

**CALIFORNIA  
BOARD OF BARBERING AND COSMETOLOGY**



**JANUARY 22, 2024**

**HEALTH AND SAFETY ADVISORY COMMITTEE**

**Department of Consumer Affairs  
HQ2 Hearing Room #186  
1747 North Market Blvd  
Sacramento, CA 95834**

**and**

**Public Teleconference**



**CALIFORNIA BOARD  
OF  
BARBERING AND COSMETOLOGY**



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**MEMBERS OF THE  
COMMITTEE**

Calimay Pham, Chair  
Reese Isbell  
Danielle Munoz  
Jude Balmin  
Paul Bryson  
Brandon Hart  
Paula Johnson  
Leslie Roste

**HEALTH AND SAFETY ADVISORY  
COMMITTEE MEETING NOTICE  
AND AGENDA**

**January 22, 2024**

**Department of Consumer Affairs  
HQ2 Hearing Room #186  
1747 North Market Blvd  
Sacramento, CA 95834**

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*Action may be taken on  
any item listed on the  
agenda.*

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**1:00 pm or upon completion of the  
Diversity, Equity, and Inclusion  
Committee Meeting – Until  
Completion of Business**

**Committee members will participate remotely from private, non-public sites. The public may participate in-person or remotely. To participate in the WebEx Events meeting, please log on to this website the day of the meeting:**

<https://dca-meetings.webex.com/dca-meetings/j.php?MTID=mcfc79d538aa407cc5ddb9a06105dc004>

Webinar number: 2486 727 6348  
Webinar password: BBC122

**Instructions to connect to the meeting can be found at:**

[https://www.barbercosmo.ca.gov/about\\_us/meetings/how\\_to\\_join\\_webex\\_event.pdf](https://www.barbercosmo.ca.gov/about_us/meetings/how_to_join_webex_event.pdf)

Members of the public may but are not obligated to provide their names or personal information as a condition of observing or participating in the meeting. When signing into the WebEx platform, participants may be asked for their name and email address. Participants who choose not to provide their names will be required to provide a unique identifier such as their initials or another alternative, so that the meeting moderator can identify individuals who wish to make public comment; participants who choose not to provide their email address may utilize a fictitious email address in the following sample format:  
XXXXX@mailinator.com.

In order to ensure all public members have an opportunity to speak and in the interest of time, public comments will be limited to two minutes unless, in the discretion of the committee, circumstances require a shorter period or longer period; members of the public will not be permitted to “yield” their allotted time to other members of the public to make comments.

As an alternative, members of the public who wish to observe the meeting without making public comment can do so (provided no unforeseen technical difficulties) at

<https://thedcapage.wordpress.com/webcasts/>.

## AGENDA

1. Call to Order/ Roll Call/ Establishment of Quorum
2. Review and Possible Approval of March 20, 2023, Committee Meeting Minutes
3. Discussion and Possible Recommendation Regarding Health and Safety Course Update Plan
4. Public Comment on Items Not on the Agenda  
*Note: The Committee may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting (Government Code Sections 11125, 1125.7(a))*
5. Suggestions for Future Agenda Items
6. Adjournment

The time and order of agenda items are subject to change at the discretion of the Committee Chair and may be taken out of order. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Committee are open to the public.

\*Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Committee prior to the Committee taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Committee, but the Committee Chair may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Committee to discuss items not on the agenda; however, the Committee can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125, 11125.7(a)).

The meeting is accessible to the physically disabled. A person who needs disability-related accommodation or modification in order to participate in the meeting may make a request by contacting: Natalie Mitchell at (916) 244-6644, email: [natalie.mitchell@dca.ca.gov](mailto:natalie.mitchell@dca.ca.gov), or send a written request to the Board of Barbering and Cosmetology, PO Box 944226, Sacramento, CA 94244. Providing your request is a least five (5) business days before the meeting will help to ensure availability of the requested accommodations. TDD Line: (916) 322-1700.

