

**California Board of  
Barbering and Cosmetology**

**Board Meeting  
Minutes of August 11, 2025**

**BOARD MEMBERS PRESENT**

Tonya Fairley, President  
Kellie Funk, Vice President  
Anthony Bertram  
Megan Ellis  
Dr. Yolanda Jimenez  
Colette Kavanaugh  
Sinar Lomeli  
Tamika Miller  
Danielle Munoz  
Calimay Pham  
Steve Weeks

**STAFF MEMBERS PRESENT**

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

**BOARD MEMBERS ABSENT**

None

**1. Call to Order/ Roll Call/ Establishment of Quorum**

Board President Tonya Fairley convened the meeting at approximately 10:00 a.m. Roll call was conducted, confirming the presence of a quorum.

**2. Petition for Reinstatement Hearings**

The Board conducted Petition for Reinstatement hearings for two individuals seeking reinstatement of their cosmetologist licenses: Thuong Dang (#KK450370) and Kaying Elmer (#KK161680). Following the hearings, the Board entered Closed Session pursuant to Government Code section 11126(c)(3) to deliberate on the petitions.

**3. Board President's Welcome (Tonya Fairley)**

Tonya Fairley welcomed attendees and officially introduced new Board Member Sinar Lomeli. She noted that public comment would be available for each agenda item and again at the end of the meeting for items not on the agenda, with comments limited to three minutes and no direct Board response permitted.

**4. Board Member Updates – Informational only**

Board Members reported no updates.

**5. Department of Consumer Affairs (DCA) Update Which May Include Updates on DCA's Administrative Services, Human Resources, Enforcement, Information Technology, Communications and Outreach, and Legislative, Regulatory, or Policy Matters.**

Shelly Jones from DCA, Board and Bureau Relations, provided an update. She reported that Governor Newsom's proposed 2025–26 State Budget included a reorganization plan to divide the Business, Consumer Services and Housing Agency into two new agencies: the California Housing and Homelessness Agency, and the Business and Consumer Services Agency. The plan was enacted on July 5 and will take effect on July 1, 2026. Under the new structure, DCA will be one of eight departments within the Business and Consumer Services Agency. DCA is actively participating in agency work groups to prepare for the transition and will continue to keep boards and bureaus informed.

Ms. Jones reported that on March 3, Governor Newsom issued an executive order requiring all state agencies and departments to update their hybrid telework policies, increasing in-office requirements from two to four days per week effective July 1, 2025. However, agreements reached at the end of June with several labor unions representing DCA employees delayed the four-day in-office requirement by one year for most employees. Ms. Jones expressed appreciation for staff flexibility as these changes continue to evolve.

Ms. Jones continued by providing an update on fiscal year travel policies. Out-of-state travel is limited to mission-critical purposes, including enforcement actions, revenue collection, statutory requirements, auditing, and litigation. A June 16 memo outlined the criteria. Travel requests must be submitted to DCA's budget office at least eight weeks in advance for review. Board members and staff are reminded to minimize costs through careful planning, including evaluating rental cars versus ride-sharing, carpooling, and retaining receipts for reimbursement of expenses such as baggage fees. Questions may be directed to the assigned budget analyst or member relations.

Ms. Jones highlighted the DCA Annual Report as one of the department's largest projects, noting that staff compile information and statistical data throughout the year to create a comprehensive report for submission to the Legislature. The report, published on the DCA website this summer, details the department's actions and accomplishments.

In closing, Ms. Jones acknowledged Kristy Underwood for her ongoing partnership and dedication to the Board and DCA. She also congratulated new Members Sinar Lomeli and Michelle Edgar on their appointments.

Steve Weeks asked whether the number of boards reporting under DCA will change under the new reorganization. Ms. Jones confirmed that the number of boards remains the same. The reorganization only splits the current agency into two separate entities to allow for different operational focuses.

Tonya Fairley shared her experience attending a prior DCA meeting regarding budget and travel accommodations. She highlighted the importance of cost-conscious travel planning, suggesting strategies such as coordinating transportation, using ride-sharing, and minimizing hotel stays when possible to reduce expenses.

