

DEPARTMENT OF LABOR & ECONOMIC GROWTH

DIRECTOR'S OFFICE

BARBERS

(By authority conferred on the director of the department of labor and economic growth by section sections 308, 1105, 1108, and 1112 of 1980 PA 299, MCL 339.308, 339.1105, 339.1108, and 339.1112, Executive Reorganization Order No. 1996-2, MCL 445.2001, and Executive Reorganization Order No. 2003-1, MCL 445.2011.)

PART 1. GENERAL PROVISIONS

R 339.6001 Definitions.

Rule 1. (1) As used in these rules:

(a) "Act" means 1980 PA 299, MCL 339.101 et seq.

(b) "Board" means the board of barber examiners.

(c) "Chairperson" means the person who is authorized to convene and moderate a public body meeting on behalf of the board.

(d) "Political subdivision" means a county, city, village, township, school district, or authority created pursuant to a local ordinance.

(2) The terms defined in the act have the same meanings when used in these rules.

History: 1991 MR 2, Eff. Mar. 15, 1991; 2003 MR 17, Eff. Sept. 19, 2003.

R 339.6003 Board meetings.

Rule 3. Board meetings are conducted in accordance with 1975 PA 267, MCL 15.261 et seq., the open meetings act, and are open to the public.

History: 1991 MR 2, Eff. Mar. 15, 1991; 2003 MR 17, Eff. Sept. 19, 2003.

R 339.6019 Rescission.

Rule 19. All of the following rules are rescinded:

(a) R 338.601 to R 338.615 of the Michigan Administrative Code, appearing on pages 3501 to 3503 of the 1954 Michigan Administrative Code and page 2198 of the 1961 Annual Supplement to the Code.

(b) R 338.631 to R 338.643 of the Michigan Administrative Code, appearing on pages 1472 to 1474 of the 1960 Annual Supplement to the Code.

(c) R 338.661 to R 338.668 of the Michigan Administrative Code, appearing on pages 1474 and 1475 of the 1960 Annual Supplement to the 1954 Michigan Administrative Code.

(d) R 338.2001 to R 338.2054 of the Michigan Administrative Code, appearing on pages 2515 to 2520 of the 1979 Michigan Administrative Code and pages 239 to 244 of the 1980 Annual Supplement to the Code.

History: 1991 MR 2, Eff. Mar. 15, 1991.

PART 2. LICENSES

R 339.6021 Rescinded.

History: 1991 MR 2, Eff. Mar. 15, 1991; Rescinded 1998 MR 5, EFF. 6/11/98.

### PART 3. SANITATION

#### R 339.6031 Premises.

Rule 31. (1) All premises used by a licensee shall be maintained in a clean, safe, and sanitary condition. The premises shall be free from all of the following:

- (a) Dust.
  - (b) Mold.
  - (c) Mildew.
  - (d) Insects.
  - (e) Rodents.
  - (f) Vermin.
  - (g) Other sources of contamination or potential causes of health or safety hazards or nuisances.
- (2) Floors, walls, ceilings, fixtures, and furnishings shall be kept clean. Open windows and doors shall be screened to prevent the entry of insects. Waste containers shall be cleaned and disinfected at least once every 24 hours and shall be large enough to contain 1 day's accumulation of waste.
- (3) Equipment and supplies for barbering use shall be stored separately from storage for any other purpose. Soiled or used towels or rubbish shall not be allowed to accumulate on the premises or in adjacent areas. Used towel and rubbish storage shall not be adjacent to storage for clean supplies. Covered containers or cabinets shall be provided for supplies which are not wrapped for sanitation.
- (4) Toilet facilities shall be furnished on the premises unless public toilet facilities are reasonably available.
- (5) Licensed premises shall have stationary washbasins located within the licensed premises. Each basin shall be connected to a pressurized water system with hot and cold running water and with adequate provision for drainage and disposal of waste into a public disposal system or septic tank. In the case of premises where a demonstration permit has been issued, the requirement for washbasins may be waived by the department if the demonstrated services do not require washing or applying solutions to the hair or face.
- (6) Licensed premises shall be in compliance with all regulations of the political subdivision in which they are located and with state and federal building codes, health regulations, and fire safety regulations.

History: 1991 MR 2, Eff. Mar. 15, 1991.

#### R 339.6033 Tools and equipment.

Rule 33. (1) Before being used on a patron, tools and equipment used for barbering shall be wiped clean and sanitized using 1 of the following methods:

- (a) Exposure to ultraviolet light at a distance of not more than 8 inches for not less than 2 minutes from a germicidal lamp which is satisfactory to the department of public health and which has a strength of not less than 15 watts. Tools sanitized in this manner shall be kept mechanically clean.
  - (b) Thoroughly washing the equipment in a detergent solution and placing the rinsed equipment in a container holding a chemical sanitizing agent.  
Chemical sanitizing agents acceptable for such uses are those registered for use in interstate commerce by the United States department of agriculture. After sanitizing, the equipment shall be stored in a covered container.
  - (c) Sharp-edged tools shall be wiped with a 70% alcohol solution.
- (2) When not in use, equipment shall be stored in drawers or covered containers.
- (3) Equipment shall be maintained in good working order.
- (4) The reuse of unsanitized finger bowls, common powder puffs, common sponges, and paper and cotton items is prohibited. Such items shall be sanitized before reuse or shall be discarded.
- (5) Small items of equipment, including combs, brushes, rollers, clips, pins, head coverings, caps, permanent waving rods, protectors, and supplies, shall be maintained in a sanitary condition, shall be stored in covered containers, and, to minimize the possibility of accidental, unsanitized reuse, shall not be carried about between work areas on the person of a licensee.

