and treatments;
- h. Machine, electrical facials, and treatments; and
- i. General procedures and safety measures.

8. Makeup:

- a. Setup, supplies, and implements;
- b. Color theory;
- c. Consultation;
- d. General and special occasion application;
- e. Camouflage;
- f. Application of false lashes and lash extensions;
- g. Lash and tinting;
- h. Lash perming;
- i. Lightning of the hair on the body except scalp; and
- j. General procedures and safety measures.

9. Body and other treatments:

- a. Body treatments;
- b. Aromatherapy; and
- c. General procedures and safety measures.

10. Hair removal:

- a. Client consultation and analysis;
- b. Waxing;
- c. Mechanical hair removal;
- d. Tweezing and threading; and
- e. Chemical hair removal.

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B. Orientation and hygiene 600 hours

1. Orientation:

- a. Apprenticeship guidelines;
- b. Personal hygiene; and
- c. Bacteriology, sterilization, and sanitation.

B. Orientation and business topics 90 hours

1. Orientation:

- a. School policies;
- b. Management;
- c. Sales, inventory, and retailing;
- d. Taxes and payroll;
- e. Insurance;
- f. Client records and confidentiality; and
- g. Professional ethics and practices.

C. Chemical relaxers, perms, coloring, and bleaching 800 hours

1. Permanent waving-chemical relaxing:

- a. Analysis;
- b. Supplies and equipment;
- c. Procedures and practical application;
- d. Chemistry;
- e. Recordkeeping; and
- f. Safety.

C. Chemical relaxers, perms, coloring, and bleaching 550 hours

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1. Permanent waving and chemical relaxing for all hair types, including textured hair:

- a. Chemistry;
- b. Supplies and equipment; and
- c. Procedures and practical application.

2. Hair coloring and bleaching for all hair types, including textured hair:

- a. Basic color theory;
- b. Supplies and equipment; and
- c. Procedures and practical application.

D. Business and Salon Management 400 hours

1. Salon Management

- a. Business ethics; and
- b. Care of equipment.

D. Sciences, laws, and regulations 210 hours

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1. General sciences:

- a. Principles and practices of infection control;
- b. Safety Data Sheet(SDS);and
- c. Chemical usage and safety.

2. Applied sciences:

- a. Anatomy, physiology, and histology.

3. Laws and regulations

TOTAL 3000 2000 hours

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COSMETOLOGY REGISTERED APPRENTICESHIP PERFORMANCE COMPLETION REQUIREMENTS

Performances	Number Required
A. Hair and scalp treatments	10
A. Shampooing, rinsing, and scalp treatments, for all hair types, including textured hair	20
B. Hair styling	320
B. Hair styling, for all hair types, including textured hair	60
C. Tinting	15
C. Hair cutting, for all hair types, including textured hair	60
D. Bleaching and frosting	10
D. Permanent waving-chemical relaxing, for all hair types, including textured hair	60
E. Temporary rinses	10
E. Hair coloring and bleaching, for all hair types, including textured hair	50
F. Semi-permanent color	10
F. Wigs, hair pieces, and related theory	5
G. Cold permanent waving or chemical relaxing	25
G. Straight razor shaving on face and neck	12
H. Hair shaping	50
H. Manicuring and pedicuring	15 procedures
I. Wig care, styling, placing on model	5
I. Individual sculptured nails and nail tips	123030
J. Finger waving and thermal waving	30
J. Body and other treatments	5
K. Manicures/pedicures	15
K. Makeup	20

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L. Facials and waxings 5

L. Skin care 15

M. Sculptured nails/nail tips/wraps 20

M. Hair removal 15

TOTAL **525 367**

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The required number of performance completions must be accomplished during the term of the apprenticeship, which shall not exceed ~~eighteen (18)~~ twelve (12) months in duration.

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BARBERING REGISTERED APPRENTICESHIP PROGRAM REGISTRATION MATERIALS

A. Haircutting and grooming.....1200 hours

1. Analyzing skin or scalp conditions;
2. Giving scalp treatments;
3. Giving facial massage or treatment;
4. Sanitizing and maintaining implements and equipment;
5. Honing and stropping a razor;
6. Cutting the hair with a razor, clippers, shears;
7. Tapering the hair;
8. Thinning the hair;
9. Shampooing the hair;

B. Orientation and hygiene300 hours

1. Apprenticeship guidelines;
2. State law, regulations and professional ethics;

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3. Client consultation;