**Public Comment:** There were no comments from members of the public.

## **6. Discussion and Possible Approval of the May 19, 2025, Board Meeting Minutes**

**Motion:** Kellie Funk moved to approve the May 19, 2025 Board Meeting Minutes. Calimay Pham seconded the motion.

**Public Comment:** There were no public comments received.

**Roll Call Vote:** Motion to approve the February 10, 2025 Board Meeting Minutes carried: 10 yes, 0 no, and 1 abstain (Sinar Lomeli), per the following roll call vote:

- Committee Members voted “Yes”: Tonya Fairley, Kellie Funk, Anthony Bertram, Megan Ellis, Dr. Yolanda Jimenez, Colette Kavanaugh, Tamika Miller, Danielle Munoz, Calimay Pham, Steve Weeks

## **9. Discussion and Possible Action on Apprenticeship Program:**

- a. Update on the June 16, 2025, and July 14, 2025, Apprentice Task Force Committee Meetings
- b. Review and Approval of the Apprenticeship Report

Tonya Fairley noted that the discussion would move ahead to Agenda Item 9 to address the Apprenticeship Program. She thanked task force members for their participation in two prior meetings, noting the sessions were highly informative and detailed.

Kristy Underwood provided an overview of the Apprenticeship Task Force and the most recent draft of the Apprenticeship Report. She highlighted that the task force included Board Members, Board Staff, three approved Program Sponsors, three Local Education Agencies (LEAs), and a former apprentice who is now a successful barber and business owner. Ms. Underwood noted collaboration with external agencies, including LAUSD, to support the program. Updates to the report were highlighted in red, with the goal of approving it for inclusion in the upcoming Sunset Report, although minor revisions may be made at the next meeting.

Ms. Underwood emphasized statutory recommendations for the Sunset Report, noting widespread fraud in the industry, particularly apprentices being treated as booth renters rather than employees. Proposed changes include ensuring apprentices are W-2 employees paid an hourly wage, preventing them from being compensated solely by commission, and strengthening oversight of training facilities.

Steve Weeks asked about potential opposition to the recommendations. Ms. Underwood noted that concerns may arise regarding the Board’s purview, as some recommendations could overlap with labor regulations enforced by other entities. Additionally, some programs may resist limits on training facilities, which have contributed to current program abuses. The recommendations aim to clarify the Board’s authority and allow enforcement action against noncompliant apprenticeship sponsors.

Kristy Underwood discussed the first recommendation, which would establish a process for review and approval of new program sponsors, including consideration of an initial application and renewal fee. She noted that apprentices currently pay a \$25 application fee, while program sponsors do not pay any fees for approval. Any proposed fee for program sponsors would reflect the actual costs incurred by the Board in managing and enforcing the apprenticeship program, rather than being arbitrary. Fees are intended to cover administrative and enforcement expenses, similar to how licensee fees fund consumer protection and reinstatement hearings.

Steve Weeks inquired about the potential range of such a fee. Ms. Underwood indicated that it would likely be modest, estimating around a few hundred dollars every two years, rather than thousands.

Ms. Underwood continued by outlining proposed requirements for program sponsor approval. She emphasized that each sponsor should be limited to utilizing a single LEA, as multiple LEAs currently create inconsistencies and potential misuse of funds. She explained that LEAs are reimbursed \$9 per hour for related training, but when multiple LEAs are used, there is no coordination, which can result in duplicate reimbursements or payments for non-existent apprentices.

Ms. Underwood discussed a proposed requirement that all approved programs be located within 60 miles of their assigned LEA. She noted that the issue was debated during the apprenticeship task force, as some LEAs currently oversee programs across the state. She emphasized that this distance limitation is intended to improve oversight of theoretical education, which is directly tied to exam performance. Current pass rates for cosmetology are approximately 33%, indicating potential gaps in program effectiveness.

Tonya Fairley added that some programs operate affiliates or satellite locations, such as a program in San Diego with remote classes in Bakersfield via Zoom, making monitoring difficult. She emphasized the importance of aligning program locations with LEAs to ensure apprentices receive the proper training they are paying for, acknowledging there may be some resistance from programs accustomed to existing practices.

The discussion then covered the need for program sponsors to be approved to teach in multiple languages. Currently, there is no oversight of the languages in which apprentices are taught. While schools approved by BPPE must be authorized to teach in languages such as Spanish, no similar approval exists for apprenticeship programs, leaving many apprentices without instruction in their primary language.

Next, approved programs would be required to hold quarterly committee meetings that include the Board, DAS, and their LEA. While many program sponsors already hold regular meetings, the proposal seeks to make these meetings mandatory, as current program standards lack consequences for noncompliance.

Kristy Underwood addressed the requirement for program sponsors to obtain and maintain On-the-Job Training (OJT) logs and daily activity records, making them available to the Board upon request. Although already required, the proposal aims to explicitly reinforce this obligation.