History: 1991 MR 2, Eff. Mar. 15, 1991.

R 339.6035 Use or storage of certain items prohibited; use of astringent to stop bleeding.

Rule 35. (1) The use or storage on licensed premises of styptic pencils, lump alum, or drops, washes, and treatments of the eyes is prohibited.

(2) Only powdered or liquid astringent applied on a clean towel, cotton, or gauze may be used to stop bleeding.

History: 1991 MR 2, Eff. Mar. 15, 1991.

R 339.6037 Patron protection.

Rule 37. (1) A clean, fresh paper or cloth towel shall be used for each patron.

(2) A headrest of a barber chair shall be covered with clean, fresh paper or cloth before use by each patron.

(3) A hair cloth or cape shall be used on each patron. A clean, fresh towel or sanitary paper or cloth neck strip shall be placed around the neck to prevent the hair cloth or cape from touching the skin.

(4) After being used on a patron, a towel shall be immediately placed in a covered container with a hinged door or lid.

(5) Creams and other semisolid substances shall be covered when not in use and shall be removed from their containers with spatulas. Fluids or powders used on a patron shall be applied from a bottle or shaker-type dispenser.

(6) A licensee shall wash his or her hands before serving each patron and shall make all reasonable attempts to prevent the spread of communicable diseases or skin lesions.

History: 1991 MR 2, Eff. Mar. 15, 1991.

R 339.6039 Blood Spill Procedures.

Rule 39. (1) A licensee, barber shop owner, instructor, student, or barber school owner shall comply with all of the following provisions if a blood spill occurs:

(a) Temporarily suspend the service being performed.

(b) Provide the patron or other person who is bleeding with adequate first aid supplies so that the bleeding can be stopped and the wound covered.

(c) Sterilize any equipment, implements, or tools which have come into contact with the blood spill.

(d) Immediately discard porous materials or supplies which have come into contact with a blood spill.

(e) Immediately clean floors, counters, chairs, or other durable surfaces in the area of the blood spill with a sodium hypochlorite solution, such as household bleach, or other hospital-grade disinfectant.

(f) Dispose of blood spill waste in clearly labeled leakproof containers or bags.

(2) A licensee, student, or instructor shall not perform services or demonstrations on a patron until all bleeding has ceased and all wounds covered. A licensee, student, or instructor shall keep an open sore, cut, burn, or other injury on patrons or on themselves covered at all times when performing services or demonstrations.

History: 2003 MR 17, Eff. Sept. 19, 2003.

#### PART 4. BARBER COLLEGES

R 339.6041 Construction standards and required equipment.

Rule 41. (1) A barber college shall provide for all of the following:

(a) A classroom.

(b) A practical training room.

(c) A separate student locker area.

(d) Separate lavatory facilities for men and women, with hot and cold running water and a connected drain. All rooms shall have adequate ventilation and lighting.

(2) A classroom shall be equipped with all of the following:

(a) Sufficient desk chairs for all students in attendance.

(b) One chalkboard that is not less than 6 feet by 3 1/2 feet in size.

(c) One chart of the skin and hair.

(d) One standard dictionary and 1 illustrated medical dictionary.

The wall chart shall be large enough to be seen from the back of the classroom. The classroom shall have sufficient space to meet the fire safety regulations of the political subdivision.

(3) The practical training room shall be equipped with all of the following:

(a) Sufficient practical training stations so that students are not required to share a station during practical training periods.

(b) Tile, first-grade linoleum, or other board-approved floor covering.

(c) Ample lamps and vibrators to give demonstrations in scientific treatment as provided in the curriculum.

(d) Ample supplies of steamers, sources of lather, and clean towels provided by the college for the proper performance of services by each student.

(4) The practical training room may be equipped with any of the following optional equipment for practical training:

(a) A cash register.

(b) A sales counter.

(c) A reception counter.

(d) A hair analysis machine.

(e) Skin care equipment.

(5) A practical training station shall be equipped with all of the following:

(a) A barber chair that is in mechanical working order, easily cleaned, and not less than 6 feet from the next chair, when measured from the center of one chair base to the center of the next chair base.

(b) One storage cabinet for tools, clean towels, and hair cloths.

(c) One electric sterilizer.

(d) One approved soiled towel container with a hinged lid or door.

(e) One complete set of the customary barber tools.

(6) A barber college shall indicate to the public that it is a barber college by a sign, with letters that are not less than 6 inches in height, that includes the words "barber school" or "barber college." A sign shall be displayed indicating that the work performed in the barber college is primarily performed by students.