*Agenda Item*  
*No. 1*  
*No Attachments*

**DRAFT**  
**CALIFORNIA STATE BOARD**  
**OF**  
**BARBERING AND COSMETOLOGY**

**HEALTH AND SAFETY ADVISORY COMMITTEE MEETING**

**MINUTES OF MARCH 20, 2023**

**COMMITTEE MEMBERS PRESENT**

Calimay Pham  
Reese Isbell  
Danielle Munoz  
Jude Balmin  
Paul Bryson  
Brandon Hart  
Brandy Hamilton  
Paula Johnson  
Leslie Roste  
Yumi Youn

**STAFF MEMBERS PRESENT**

Kristy Underwood, Executive Officer  
Carrie Harris, Deputy Executive Officer  
Sabina Knight, Board Legal Counsel  
Allison Lee, Board Project Manager

**Committee Members Absent**

Giovanni Harfouche  
Asia Jackson

**1. AGENDA ITEM #1, CALL TO ORDER/ROLL CALL/ESTABLISHMENT OF QUORUM**

Calimay Pham, Committee Chair, called the meeting to order at approximately 9:00 a.m. and confirmed the presence of a quorum.

**2. AGENDA ITEM #2, ELECTION OF COMMITTEE CHAIRPERSON**

Chair Pham stated that this is an annual election. She indicated that she was happy to continue serving and welcomed anyone else wanting to serve. She noted that a person doesn't need to be a member of the main Board to serve as Chairperson of this Committee.

**Motion:** Calimay Pham moved to nominate herself as Chairperson of the Committee. Danielle Munoz seconded. No comments were received from the public.

Motion to nominate Calimay Pham as Chairperson of the Committee carried nine yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Committee Members voted "Yes": Calimay Pham, Reese Isbell, Danielle Munoz, Jude Balmin, Paul Bryson, Brandon Hart, Brandy Hamilton, Leslie Roste, and Yumi Youn.

**3. AGENDA ITEM #3, EXECUTIVE OFFICER’S OPENING REMARKS (Kristy Underwood).**

Ms. Underwood stated that the Health and Safety Committee is statutorily required. The Committee consists of Board members, outside members, licensees, and other experts who help in decision-making.

Ms. Underwood mentioned that the Committee would discuss the health and safety regulations under agenda item 5. She noted that the Committee had worked on the regulations for a very long time, and she hoped that they would choose to move them forward to the Board for approval so that the regulatory process could begin. She indicated that the regulatory process is quite long, and it will be long before the regulations are enacted. They will have to go through the Department of Public Health for review as well and might still see some extensive changes to them.

**4. AGENDA ITEM #4, REVIEW AND POSSIBLE APPROVAL OF SEPTEMBER 26, 2022, COMMITTEE MEETING MINUTES.**

**Motion:** Reese Isbell moved to approve September 26, 2022, Committee Meeting Minutes. Brandy Hamilton seconded. No comments were received from the public.

Motion to approve September 26, 2022, Committee Meeting Minutes carried 5 yes, 0 no, and 4 abstain, per roll call vote as follows:

The following Committee Members voted “Yes”: Calimay Pham, Reese Isbell, Brandy Hamilton, Leslie Roste, and Yumi Youn.

The following Committee Members abstained: Danielle Munoz, Jude Balmin, Paul Bryson, and Brandon Hart.

**5. AGENDA ITEM #5, DISCUSSION AND POSSIBLE RECOMMENDATION REGARDING POSSIBLE AMENDMENTS TO HEALTH AND SAFETY REGULATIONS.**

Ms. Underwood went through the regulations package page by page. The Committee received no comments regarding the definitions on pages 1 through 3.

On page 4, Mr. Isbell noted a grammar mistake. He indicated that in paragraph four, point nine, the statement said that 'all establishment owners, school owners, and licensees shall not have all tools.' He noted that the word 'all' should be replaced with the word 'any.' Ms. Underwood agreed that it should be 'any.' Chair Pham pointed out that it cannot be 'any' because people would be labeling everything either dirty or clean to avoid getting inspected. They should have some tools marked dirty and some labeled clean.

No comments were received from the Committee on page 5.

No comments were received from the public.