The next recommendation focuses on restricting program sponsor approvals, ensuring that sponsors cannot franchise, transfer, or share their approval. Additionally, all enrollments must be directly between the sponsor and apprentice, and training must align with the apprentice's scope of practice to ensure proper on-the-job training.

Ms. Underwood then addressed workers' compensation requirements. Establishments must maintain coverage for the entire duration of the apprentice's employment and provide proof of insurance to the Board upon request. While currently required, issues have arisen when policies are obtained only at the start of the apprenticeship and subsequently canceled. The proposal emphasizes continuous coverage for the full two-year apprenticeship period.

Kristy Underwood next discussed enforcement, proposing a formal disciplinary process for program sponsors. This would include the ability to suspend new enrollments if violations are identified, aligning with existing DAS procedures. She also recommended a structured process for handling violations—modeled on licensee disciplinary procedures, including filing accusations through the Attorney General's office and holding hearings—to replace the less formal apprenticeship appeal committee process.

The discussion then moved to apprentice license maintenance, with a recommendation to establish a processing fee for transactions. Apprentices frequently transfer between salons or trainers, and while program sponsors often charge a fee, the Board also incurs significant administrative work. The proposed fee is intended to offset the costs of processing hundreds of annual maintenance transactions.

The final recommendation focused on implementing consequences for violations by trainers and establishment owners. Under the proposal, trainers who fail to meet program requirements—such as completing OJT logs or providing proper supervision—would be barred from serving in that role for a minimum of five years. Establishment owners would face comparable penalties.

Members discussed modifying the duration for trainers, with consensus favoring a two-year restriction. Tonya Fairley suggested implementing a graduated disciplinary scale, including warnings for first offenses, and escalating penalties for repeated violations. Kristy Underwood recommended staff develop a formal process outlining these steps to present at a future meeting.

Dr. Yolanda Jimenez proposed creating a formal complaint process for apprentices, including a "bill of rights" to enable self-advocacy. Ms. Underwood confirmed that a draft flyer has been created to communicate apprentices' rights and guidance on reporting violations. This flyer will be distributed to all current apprentices and finalized for review at the next meeting.

Kristy Underwood summarized that the apprenticeship report reflects the program's current status, noting that minor adjustments may still occur as new issues arise. The report will be finalized at the next board meeting.

Tonya Fairley emphasized the intensity and passion of the task force discussions, highlighting that the focus has always been on supporting apprentices. She acknowledged the team for

their dedication in strengthening the program, expressing appreciation for their efforts and commitment. Ms. Fairley encouraged members to review the report thoroughly before the next meeting and consider what they would want to see if entering an apprenticeship themselves.

Sabina Knight, Legal Counsel, clarified that any work completed by staff between meetings would be presented as focused changes or additions, allowing members to review updates without revisiting the entire report. She emphasized that this would not be the final review, and members would have an opportunity to approve any revisions at that time.

**Motion:** Kellie Funk made a motion to approve the Apprenticeship Report to be included as part of the Sunset Report. Dr. Yolanda Jimenez seconded the motion.

**Public Comment:** Fred Jones from the Professional Beauty Federation responded to Mr. Week's earlier question about potential opposition to the proposed changes. He noted that the primary gatekeepers would be the legislature, which will closely scrutinize whether the state board's mission—to protect consumers of barbering and cosmetology services—is being fulfilled.

He cautioned that aspects such as W-2 requirements and labor program sponsors could be questioned as overlapping with other agencies like DAS or the Labor Commissioner, which may not fully understand the industry. He commended the executive officer and president for addressing these gaps but advised keeping expectations realistic, emphasizing that legislative approval will hinge on clearly demonstrating consumer protection and harm prevention.

Gary Federico added to the public comments, emphasizing that apprentices should be considered consumers of the program. He suggested providing a clear fact sheet outlining key information. He noted that while students often sign numerous documents, they may not fully understand them, and a concise fact sheet would increase awareness and protect apprentices.

**Roll Call Vote:** Motion to approve the Apprenticeship Report to be included as part of the Sunset Report carried: 11 yes, 0 no, and 0 abstain, per the following roll call vote:

- Committee Members voted "Yes": Tonya Fairley, Kellie Funk, Anthony Bertram, Megan Ellis, Dr. Yolanda Jimenez, Colette Kavanaugh, Sinar Lomeli, Tamika Miller, Danielle Munoz, Calimay Pham, Steve Weeks

## **10. Discussion and Possible Action on the Board's 2026 Sunset Review Report**

### **a. New Issues to be Included:**

- i. Discussion and Possible Action on School Oversight
- ii. Discussion and Possible Action on Licensure by Endorsement
- iii. Discussion and Possible Action on Establishing Combined Barber-Cosmo License and Manicurist-Esthetician License
- iv. Discussion and Possible Action on Allowing Limited Liability Companies to Hold Establishment License
- v. Discussion and Possible Action on Remedial Education and Clean-Up Language

Kristy Underwood introduced the Sunset Review discussion, noting that the final report is still in progress and will be a substantial two-volume document due to the amount of data and explanations required. While the complete draft was not yet available, she explained that the purpose of this meeting was to focus on the most significant new issues being proposed for inclusion.