History: 1991 MR 2, Eff. Mar. 15, 1991; 1994 MR 10, Eff. Nov. 10, 1994.

R 339.6045 Student conduct; education requirements.

Rule 45. (1) A barber college shall not permit a student to work on a public patron in a barber college until he or she presents a student license issued to the student. A student shall comply strictly with the rules governing barbers and barbershops in this state.

(2) For the purpose of meeting the equivalent tenth grade education requirement as used in the act, the department shall accept a score of 39 or higher, before January, 2002, or, for tests administered in January, 2002 or later, 390 or higher using the general educational development (GED) test, or the ability to benefit (ATB) basic skills tests approved by the U.S. department of education as constituting prima facie evidence of equivalence to a tenth grade education.

(3) For the purpose of meeting the requirements of graduation from an accredited high school as used in the act, the department shall accept successful completion of the general educational development (GED) test or the ability to benefit (ATB) scholastic level exam as constituting prima facie evidence of demonstrating equivalence to a high school diploma.

(4) Information about the general educational development certification (GED) test is available from the Michigan Department of Labor and Economic Growth, GED Testing, Victor Office Center-3RD FLOOR, 201 N. Washington Square, Lansing MI 48913, telephone: 517/373-1692. Information about the ability to benefit basic skills tests (WBST) is available from Wonderlic, Inc., 1795 N. Butterfield

Road, Libertyville IL 60048-1238. Telephone: toll free 877/568-5791 or local: 847/247-2530. Internet address: www.wonderlic.com.

(5) The department may renew a student license on behalf of the board for more than 1 additional year, upon student submission of reasons satisfactory to the department.

History: 1991 MR 2, Eff. Mar. 15, 1991; 2003 MR 17, Eff. Sept. 19, 2003; 2006 MR 4, Eff. Feb. 22, 2006.

R 339.6047 Barber college; curriculum.

Rule 47. A barber college shall follow a curriculum of instruction in barbering in accordance with the following schedule, but may vary the curriculum within 10% of the hours for each subject specified in this rule:

Theory		Practical	
Topic	Hours	Hours	
(a) Orientation: .....	10		
(i) History of barbering profession.			
(ii) Implements of barbering profession.			
(b) Safety and sanitation: .....	60	50	
(i) General (basic first aid, work stations).			
(ii) Bacteriology and diseases of hair, scalp, skin, nails, and glands.			
(iii) Implements (sanitation, maintenance, care).			
(iv) Laws and rules governing safety and sanitation.			
(c) Client services: .....	30		These
(i) Composition, structure, function of skin, hair, head, face, and neck.			activities
(ii) Analysis of bone structure, skin, and hair.			shall be
(iii) Determination of services desired by client.			performed
(iv) Examination of client (identifying disorders and diseases), referral for medical treatment.			as part of
(v) Recommending services and follow-up maintenance.			activities
(d) Haircut and shave: .....	60	1,000	Specified subdivisions (d), (e),
(i) Hair cutting.			and (f) of in this rule.
(ii) Hair styling.			
(iii) Razor honing and stropping.			
(iv) Shaving and beard trimming.			
(e) Chemical services: .....	45	350	
(i) Shampooing and conditioning hair.			
(ii) Hair waving and relaxing.			
(iii) Hair coloring and lightening.			
(f) Secondary services: .....	20	250	
(i) Skin care (facials, massage, and therapy).			
(ii) Hair and scalp treatments (preparations, massage, and therapy).			
(iii) Selling and servicing hairpieces.			
(g) Laws, rules, and regulations: .....	10		
(i) Governing the barber.			
(ii) Governing the barbershop.			
(h) Business management:.....	15	100	
(i) Ethics.			
(ii) Merchandising.			
(iii) Bookkeeping.			
(iv) Taxes.			
(v) Insurances.			

History: 1991 MR 2, Eff. Mar. 15, 1991.

R 339.6049 Records.

Rule 49. (1) A barber college shall keep records of students which shall be maintained for not less than 7 years after termination of training. The records shall contain all of the following information:

- (a) A summary of the student's attendance record.
- (b) A summary of the student's training.
- (c) The date of the student's enrollment.
- (d) A copy of the student's contract.
- (e) The student's final grades and graduation date.

(2) A barber college shall keep temporary records of students which shall be maintained until the termination of training and which shall include all of the following information:

- (a) The daily attendance record.
- (b) A record of the types of services and practical applications performed.
- (c) Progress records.

(3) A barber college shall keep a monthly record of all student enrollment. A report shall be sent to the department on or before the tenth day of the following month containing each student's name in alphabetical order, each student's accumulated hours of credit, and each student's status as a full-time, part-time, night class, or brush-up student. A copy of each month's report shall be posted in a conspicuous location in the barber college.

History: 1991 MR 2, Eff. Mar. 15, 1991.

R 339.6051 School Examinations.

Rule 51 (1) A barber college shall administer final theory and practical examinations on all curriculum subjects to students, and shall certify to the department, or its designees, those students who pass the examinations.

History: 2006 MR 4, Eff. Feb. 22, 2006.