No comments were received regarding page 6. On page 7, Mr. Bryson noted that a part of section C stated that the basin should be cleaned and disinfected after every use. He pointed out that the basin is not a skin contact situation. It should therefore be enough that they change the liner and keep the basin clean, not necessarily disinfect the basin itself. Mr. Bryson stated that cleaning is 99% of disinfection, and since people will be cleaning the basins and changing the liners after each client, he wondered why they should be required to disinfect the basins. He noted that people are spending money and putting disinfectant down the drain and that only a few people would do the disinfection unless the inspector is standing there. He opined that that requirement would be unenforceable and unnecessary.

Ms. Roste agreed with Mr. Bryson's sentiments, adding that most states are going with just cleaning between pedicures when a liner is used and then disinfecting fully at the end of the day. She mentioned that this is the most common practice, and she had not seen an increase in infection or injuries with that change.

Ms. Hamilton stated that it would depend on the type of liner used. She mentioned that some pedicure bowls have hard shell liners that are physically picked up and removed, and some are trash bag-type style liners intended to fit the bowl. She indicated that the only way to remove water from these is to puncture the bag and allow the water into the pedicure basin. Ms. Hamilton noted that sometimes debris and clippings are left in the basin depending on the kind of treatment one is getting. Someone getting a pedicure can also be punctured at some point throughout the service. She thus felt that based on these factors, there should be some spray or wipe-down disinfectant of the basin.

Ms. Underwood noted that even if the disinfection portion is removed, licensees would still be required to drain the water from the basin and remove and clean all the removable parts individually by scrubbing with a clean brush, liquid soap, and water. They would rinse the inside of the basin with water, insert any clean removable parts, and then wipe the basin dry with a new paper towel. Steps five and six would be removed and refilled with water and the appropriate amount of EPA-registered disinfectant.

Ms. Roste mentioned that disinfectants have a 10-minute contact time. Therefore, removing the disinfection step would mean saving time and conserving water. She noted California, does not have a lot of water usually, so conserving water at this point would be significant.

Chair Pham asked if the Committee would have a similar opinion about removing and scrubbing the parts after every use. She felt that that presented the same issue as the disinfection process. She mentioned that she still needed to see people stopping to remove the parts and scrub them whenever she got a pedicure.

Ms. Roste felt that the Committee should only remove something from the regulations if it is being done. She stated that there should be a realistic line between necessary and worthy of time and attention without putting anyone at risk. She also mentioned that

everywhere she goes around the country, people only do some of the steps. She has also never seen anyone removing all the parts whenever she is out inspecting. The common steps she has seen are cleaning the bowl, rinsing it down and scrubbing, removing the parts, and doing the full disinfection at the end of the day.

Ms. Underwood mentioned that inspectors usually find the removable parts dirty. Some parts go inside the liner, and they have magnetic jets placed where the feet are. She, therefore, suggested leaving that step in.

Mr. Bryson stated that some people use tabs of warm water and tubs with various stirring and agitating devices. He indicated that since the devices touch the water that touches the clients' feet, they should be disinfected between uses. The liner would only spare one the necessity of cleaning the tub itself.

Deputy Executive Officer Carrie Harris noted that Section C (c) of the draft addressed the removable magnetic jets. The Section states that removable magnetic jets shall be cleaned after every use according to the requirements of 979(a) and must not be stored in the foot basin when the basin is not in use. Ms. Underwood agreed, adding that section 979(a) does require disinfection. Therefore, the removable parts will be needed to be disinfected. She also mentioned that a lot of salons are already doing this process. The Committee thus agreed that for Section 980.1, only steps five and six should be removed.

No comments were received from the Committee on pages 8 through 11.

**Public Comment:**

Jamie Schrabek from Precision Nails supported Mr. Bryson's comments about the excessive disinfection that would be required after removing a liner. She mentioned that she has been advocating for waterless services since 2005 and noted that what needed to be addressed in the health and safety regulations was that cleaning the feet, hands, hair, face, or body of the client was optional. Ms. Schrabek indicated that the language is written in such a way that would make people think that cleaning is not an option. She further pointed out that everyone uses disposable supplies, but some do not use pedicure equipment. Therefore, any cleaning done during the procedures is above and beyond what the health and safety regulations require.