4. Personal hygiene;

C. Color and shaving300 hours

1. Shaving;

2. Trimming a moustache or beard;

3. Applying hair color;

D. Business and shop management200 hours

1. Business and shop management

TOTAL2000 hours

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BARBERING REGISTERED APPRENTICESHIP PERFORMANCE COMPLETION REQUIREMENTS

<u>Performances</u>	<u>Number Required</u>
A. Hair and scalp treatments	10
B. Hair services	320
C. Tinting	15
D. Temporary rinses	10
E. Semi-permanent color	10
F. Facials	5
TOTAL	370

The required number of performance completions must be accomplished during the term of the apprenticeship, which shall not exceed ~~eighteen (18)~~ twelve (12) months in duration.

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NAIL TECHNOLOGY REGISTERED APPRENTICESHIP PROGRAM REGISTRATION MATERIALS

A. Orientation.....40 hours

- 1. Apprenticeship guidelines;
- 2. State law, regulations and professional ethics;
- 3. Personal hygiene

B. Bacteriology150 hours

- 1. Understanding and working with pathogenic bacteria;
- 2. Awareness of Immune Deficiency Syndrome and how transmitted;
- 3. Nail fungus identification, prevention, and how to refer to physician;
- 4. Nail mold identification, prevention, and how to refer to physician;
- 5. Removal of artificial nails before treatment by a physician;
- 6. Parasite recognition.

C. Sterilization and sanitation600 hours

- 1. How infections breed in the salon;
- 2. Use of physical agents, ultraviolet rays, moist heat, dry heat;
- 3. Use of chemical agents, antiseptics, disinfectants, and fumigants;
- 4. Use of sanitation equipment;
- 5. Pre-service sanitation procedure;
- 6. End-of-day sanitation procedure.

D. Safety170 hours

- 1. How to avoid overexposure to chemicals;
- 2. Use of Material Safety Data Sheets;
- 3. How to protect your clients and yourself.

E. Anatomy and Physiology – General knowledge of:.....40 hours

- 1. Skeletal system
- 2. Nervous system
- 3. Circulatory system
- 4. Endocrine system

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- 5. Excretory system
- 6. Respiratory system
- 7. Digestive system

F. Diseases and Disorders of the Nail – Recognition and Treatment200 hours

- 1. Parts of the nail;
- 2. Structures beneath the nail;
- 3. Disorders and when not to service a client;
- 4. Nail disorders which can be serviced by a technician:
 - a. Bruised nails
 - b. Discolored nails
 - c. Furrows
 - d. Hangnails
 - e. Nevus
 - f. Hypertrophy
 - g. Onychophagy

G. Nail Procedures800 hours

- 1. Manicuring;
- 2. Pedicuring;
- 3. Nail extensions and sculptured nails;
- 4. Proper use of equipment;
- 5. Implement selection and use;
- 6. Material selection and use;
- 7. Nail cosmetics selection and use;
- 8. Basic table setup.

TOTAL2000 hours

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**NAIL TECHNOLOGY REGISTERED APPRENTICESHIP PERFORMANCE COMPLETION
REQUIREMENTS**

<u>Performances</u>	<u>Number Required</u>
A. Manicures	30
B. Pedicures	15
C. Individual sculptured nails/nail tips	200
D. Individual removals	10
E. Individual nail wraps	20
TOTAL	275

The required number of performance completions must be accomplished during the term of the apprenticeship, which shall not exceed twelve (12) months in duration.

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THE MINIMUM STANDARDS FOR REGISTERED APPRENTICESHIP ARE ACCEPTED AND AMEMDMENTS ARE ADPOTED BY THE VIRGINIA BOARD FOR BARBERS AND COSMETOLOGY:

CHAIRMAN _____

Matthew Roberts

Date: _____

REGISTERED WITH THE VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY Virginia Department of Workforce Development and Advancement.

COMMISSIONER _____

Date: _____

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TO: VIRGINIA BOARD FOR BARBERS AND COSMETOLOGY
FROM: KELLEY SMITH, EXECUTIVE DIRECTOR
SUBJECT: FINANCIAL STATEMENTS
DATE: January 8, 2024

Attached you will find the most recent Statement of Financial Activity and the Supporting Statement of Year-to-Date Activity for the Board. Additionally, you will find the Agency Statement of Financial Activity.

