Chairman Faber requests that you provide written responses to the following questions and submit them with your testimony to his office a week before you are scheduled to appear before the Finance sub-committee on State Government and Agency Review.

1. What is your department’s primary purpose and objectives?

The Barber Board was established in 1934 to protect the public by establishing, maintaining and monitoring sanitary and professional standards in the barber industry. The Board’s mission is to enforce those standards through examinations, routine inspections, investigations and disciplinary action. The Board is mandated by Ohio Revised Code Chapter 4709 to license barbers, barber shops, barber schools, barber teachers. The Board has the authority to deny, suspend or revoke a license for just cause.

2. What is your department’s past and anticipated workload, the number of staff required to complete that workload, and the department’s total number of staff? Also provide a breakdown of how many staff work in administration, customer service, or in the field.

The Board consists of 3 Board members, one licensed as a barber and a shop owner, one licensed as a barber and one who is a public member with no connection to the barber industry. The Board employs a staff of 7 full time employees which includes an Executive Director, a Program Administrator I, an Administrative Professional II, and 4 Inspectors. The Director, Program Admin and Administrative Professional work out of the Columbus office. The Inspectors work in the field. Currently the Board employs 6 full time employees, the Board operated with an interim Executive Director who also served as an inspector from November 2014 to January 2017. The Board hired the interim Executive Director to the permanent Director’s position effective January 22, 2017. The Board is currently looking to fill the open inspector’s position, Barber inspectors must hold an active barber’s license and have a minimum 5 years’ experience as a working barber.

The Board regulates approximately 8900 licensed barbers, 3000 licensed barber shops, 20 licensed barber schools (15 private schools and 5 correctional schools), 95 licensed barber teachers (Instructors) and 1300 barber students. Barber shops and barber schools are inspected 2-3 times per year. The Board conducts approximately 2 exams per month testing 20 students per exam. The exams are conducted by the Executive Director and the 2 licensed barber Board Members.

All full time employees provide customer service.

3. Please identify the rules adopted by your department and explain how these rules are consistent with the legislative mandate of the department as expressed in the statutes that created and empowered the department?

The Board has adopted rules under Ohio Administrative Code 4709. OAC 4709 establishes criteria for licensure for barbers, barber shops, barber schools. Instructors, students and sanitary/disinfection rules to support the Boards regulatory authority mandated by Ohio Revised Code 4709.

4. Does your department’s jurisdiction or any of its programs overlap or duplicate those of other departments? If so, what is the extent to which your department coordinates with those other departments and the extent to which the department’s programs could be consolidated with the programs of other state departments?

The Board believes there is only minimal overlap with the Ohio Board of Cosmetology. The scope of practice for a licensed barber is different than the scope of practice for a licensed cosmetologist. The criteria to earn a barber license is different than the criteria to earn a cosmetology license. The overlap results from shops/business which are licensed by both the Barber Board and the Cosmetology Board in order for the business to provide the consumer with both barber services (e.g. face shaving which is only in the scope of a barber license) and
cosmetology services (e.g. eyebrow waxing which is in the scope of a cosmetology license). Currently the Boards share observation/information experienced in the field as a professional courtesy. The Board’s inspectors will on occasion conduct complaint investigations together in shops which are licensed by both Boards.

In order for the Boards to be consolidated, statute and rule changes would need to be enacted. The Barber Board staff would not be able to inspect, proctor exams for licensure, approve curriculum or approve shops, schools or individuals for licensure under the Cosmetology statues and rules. Conversely Cosmetology staff would be unable to perform these tasks under Barber statutes and rules.

5. Is your department necessary to protect the health, safety, or welfare of the public? If so, how?

The Board is necessary to protect the health, safety, and welfare of the public as related to:

1) Safe handling of all barber tools and implements (e.g. shears, electric clippers, and straight razors)
2) Vital infection control procedures caused by unsanitary conditions, contaminated or improper use of tools and implements.
3) Frequent inspections help to limit activity and services by unlicensed and untrained individuals on the public.

6. What is the amount of regulation exercised by your department compared to such regulation, if any, in other states?

The amount of regulation by the board is comparable to amount of regulation in other states. All states require barbers to be licensed. All states require barber school training. Some states require apprenticeship along with the barber school training. After graduating from a state approved training program, students take a state licensing exam that includes a written test, and in most cases a practical test. Most states require barber shops to be licensed or at a minimum have a certificate to operate. All states perform inspections of shops and schools. All states have statutes and rules governing sanitary conditions of barbers and barber shops.

7. Describe the general costs and impact of your department’s activities on Ohio’s businesses and individuals.

General costs:
Barber shop licensing fees are $110.00 for the initial license which includes initial inspection for licensure., renewal for a 2-year license is $75.00.
Barber license fees are $120.00 which includes $90.00 cost of licensure examination, renewal for a 2-year license is $110.00
Student registration fees are $40.00
Barber instructor initial license fees are $185.00 which includes cost of licensure examination, renewal for a 2-year license is $150.00.
Barber School initial license fees are $1000.00 and renewal for a 2-year license is $1000.00.

Shops and schools are inspected 2-3 times per year. Shop inspections on average take about 20-25 mins. School inspections take longer. Schools usually ask for the Boards inspectors to talk to the student body about the barber industry, role of the Board in the industry and professionalism.

These inspections are necessary to ensure the health, safety and welfare of the public.

8. Identify and explain your customer service standards and what methods you use to monitor or improve customer service at your agency.