She highlighted that this section of the report allows the board to present new or previously unaddressed issues to the legislature, identifying areas where statutory or regulatory changes are needed. The first issue discussed was oversight of schools. Ms. Underwood explained that under current law, board inspectors are limited to health and safety reviews and cannot evaluate areas such as contracts, attendance records, or whether schools are improperly selling hours. Since these concerns are frequently raised, staff recommended legislative changes to grant the board expanded authority to review school operations and to establish a fee to support this oversight.

Next, Ms. Underwood reviewed the school application process, noting that while applications require a full review and inspection, there is currently no fee or renewal requirement. A recommendation was made to establish a fee under Section 7425.1 and require periodic renewal, consistent with other license types.

She also highlighted the need for better coordination with the Bureau for Private Postsecondary Education (BPPE). While the board provides inspection reports to BPPE, it does not consistently receive BPPE's disciplinary actions or citations, forcing staff to search the database manually.

Kristy Underwood continued by addressing concerns over fraud in out-of-state license endorsements. Currently, applicants may transfer between states without clearly disclosing where they completed examinations, creating a loophole that allows some to obtain California licenses without testing for minimal competency. To close this gap, the board recommended requiring full disclosure of examination history as a condition of licensure by endorsement, ensuring all licensees meet California's testing standards.

Ms. Underwood also discussed establishing combined license pathways (e.g., Barber/Cosmetology or Manicuring/Esthetics). Currently, students must pursue dual licenses, paying duplicate fees and renewals, despite overlapping training requirements. The proposed model would streamline this by creating single combined licenses with adjusted hour requirements: 1,400 hours for Barber/Cosmetology and 800 hours for Manicuring/Esthetics. These hours were calculated by aligning statutory "like-for-like" training across disciplines and adding distinct requirements. This approach would reduce barriers for students, prevent schools from overcharging for duplicate programs, and provide broader service opportunities under one license. The board's testing vendor confirmed the feasibility of developing a combined examination to support this change.

The discussion moved forward to the recommendation that establishments may legally operate as limited liability companies (LLCs). While many already operate under this structure, current statutes do not explicitly permit it. The proposed change would formally authorize LLCs, providing clear legal recognition.

Kristy Underwood concluded by explaining that under Assembly Bill 384 (January 2024), the board is authorized to implement remedial education in lieu of a first offense for health and safety violations. She recommended amending the language from “board offered” to “board approved,” allowing the program to be contracted to external experts instead of developed internally. This adjustment would streamline implementation and reduce costs.

Calimay Pham suggested an edit under “Licensure by Endorsement” (page 3 of 8) to change section 7331B from “both” to “all” to reflect the addition of a third requirement.

Steve Weeks raised a concern that disciplined individuals could return as employees or managers of LLCs or corporations, bypassing board oversight. Staff agreed to review this issue, noting some LLCs are already restricted and that other boards may offer precedents.

**Motion:** Colette Kavanaugh made a motion to approve Items 1-5 on Agenda Item 10(a) to be added to the Sunset Review Report. Megan Ellis seconded the motion.

**Public Comment:** Fred Jones of the Professional Beauty Federation provided public comment, praising many of the board’s proposals but cautioning against expanding oversight of schools. He noted that while the board regulates structural elements and safety, other responsibilities, such as student contracts, fall under BPPE. Mr. Jones compared this to having multiple agencies enforcing the same rules, which could increase inspections and administrative costs without benefiting students. He recommended maintaining a single agency for oversight until the legislature provides sole authority to the Board.

Gary Federico, a former school owner, echoed support for the board’s proposals but emphasized concern over dual oversight. He agreed with Mr. Jones that having both the board and BPPE regulating schools is unnecessary, noting that BPPE primarily collects funds without providing meaningful oversight. He also highlighted the impact of shortened programs on student readiness, supporting the proposed 1,400-hour combined license model as a way to better prepare students for practical experience and build confidence.

