



OHIO SALON ASSOCIATION
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nt Testimony from Tony Fiore
On SB 308
the Senate Judiciary Committee
May 20, 2020

Chairman Eklund, Vice Chair Manning, Ranking Member Thomas, and members of the Senate Judiciary Committee, thank you for the opportunity to provide proponent testimony in support of Senate Bill 308 (SB 308), sponsored by Sen. Matt Huffman. My name is Tony Fiore and serve as the Executive Director for the [Ohio Salon Association \(OSA\)](#).

The Ohio Salon Association represents single location licensed salon owners, independent contractors and multi-location salon owners employing thousands of licensees across the state. According to the [Ohio State Cosmetology and Barber Board 2019 Annual Report](#) there are approximately 12,000 salons; 50,000 cosmetology licensees; 8,000 barbers; 2,700 barbershops; 19,500 independent contractors; and 168 schools.

The coronavirus (COVID-19) has significantly impacted all of us. We all want to protect our family and in the personal services and care industry that family includes salon, spa and barber shop employees, independent contractors and clients. These cosmetology and barber professionals, massage and cosmetic therapists, and other licensees in the personal services industry are making significant sacrifices to help save lives around the state. Most have gone without any source of income for more than two months, but the price tag may be as high as losing their business.

The state and federal government have passed significant stimulus packages to help employers as well as employees and independent contractors, but more laws can be amended or rescinded to help the personal services industry recover from the coronavirus. SB 308 provides qualified civil immunity to provide some level of comfort for these struggling small businesses. The last thing a salon or barbershop owner needs right now is the possibility of a frivolous “shotgun” lawsuit filed against them when they are following government laws and rules to keep people safe and just keep their business alive.

While personal service licensees, such as salons, spas, and barbershops, were able to reopen on May 15 under the [Ohio Department of Health sector specific operating guidelines](#) the public needs confidence that they are going to a safe, sanitary and infection free zone. In turn, employers need some level of confidence that every customer entering the establishment is not going to be a potential plaintiff or part of a class of plaintiffs in a lawsuit due to COVID-19. Salons and barbershops have been making preparations to reopen and know what is at stake if they do not comply with local, state and federal laws.

Potential Ohio State Cosmetology and Barber Board penalties - A Board licensee could face a suspension or more for providing services in the underground economy and/or without following the Ohio Department of Health sector specific guidelines for reopening their business. Section 4713.14(I) of the Revised Code prohibits any individual from operating a salon without a current, valid salon license. Violating this statute could lead the Board to pursue disciplinary action against the individual, which may include fines and/or the suspension or revocation of their license. An individual who

violates this statute could be charged with a 4th-degree misdemeanor under R.C. 4713.99, which carries a maximum potential penalty of up to 30 days in jail and a fine of up to \$250.00.

Potential Ohio Department of Health Penalties - Providing services in the underground economy or not following the sector specific operating requirements would violate the ODH orders. An individual who violates either of these orders may be charged with a 2nd-degree misdemeanor under R.C. 3701.99, which carries a maximum potential penalty of up to 90 days in jail and a fine of up to \$750.00.

The Ohio State Cosmetology and Barber Board has great [facility and infection control standards](#) in current law. As the Senate is looking for other ways to help I will turn your attention to another important piece of legislation, [HB 399](#) sponsored by [Rep. Jena Powell](#), which harmonizes our state standards with national infection control standards.

The Ohio Salon Association is trying to provide as many benefits as possible to help salons, spas, and barbershops have access to personal protective equipment, telemedicine, business loans, and other services to help them and their families stay safe from the coronavirus and hopefully recover from its devastation on their business. The Ohio General Assembly and Governor DeWine have the opportunity to provide some level of protection on the legal front from frivolous lawsuits related to COVID-19.

We look forward to working with the General Assembly as well as the Governor's Administration on developing and enacting additional economic recovery recommendations that are critically important to the future of the beauty and barber industry in Ohio.

Thank you for the opportunity to provide testimony in support of [SB 308](#). If you have any questions please feel free to contact me at director@ohiosalonassociation.com or (614)462-5428.