

CR 89-196

CERTIFICATE

STATE OF WISCONSIN

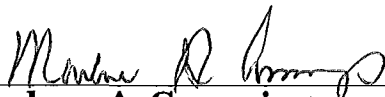
DEPARTMENT OF REGULATION AND LICENSING

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Marlene A. Cummings, Secretary of the Wisconsin Department of Regulation and Licensing and custodian of the official records of the Department, do hereby certify that the annexed rules were duly approved and adopted by the Barbering and Cosmetology Examining Board on the 1st day of October, 1990.

I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at 1400 East Washington Avenue, Madison, Wisconsin, this 16th day of October, 1990.



Marlene A. Cummings
Secretary
Department of Regulation
and Licensing

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STATE OF WISCONSIN
BARBERING AND COSMETOLOGY EXAMINING BOARD

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Bureau

IN THE MATTER OF RULE-MAKING	:	ORDER OF THE
PROCEEDINGS BEFORE THE	:	BARBERING AND COSMETOLOGY
BARBERING AND COSMETOLOGY	:	EXAMINING BOARD ADOPTING RULES
EXAMINING BOARD	:	(CLEARINGHOUSE RULE 89-196)

ORDER

An order of the Barbering and Cosmetology Examining Board to renumber BC 1.01 (7) to (13); to amend BC 3.01 (2) and (4) and BC 3.03 (1); and to create BC 1.01 (7) and BC 3.01 (12) of the administrative code relating to definitions, establishment requirements and booth rental and dual licensure.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutory authority: ss. 15.08 (5), 227.11(2)(a), Stats. 1987 Wis. Act 265
Statutes interpreted: s. 454.08 (4) and (6), Stats.

In this proposed order the Barbering and Cosmetology Examining Board provides a definition for "full time" which is compatible, but expands on the definition found at ILHR 126, Wis. Admin. Code. This proposed order also indicates the work hours requirements for managers of establishments. The changes proposed would allow an owner or manager to limit the number of hours an establishment is open for business.

Restrictions against carpet and absorbant floor coverings are removed. Emphasis is placed on cleanliness and safety, rather than the type of floor covering.

Equipment and supplies requirements are changed to require only the necessary equipment and supplies needed to perform the services offered. Many establishments do not offer the full range of barbering and cosmetology services and therefore should not be required to purchase and install equipment for services which will not be provided. The changes proposed would also allow establishments which share the same premises to share equipment and supplies.

TEXT OF RULE

SECTION 1. BC 1.01 (7) to (13) are renumbered (8) to (14).

SECTION 2. BC 1.01 (7) is created to read:

BC 1.01 (7) "Full time" means work which is performed for 30 hours per week or the maximum number of hours an establishment is open if the establishment is open less than 30 hours per week.

SECTION 3. BC 3.01 (2) and (4) are amended to read:

BC 3.01 (2) No barbering or cosmetology establishment shall operate without a licensed manager who has been designated on the application held by the board as a manager of record. The manager of record is required to work full time. The manager of record is not required to be in an establishment at all times when an establishment is open for business, unless the establishment is open less than 30 hours per week.

~~(4) Floor surfaces in an establishment shall be of a washable material. The floor of the work area shall be of a non-absorbant material such as tile, linoleum or commercial grade plastic floor protection.~~ All floor coverings in an establishment shall be kept in a clean, orderly and sanitary safe condition. Loose hair shall be swept removed regularly and placed in a closed container.

SECTION 4. BC 3.01 (12) is created to read:

BC 3.01 (12) At the location where services are provided to patrons, each establishment shall provide a basin appropriate to the services provided which has a hot and cold running water supply, and a chair which is designed for the service to be provided. Establishments shall provide the equipment and supplies necessary to perform the services offered.

SECTION 5. BC 3.03 (1) is amended to read:

BC 3.03 (1) More than one licensed establishment may be located within the same premises and share and simultaneously use only a common waiting room and toilet facilities. Every licensed barbering and cosmetology establishment shall have separate and fully equipped work stations and a manager of record.

The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro), Stats.

Dated

Oct. 1, 1990

Agency

Henry H. Moore
Chairperson

Barbering and Cosmetology
Examining Board

RULES-242
9/6/90

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CORRESPONDENCE/MEMORANDUM

STATE OF WISCONSIN

DATE: October 22, 1990

TO: Gary Poulson
Assistant Revisor of Statutes

FROM: Pamela Haack, Administrative Assistant
Department of Regulation and Licensing

SUBJECT: Final Rulemaking Order

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Agency: BARBERING AND COSMETOLOGY EXAMINING BOARD

Clearinghouse Rule: 89-196

Attached is a copy and a certified copy of a final order adopting rules.

Would you please publish these rules in the code.

Thank you.