Gracie Young asked for clarification regarding school hours and the minimum wage for apprentices. She inquired whether all programs would return to 1,400 hours and expressed concern about how small salons and barber shops could sustain apprentices under minimum wage requirements without commissions. Tonya Fairley clarified that the proposed 1,400-hour requirement applies only to combined licenses. She also emphasized that participation in the apprenticeship program is voluntary and that apprentices are compensated as employees in accordance with program guidelines.

**Roll Call Vote:** Motion to approve Items 1-5 on Agenda Item 10(a) to be added to the Sunset Review Report carried: 11 yes, 0 no, and 0 abstain, per the following roll call vote:

- Committee Members voted “Yes”: Tonya Fairley, Kellie Funk, Anthony Bertram, Megan Ellis, Dr. Yolanda Jimenez, Colette Kavanaugh, Sinar Lomeli, Tamika Miller, Danielle Munoz, Calimay Pham, Steve Weeks

## **10(b) Discussion and Possible Action on Board Action and Response from Prior Sunset Issue**

Kristy Underwood explained that this section of the sunset report outlines the issues raised during the last review, the committee’s recommendations, and current updates.

The first issue concerned Board composition. Legislative changes following the last review expanded the Board from nine to thirteen members, ensuring representation from each licensing category while maintaining a public-member majority. With a recent appointment completed, only one vacancy remains for the establishment owner position, leaving one industry seat to be filled.

The second issue focused on regulatory processes. Ms. Underwood explained that a dedicated regulations unit has been established within the department. A chart outlining all regulations since the last sunset review—including their initiation dates and current status—was provided for reference.

The third item relates to personnel flexibility. Ms. Underwood stated that this change enabled the board to establish special investigator positions within the enforcement unit. These investigators concentrate on consumer harm cases, the apprenticeship program, and conduct more in-depth investigations than routine inspectors. Their responsibilities include background checks, interviews with complainants and licensees, and preparing detailed enforcement reports that may be referred directly to the Attorney General’s Office.

The fourth issue addressed medical practice. Section 7320 was amended to state that licensees may not “perform or offer” services considered medical.

The fifth issue concerned school oversight, a recurring topic in every sunset review. The committee inquired about the Board’s relationship with BPPE and the resources available to support oversight. While fee authority was requested in the previous review, it was not granted, and Ms. Underwood emphasized the continued need to implement fees for this work.

The sixth item relates to AB 5 and its implications for board licensees. Ms. Underwood explained that, although the board is generally exempt from labor provisions defining independent contractor versus employee status, these rules still apply to manicurists. The board provided background information and noted its position supporting equal treatment for all licensees.

Ms. Underwood noted that the seventh issue focused on scope of practice. The board supports maintaining all current services within the licensed scope of practice. She also highlighted the evolving risks in the industry, noting that modern services—such as acrylic nails, hair coloring, and facials—present significantly greater hazards than in the past. As an example, she cited a recently banned product, a “magic” acrylic nail remover, which contained paint thinner and posed serious safety risks. These details were added to the sunset report to better inform the legislature about the potential harm associated with licensed services.

Item eight addressed training hours. Following the last sunset review, hours were reduced to 1,000 to lower barriers to entry. Ms. Underwood commented that while the board does not track demographics or school enrollments, licensure has increased, and pass rates—outside

of the apprenticeship program—have stabilized. The industry continues to rebound from pandemic-related impacts.

The following item addresses examinations. Ms. Underwood explained that at the last sunset review, the practical exam was removed. She highlighted concerns from industry stakeholders that students may pass the theory exam but lack hands-on readiness for employment. She proposed that schools consider implementing a mandated practical exam to ensure students meet minimum practical standards before entering the workforce.

Item ten covered endorsement licenses. Kristy Underwood noted a significant increase in licenses issued based on out-of-state credentials, with over 4,000 issued in 2025. She emphasized the need for proof of exam passage to ensure licensees meet California's competency standards, citing ongoing cases of fraudulent licenses that have resulted in consumer harm.

For item eleven, apprenticeships and externs, Ms. Underwood highlighted that barbers may now serve as externs and that the section will include recommended changes to the apprenticeship program.

Turning to item twelve on personal service permits, Ms. Underwood reported that the program is now fully implemented, with 265 permits issued to date.

Addressing item 13, Ms. Underwood explained that the rules for mobile units were significantly updated to replace outdated regulations, resulting in 41 new mobile units issued since January 1, 2022.

The next item considered was citations. The committee recommended that citations prioritize consumer safety. The board has implemented internal processes to evaluate violations, distinguishing between those that require education versus fines. Inspectors' findings are reviewed in context, and some citations result in no fines, with repeated violations subject to penalties. A new administrative fine schedule will be presented at the November meeting.