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**Department of Professional and Occupational Regulation
Statement of Financial Activity**

**Board for Barbers and Cosmetology
954230**

2022-2024 Biennium

November 2023

	November 2023 Activity	Biennium-to-Date Comparison	
		July 2020 - November 2021	July 2022 - November 2023
Cash/Revenue Balance Brought Forward			810,212
Revenues	287,925	5,723,323	5,965,358
Cumulative Revenues			6,775,570
Cost Categories:			
Board Expenditures	17,585	306,450	322,516
Board Administration	100,126	1,552,596	1,611,770
Administration of Exams	5,859	80,706	85,246
Enforcement	84,562	1,278,129	1,446,625
Legal Services	0	44,908	35,512
Information Systems	60,150	1,110,871	1,056,498
Facilities and Support Services	25,975	490,680	476,335
Agency Administration	75,047	708,861	1,125,215
Other / Transfers	0	0	(920)
Total Expenses	369,303	5,573,199	6,158,798
Transfer To/(From) Cash Reserves	0	0	(95,431)
Ending Cash/Revenue Balance			712,203

Cash Reserve Beginning Balance	5,335,613	0	5,431,044
Change in Cash Reserve	0	0	(95,431)
Ending Cash Reserve Balance	5,335,613	0	5,335,613

Number of Regulants	
Current Month	75,284
Previous Biennium-to-Date	74,069

Department of Professional and Occupational Regulation
Supporting Statement of Year-to-Date Activity
Board for Barbers and Cosmetology - 954230
Fiscal Year 2024

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Fiscal YTD Charges	Planned Annual Charges	Current Balance	Projected Charges at 6/30	Projected Variance Favorable (Unfavorable)	
																	Amount	%
Board Expenditures	17,763	24,979	23,032	19,074	17,585	0	0	0	0	0	0	0	102,433	197,725	95,292	234,265	-36,540	-18.5%
Board Administration	94,354	91,468	136,012	47,839	100,126	0	0	0	0	0	0	0	469,798	1,501,743	1,031,945	982,667	519,076	34.6%
Administration of Exams	5,227	6,132	8,716	2,913	5,859	0	0	0	0	0	0	0	28,846	80,223	51,377	61,209	19,014	23.7%
Enforcement	81,854	85,042	127,902	46,429	84,562	0	0	0	0	0	0	0	425,788	1,324,511	898,723	899,074	425,437	32.1%
Legal Services	0	0	0	0	0	0	0	0	0	0	0	0	0	35,512	35,512	0	35,512	100.0%
Information Systems	40,949	96,030	77,474	53,967	60,150	0	0	0	0	0	0	0	328,571	843,892	515,321	760,469	83,423	9.9%
Facilities / Support Svcs	26,670	27,143	32,576	23,341	25,975	0	0	0	0	0	0	0	135,705	536,505	400,800	312,741	223,764	41.7%
Agency Administration	64,252	69,424	110,462	36,999	75,047	0	0	0	0	0	0	0	356,184	924,410	568,227	767,313	157,097	17.0%
Other / Transfers	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Charges	331,069	400,217	516,173	230,563	369,303	0	0	0	0	0	0	0	1,847,325	5,444,521	3,597,196	4,017,738	1,426,784	26.2%

**Department of Professional and Occupational Regulation
Statement of Financial Activity**

Agency Total

2022-2024 Biennium

November 2023

	November 2023 Activity	Biennium-to-Date Comparison	
		July 2020 - November 2021	July 2022 - November 2023
Cash/Revenue Balance Brought Forward			3,453,476
Revenues	1,452,198	28,173,075	28,903,785
Cumulative Revenues			32,357,261
Cost Categories:			
Board Expenditures	164,190	2,331,007	2,769,730
Board Administration	412,675	6,325,666	6,699,985
Administration of Exams	27,668	424,370	413,277
Enforcement	652,841	9,806,773	10,610,089
Legal Services	12,082	334,496	319,323
Information Systems	254,198	4,640,041	4,502,424
Facilities and Support Services	146,863	2,740,053	2,717,763
Agency Administration	317,154	2,960,420	4,795,477
Other / Transfers	0	4,890	565
Total Expenses	1,987,669	29,567,716	32,828,634
Transfer To/(From) Cash Reserves	(85,579)	0	(2,810,155)
Ending Cash/Revenue Balance			2,338,782

Cash Reserve Beginning Balance	15,269,374	0	17,993,950
Change in Cash Reserve	(85,579)	0	(2,810,155)
Ending Cash Reserve Balance	15,183,795	0	15,183,795

Number of Regulants

Current Month	321,940
Previous Biennium-to-Date	308,696