No comments were received from the Committee or public on pages 11 through 21.

**Motion:** Danielle Munoz moved to recommend to the full Board the updated language in Title 16 Code of Regulations, Sections 977 through 995, with the noted amendment on Page 7 of the text, removing numbers five and six in the listed requirements for cleaning the foot basin. Paul Bryson seconded. No comments were received from the public.

Motion carried 11 yes, 0 no, and 0 abstain, per roll call vote as follows:



The following Committee Members voted “Yes”: Calimay Pham, Reese Isbell, Danielle Munoz, Jude Balmin, Paul Bryson, Brandon Hart, Brandy Hamilton, Leslie Roste, and Yumi Youn.

#### **6. AGENDA ITEM #6, PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

Jamie Schrabek noted that the language authorizing this Committee’s existence focuses on labor laws and the Board’s responsibility to inform licensees about their rights. She mentioned that the Board’s website contains the laws and rights, but it needs to be updated since it does not reference some bills, such as SB 490. This, according to her, was a problem, considering how many people in the State are usually compensated via commission. She requested that the Committee looks at how they are addressing the mandate from the legislature to address labor laws.

#### **7. AGENDA ITEM #7, SUGGESTIONS FOR FUTURE AGENDA ITEMS**

Chair Pham inquired about timelines for the next Committee meeting and what to expect for that meeting. Ms. Underwood stated that a date is yet to be set for the next meeting. She will work with the Committee members to settle on a date. She noted that the Committee had in the past looked extensively at the risks involved with all of the health and safety violations. She indicated that that document must mirror the regulations because some have changed. Staff will bring back a draft of the regulations and the fine schedule. At the next meeting, the Committee will be required to look at the regulations and fines to determine if the risks are appropriate for the penalties.

No comments were received from the public.

#### **8. AGENDA ITEM #8, ADJOURNMENT**

There being no further business to discuss, the meeting adjourned at approximately 9:51 a.m.



## MEMORANDUM

<b>DATE</b>	January 22, 2024
<b>TO</b>	Members, Health and Safety Advisory Committee
<b>FROM</b>	Kristy Underwood, Executive Officer
<b>SUBJECT</b>	<b>Agenda Item 3 – Discussion and Possible Recommendation Regarding Health and Safety Course Update Plan</b>

### Background

The Board of Barbering and Cosmetology’s Health and Safety Course became available in 2019. It was based off the first edition of the *Health and Safety for Hair Care and Beauty Professionals – A Curriculum on Hazards at Work*, created by occupational health professionals from the Labor Occupational Health Program, based at the School of Public Health, University of California, Berkeley. Pursuant to Business and Professions Code section 7389, the health and safety course shall be taught in schools approved by the Board.

Board staff believe it is time for an update to the course. Because the entire course textbook is 512 pages, staff believe the best course of action is for members of the committee to review sections and then bring their revisions back to the full Committee. The sections and recommendations for committee members are below.

#### Section 1 – The California Board of Barbering and Cosmetology

- Review by: Board staff, Calimay Pham

#### Section 2 – Safely Using Chemicals

- Review by: Leslie Roste

#### Section 3 – Safety Data Sheets

- Review by: Paul Bryson

#### Section 4 – Protection from Hazardous Chemicals

- Review by: Jude Balmin, Paula Johnson

#### Section 5 – Ergonomics

- Review by: Brandon Hart

#### Section 6- Communicable Diseases

- Review by: Leslie Roste

#### Section 7 – Health and Safety Laws and Agencies

- Review by: Calimay Pham

Section 8 – Solving Health and Safety Problems

- Review by: Brandon Hart

Section 9 – Understanding Workers' Rights and Responsibilities

- Review by: Reese Isbell, Danielle Munoz

Section 10 – Physical and Sexual Abuse Awareness

- Review by: Reese Isbell, Danielle Munoz

**Action Needed:** The Committee shall advise if they approve of their assigned section(s) or if they would like to switch. Members shall then review their sections prior to the next Committee Meeting.

*Agenda Items*

*No. 4-6*

*No Attachments*