Ms. Underwood moved to item 15, licensee in charge. She stated that clarifying language requested in the previous sunset review had not been adopted. The proposed language would confirm that an establishment owner may also serve as the licensee in charge, reflecting current practice. Tonya Fairley asked for clarification, noting that many establishment owners are not licensed. It was confirmed that the proposed language applies even if the owner does not hold a license.

The next issue discussed was mandatory inspections following licensure. Ms. Underwood explained that while inspectors were previously required to conduct an initial inspection within 90 days of issuing a license, this requirement was removed during the last sunset review, as it was unnecessary. Establishments are now inspected on a regular basis without the initial 90-day mandate.

Items 17 through 19 were then presented. Item 17 addressed the effects of the COVID-19 pandemic on the industry. Item 18 covered technical updates, including a correction allowing health and safety advisory committee members to receive a per diem. Finally, item 19

confirmed that the board should continue to be regulated, consistent with previous sunset reports.

Several committee members expressed support for reinstating a practical exam. They noted that many new licensees, such as electrologists, lack confidence in basic skills and that a practical component would improve competency. Concerns were raised about bias if schools administer the exam, suggesting a third-party testing environment. Sabina Knight clarified that the document only covers prior sunset items and suggested focusing on the current issue before addressing the practical exam.

**Motion:** Dr. Yolanda Jimenez made a motion to approve Agenda Item 10(b) for inclusion in the Sunset Review Report, with the exception of Item 9 on page 6 of 11 regarding the practical exam, which will be addressed separately. Calimay Pham seconded the motion.

**Public Comment:** Fred Jones recommended including concrete examples of consumer harm in the Sunset Review Report. He emphasized that legislators often do not understand the hands-on risks in the industry and noted past incidents, such as a major infection outbreak from foot spa services, as examples. He urged the board to highlight these risks to advocate for proper regulation and prevent further deregulation.

Jaime Schrabek of Precision Nails emphasized that risks in the industry, such as exposure to banned chemicals like methylene chloride, should be well understood by practitioners and taught in beauty schools. She recommended that the board receive notifications of insurance settlements over \$25,000, similar to the medical board, to better track consumer harm and provide legislators with a clearer understanding of industry risks.

**Roll Call Vote:** Motion to approve Agenda Item 10(b) for inclusion in the Sunset Review Report, with the exception of Item 9 on page 6 of 11 regarding the practical exam, which will be addressed separately carried: 11 yes, 0 no, and 0 abstain, per the following roll call vote:

- Committee Members voted "Yes": Tonya Fairley, Kellie Funk, Anthony Bertram, Megan Ellis, Dr. Yolanda Jimenez, Colette Kavanaugh, Sinar Lomeli, Tamika Miller, Danielle Munoz, Calimay Pham, Steve Weeks

## **8. Discussion and Possible Action Regarding Rulemaking Proposals:**

### **a) AB 485 (Ortega) – Labor Commissioner: unsatisfied judgments: nonpayment of wages**

Kristy Underwood thanked the board for their flexibility in addressing action items first and provided an update on AB 485, a bill concerning unsatisfied judgments and non-payment of wages. The bill would require state licensing agencies to deny new applications or renewals for employers with unresolved violations. She recommended that the board maintain its current "watch" position, noting that the bill is still moving through the legislative process.

### **b) AB 504 (Ta) – Worker Classification: Manicurists' employee or independent contractor**

AB 504, related to independent contractor status for manicurists, is not moving forward and will be closed out.

**c) AB 625 (Nguyen) – Barbering and Cosmetology**

AB 625, is also not moving forward and will be closed out.

**d) AB 667 (Solache)– Professions and vocations: license examinations: interpreters**

AB 667 addresses licensing examination interpreters. The board has a watch position on this bill and no change is recommended. Since interpreters are already allowed for all licenses unless otherwise specified, this bill would not affect current board practices.

**e) AB 742 (Elhawary) – Department of Consumer Affairs: licensing: applicants who are descendants of slaves.**

AB 742 addresses licensure for descendants of American slaves, mandating that boards expedite their applications. The bill is still progressing through the legislative process and would establish a new agency. The board has adopted a watch position, and no change to that stance is recommended.

**f) AB 1514 (Assembly Members Ortega (Chair), Elhawary, Kalra, and Ward) – Labor contracts**

**Motion:** Kellie Funk moved to support Assembly Bill 1514. Tonya Fairley seconded.

**Public Comment:** Jaime Schrabek noted that licensed hairstylists are currently excluded from AB 1514. She emphasized that all license types should be explicitly named to ensure equal treatment, and that future license types, such as barber cosmetologists and manicurist estheticians, should also be included.