Customer service is addressed by all staff, including the inspectors in the field. Phone calls are answered as received, voicemails are returned within 24 hours or less. Shop license applications are processed and initial licensing inspections are scheduled within 2-3 business days after receiving the application.
Student test applications are processed as received and students are scheduled for the first available test date, the Board conducts approximately 2 exams per month. Students are notified of the test results within 24 hours. Students passing the exam will have their licenses mailed to them within 24 hours, or the student may elect to pick up their license at their convenience.

Inspectors are provided cell phones and give out their cell phone numbers to shop owners and barbers to make themselves available to answer questions. Inspectors will meet potential shop owners to preview a location to help the owner determine the suitability of obtaining a shop license for that location. This helps the applicant decide on the location and what it would need to be able to be licensed. This helps the applicant decide on the location before signing a lease or agreement to purchase the location.

Board office staff receive many requests for assistance. Board staff will generally fill requests (e.g. certification of licensure to another state, reissuance of lost license, applications requested) same day or within 24 hours.

9. Please provide an assessment of the authority of your department regarding fees, inspections, enforcement, and penalties.

The Board believes our authority in regards to fee’s, inspections, enforcement and penalties is appropriate and adequate to ensure the Board’s mission as mandated by ORC 4709.

10. Has your department’s operation been impeded or enhanced by existing statutes and procedures and by budgetary, resource, and personnel practices? If so, which sections?

Board staff enhances the operations; the staff works hard to provide customer service. Providing good customer service to the both the public and to our licensee’s is key.

In my limited time as Director, the budget the Board has received has allowed the Board to fulfill its mission of public protection which enhances the Board.

The Board is grateful for our statutes which provide the framework and guidance for our activities.

11. Has your department recommended statutory changes to the general assembly that would benefit the public as opposed to the persons regulated by the department? If so, have those policies been adopted and implemented?

The Board has not made any recent recommendations for statutory change to the General Assembly.

12. Has your department required or requested any persons it regulates to report to it the impact of department rules and decisions on the public as they affect service costs and service delivery?

The Board has not made such a request.

13. Describe how your department encouraged public participation in its rule-making and decision-making?

The Boards statutes and rules are posted on our web site. Board meeting dates are posted to our web site; Board meetings are open to the public. With potential rules the Board follows the Common Sense Initiative (CSI), post the proposed changes or proposed new rules on our web site.
After the period for public comment the proposed changes or proposed new rules are submitted for review by JCARR. A public hearing is held by JCARR before rule is passed and adopted.

14. What is the process for formal public complaints that are filed with the department? And how are they resolved?

The Board asks that all formal complaints be submitted in writing. Once the complaint is received, the Director will review the complaint to determine if it is of compliance nature (e.g. unsanitary conditions) or a business dispute (e.g. price of service). All complaints of a compliance nature are then forwarded to the inspectors for an investigation. Investigations are conducted to determine if any barber statutes or rules have been violated. As a result of the investigation, warnings or violations and fines may be issued. Business disputes are generally handled by phone calls from the Director to the complainant and the licensee to seek a common resolution. The Board has no regulatory authority over these types of complaints, but will try to assist in resolving them.

15. Does federal law require that Ohio perform some or all of the tasks of your agency? If so, what functions are required and how are they met?

Federal law does not require Ohio to perform any of the tasks by the Board.

16. Please describe in detail how any state regulation or rule, of your department, exceeds or differs from any similar federal requirements with a similar impact.

N/A

17. Please identify the department’s practices and methods to comply with public records requests; any methods to make your records more generally available or online; the number of public records disputes during the last 2 years and the top 3 record types that are requested by the public.

When the Board receives a record request, it will be processed by board staff to determine any responsive records. Once responsive records are identified the request will be filled generally within 48 hours.
The Board has a link on our website for licensure verification.
The Board has had no public records dispute within the last 2 years. The top 3 record types requested are:

Licensed barbers
Licensed barber shops
Licensed instructors

If your department issues licenses, please answer the following:

1. Are such licenses required by federal law and, if so, what law(s)?

No, Federal law does not require these types of license.
2. What is the extent to which licensing ensures that practitioners have occupational skill sets or competencies that correlate with a public interest? What is the impact that those criteria have on applicants for a license, particularly those with moderate and low incomes, seeking to enter the occupation or profession?

Barbers are licensed to cut, trim, shampoo and style hair, mostly for male clients but also for female clients. Barbers also may fit hairpieces, perform facials, and offer face shaving. Barbers are licensed to color, bleach, and highlight hair and offer permanent wave services. Barbers will inspect and analyze hair, skin and scalp to recommend treatment. Barbers are instructed how to and are tested for licensure on those services.

Barber school training is not unlike many other types of post-secondary education. Most barber schools are accredited by accrediting councils and approved by the U.S. Dept. of Education to participate in the Title IV funding programs (e.g. student loans, grants). Many barber schools offer part-time classes for students who have jobs to help support themselves. A full time barber student can complete the training in a little as 10-11 months and part time students can complete in less than 2 years. Once the individual is licensed their earning potential is only determined by how hard the individual wants to work. Prices charged by the barbers are not regulated by the barber board but are determined by the market.

3. What is the extent to which the requirement for the license stimulates or restricts competition, affects consumer choice, and affects the cost of services?

Education, training, and licensure ensures minimum competencies in the execution of personal services performed on the public. Licensure requirements are not intended nor promulgated to stimulate or restrict competition, affect consumer choice, or affect the cost of services.