**Roll Call Vote:** Motion to approve support for Assembly Bill 1514 carried: 11 yes, 0 no, and 0 abstain, per the following roll call vote:

- Committee Members voted “Yes”: Tonya Fairley, Kellie Funk, Anthony Bertram, Megan Ellis, Dr. Yolanda Jimenez, Colette Kavanaugh, Sinar Lomeli, Tamika Miller, Danielle Munoz, Calimay Pham, Steve Weeks

**g) SB 236 (Pierson) – Cosmetics: chemical hair relaxers.**

SB 236 addresses chemical hair relaxers and prohibits the manufacture, distribution, or sale of products containing certain specified ingredients identified by the Department of Toxic Substances Control. The board took a watch position, as the bill does not directly impact enforcement but would affect licensees.

**h) SB 470 (Laird) – Bagley-Keene Open Meeting Act: teleconferencing.**

Senate Bill 470 relates to the Bagley-King Open Meeting Act and teleconferencing, which allows committee meetings to be held online while staff remain in a single location accessible to the public. The bill proposes extending the repeal date for alternative teleconferencing from January 1, 2026, to January 1, 2030. The board supports the bill and recommends maintaining the support position.

**i) SB 641 (Ashby) – Department of Consumer Affairs and Department of Real Estate: states of emergency: waivers and exemptions**

The final bill discussed was SB 641, which addresses emergency waivers and exemptions. Introduced in response to events such as the Los Angeles fires, the bill would authorize DCA boards to temporarily waive certain licensure provisions for licensees and applicants impacted by declared federal, state, or local emergencies. Previously, extensions had to be issued through the Governor’s executive order; this bill would streamline that process. The board adopted a support position, and it was recommended that this position be maintained.

**7. Executive Management Reports**

**a) Administration and Operations**

Kristy Underwood began by sharing that the unit currently has one vacancy and staff continue to telework following the Governor’s delayed return-to-office order. She highlighted the importance of ongoing cost-saving efforts, encouraging board members to coordinate travel through the most economical options, including ridesharing or carpooling with staff when feasible.

Additionally, the preliminary FY 2024–25 budget was presented, with the final version to be shared at the next board meeting. In response to questions from Steve Weeks, Ms. Underwood explained that consulting and professional services costs exceeded projections largely due to expenses related to the office move, including movers, reconfiguration, and new office construction. She also clarified that the \$70,000 listed under per diems covered not only board stipends but also overtime payments and lump-sum payouts for retiring staff.

**b) Licensing, Examinations, and Disciplinary Review Appeals**

The Licensing Exams and Disciplinary Review Committee report noted one current vacancy and the promotion of Alex Gear to Licensing Manager. In addition, Ms. Underwood highlighted the grand reopening of Valley State Prison’s barbering program, which expanded from an existing cosmetology program through industry partnerships and donations spearheaded by barber and influencer Vic Blends. The event, which included a ribbon-cutting ceremony, drew significant attention and will serve 16 students under credentialed instructors with fully equipped facilities.

Turning to exam and application data, staff reported steady application volume in FY 24-25, particularly for establishments, along with consistently high email traffic managed effectively by licensing staff. Examination results continue to show stronger performance among school program graduates compared to apprentices or out-of-country applicants, with pass rates further broken down by first-time and repeat test takers. Notably, the cosmetology apprentice

pass rate remains low at 35%, with many candidates testing in Spanish, raising questions about whether training is adequately aligned with the language needs of students.

### **c) Enforcement, Inspections, and Cite and Fine**

Kristy Underwood reviewed licensing and enforcement data. She reported that 39,857 licenses were issued in FY 2024-25, the highest number in the past five years, bringing the total license population to nearly 660,000. Survey data indicated only 23% of licensees are employees, while 35% are independent contractors and 32% are not currently working but maintain their licenses. Additional results showed a higher percentage of independent contractor activity when reported by salons versus individuals.

DRC reported one current vacancy and its next hearing scheduled for September 8–9 in Burbank. Enforcement staff highlighted three vacancies within the unit and a sharp increase in complaints—6,281 received in FY 2024-25 compared to prior years. Of these, 128 cases were referred to the Attorney General, also a significant increase. The Board currently has 64 active probation cases.

Inspection and citation data were also presented. The mobile inspection program is now fully implemented, with all inspectors utilizing iPads in the field. Staff also reported on monthly citation trends, payment notices, and installment plan requests.

### **d) Outreach**

The outreach update highlighted recent and upcoming events, including participation at an event held at Highlands High School in May 2025, a resource fair at the Mexican Consulate, and the Northern California Small Business Development Center’s Beauty Boss event. The board will also participate in “Lash Con” on October 11–12, a lash industry expo where staff were invited to host a complimentary booth.

The update also covered recent listserv communications. In social media, Ms. Underwood reported the August 1 launch of a standalone Spanish Facebook page, complementing the existing Vietnamese page. In addition, staff introduced its new “Groom and Glow” campaign, designed to share summer hair, skin, and nail care tips.

### **e) Strategic Plan Update**

The strategic plan update highlighted several key initiatives. The pre-apprentice training course launched on July 1, 2025, fulfilling a Sunset requirement and developed via contracted resources, a model the Board hopes to follow for remedial education. The mobile inspection application has been fully implemented, allowing inspectors to conduct field inspections via iPad. Additionally, the Board continues its quarterly newsletter, the *Barber Cosmo Update*, which will release its 10th issue in August 2025.

## **11. Review and Discussion of Family Support Holds on Board Licenses**

Kristy Underwood reviewed the process for family support holds on board licenses. She explained that these holds, typically related to child support or other monetary obligations, are

automatically flagged in the licensing system. Applicants with a hold may receive a 150-day temporary license and must work with their local Department of Child Support Services to resolve the issue. If resolved, a full-term license is issued; if not, the license may be suspended after approximately 60 days. Board staff do not manage the details of the hold but can refer applicants to the appropriate resources. Kellie Funk raised concerns about the impact on an individual's ability to work, and Ms. Underwood clarified that the process is governed by law and aims to help individuals get back on track.

## **12. Discussion and Possible Action Regarding Rulemaking Proposals:**

- a) Update Regarding Rulemaking to Amend Title 16, California Code of Regulations (CCR) Sections 910, 918, 919, 926, 941, 965.2, 971, 974.1, 974.2, 983 and 984 (Section 100 Technical Clean-Up)
- b) Update Regarding Rulemaking to Amend Title 16, CCR section 911 (License by Endorsement (Reciprocity), Application and Out of State License Certifications)
- c) Update Regarding Rulemaking to Amend Title 16, CCR sections 913, 913.1, 914.1, 914.2, 915, 917, 918, 918.1, 919, 919.1, 920, 921, 921.1, 921.2, 922, 924, 924.1, 925, 926, 927 (Apprenticeship)
- d) Update Regarding Rulemaking to Amend Title 16, CCR section 917 (Pre-Apprentice Training)
- e) Update Regarding Rulemaking to Amend Title 16, CCR section 931 (Interpreters for Licensing Exams)
- f) Update Regarding Rulemaking to Amend Title 16, CCR sections 940, 941, 950.10, 950.12, 962, 962.1, 962.2 (Schools and Externs)
- g) Update Regarding Rulemaking to Amend Title 16, CCR section 972 (Disciplinary Guidelines)
- h) Update Regarding Rulemaking to Adopt Title 16, CCR section 974.4 (SB 384: Remedial Education Program)
- i) Update Regarding Rulemaking to Amend Title 16, CCR section 977 et seq. (Health and Safety)
- j) Update Regarding Rulemaking to Amend Title 16, CCR section 998 (Hairstylist Licensing Fee)

Kristy Underwood provided an update on ongoing rulemaking proposals. Several regulation packages are in process, including technical cleanups and the pre-apprentice training regulations, both of which have been fully approved by the Office of Administrative Law. The hair styling licensing fees package has been posted for the 45-day public comment period. Other proposals in progress include interpreter requirements, disciplinary guidelines, and license reciprocity limits. No items required immediate board action. Staff continue to work on regulations related to apprenticeship programs, remedial education, and health and safety, with additional updates expected at the next board meeting.

**Public Comments:** There were no public comments on this agenda item.

## **13. Public Comment on Items Not on the Agenda**

Gracie Young, a Program Sponsor, asked about the status of currently operating satellite programs. Board staff noted they could not respond during the meeting but invited her to email Addison for a follow-up.

#### **14. Suggestions for Future Agenda Items**

Tonya Fairley reminded members that the next meeting in San Diego will include review and approval of the final Sunset Review Report, noting it will be a full day of discussion. Dr. Yolanda Jimenez asked how to submit comments regarding the practical exam, and staff clarified that they will prepare a proposal to bring back for consideration at the next meeting.

#### **15. Adjournment**

There being no further business to discuss, the meeting adjourned at approximately 4:00 p.m.