
Barber's Board Meeting

Monday, September 11, 2017

A meeting of the State Board of Barbers was held on Monday, September 11, 2017 on the 3rd floor conference room at the Department of Labor, Licensing and Regulation building located at 500 North Calvert Street, Baltimore, Maryland 21202.

Board Member Attendees

Mr. Andrew Campbell III, *Industry Member*
Mr. James Dickerson, *Industry Member*
Ms. Alberta H. Fisher, *Industry Member*
Mr. Derris Gray, *Consumer Member*
Mr. Phillip Mazza, *Board President, Industry Member*

Other Attendees

Ms. Shirley Leach, *Executive Director*
Ms. Erica Lewis, *Deputy Executive Director*
Mr. Eric London, *Assistant Attorney General*
Mr. Matthew Dudzic, *Board Administrator*

Not Present

Mr. Derick L. Ausby, Sr., *Industry Member*

Agenda

Quorum Announced and Meeting Called to Order—Chairperson

A quorum was announced and the meeting was called to order at 10:15 AM by Mr. Phillip Mazza, Board President.

Approval of Agenda

Ms. Shirley Leach, Mr. Eric London and Mr. Matthew Dudzic offered amendments to the agenda. Mr. Phillip Mazza asked for a motion to approve the amended agenda. Mr. James Dickerson made this motion, and it was seconded by Mr. Andrew Campbell. The amended agenda was approved.

Introduction of New Industry Member

Mr. Phillip Mazza, Board President, welcomed Mr. Andrew Campbell III to the Board as a new industry member. Mr. Campbell said that he had been an educator and a master barber for almost three decades, and had previously worked with Mr. Mazza on the development of the barber-stylist license curriculum. Mr. Campbell thanked the Board for having him and said he was looking forward to working together.

Ms. Shirley Leach, Executive Director, took a moment to formally thank the previous industry member, Mr. Marvin T. Lee, for his years of service on the Board.

Informal Conferences

Apprentice Restart—L. Chapman

Mr. Larry Chapman appeared before the Board to request a restart of his barber's apprentice permit. Mr. Chapman originally held an apprentice permit in 2002 and accumulated 685 hours of training, but did not complete his apprenticeship. Mr. Chapman explained that he had been working at Dodge Park Barbershop and wanted to go back to cutting hair, and had a long term goal of opening his own establishment. Mr. Chapman went on to say that his old master barber did not offer much assistance and stopped signing off on his hours. He asked the Board to allow him to obtain his license and continue doing what he loved.

Mr. James Dickerson explained that Mr. Chapman would forfeit any hours he had accumulated thus far if this restart was approved. He also added that Mr. Chapman would be required to attend an orientation to ensure that he was properly educated this time around.

Mr. Phillip Mazza, Board President, asked for clarification regarding Mr. Chapman's employment at Dodge Park Barbershop, as he did not currently have a license. Mr. Chapman said that he was currently operating without a license, but that he did want to begin working in the correct way. Mr. Eric London, Assistant Attorney General, stated that he appreciated Mr. Chapman's honesty, but that it was absolutely essential that if Mr. Chapman wants to cut hair in Maryland, he do it in the proper way. Mr. London strongly recommended that Mr. Chapman refrain from working until he received his apprentice permit, and added that the Board would send inspectors to the barbershop in question to verify that he was not working without a license.

Mr. Chapman said that he had a vision, and was motivated to do things properly and eventually start his own business. He said that he loved to make people feel good and look good, and would do what it took to achieve his vision.

Mr. Dickerson made a motion to offer Mr. Chapman a final restart of his apprenticeship permit, contingent upon both Mr. Chapman and his sponsor attending the apprenticeship orientation, and upon Mr. Chapman agreeing not to work until his permit was issued. Ms. Alberta Fisher seconded this motion, and the motion passed unanimously.

Violation Review—Gold Scissors Barbershop

Mr. Julio Lazarro appeared on behalf of Gold Scissors Barbershop, which had failed a state board inspection. Mr. Lazarro entered into a consent order with the Board and was appearing before the Board as per the terms of the order.

Mr. Phillip Mazza, Board President, stated that there were both sanitation violations and unlicensed workers at Gold Scissors at the time of the inspection. Gold Scissors had submitted proof of corrections regarding the sanitation issues, but reiterated the importance of only allowing licensed individuals to work in his barbershop. Mr. Lazarro explained that he was having difficulty hiring barbers in Maryland, and had employed individuals who were attending school in Virginia. Mr. Mazza stated that they would not be permitted to work in the shop until they completed school, received their full Virginia license, and contacted the Board to request a Maryland license by endorsement.

Mr. Lazarro stated that the individuals he had previously employed in the shop were no longer working there, and that he understood that he was only permitted to have licensed individuals present. He stated that they only had one barber currently employed, and were only opening the shop at times when he was present.

Mr. Eric London, Assistant Attorney General, reiterated how important this was. He said that the Board would be sending out additional inspectors, and that if they found any evidence of unlicensed activity, the shop would be subject to new and even greater fines and penalties.

Mr. Lazarro asked for advice on how to hire new licensed barbers. The Board recommended that he reach out to local barber schools. Ms. Shirley Leach, Executive Director, also said that Mr. Lazarro could request a list of licensed barbers broken down by location. Mr. Lazarro thanked the Board.

Violation Review—Platinum Image Barbershop

An informal conference was held for Mr. Albert Linton, owner of Platinum Image Barbershop, which had failed two inspections initiated by a complaint filed with the Board. Mr. Albert Linton agreed to enter into a consent order with the Board in order to resolve the issues. As a condition of the consent order, Mr. Linton agreed to appear before the Board to discuss his violations.

Mr. Phillip Mazza, Board President, stated that on both inspection dates, an unlicensed individual by the name of Mr. Kenneth Weaver was observed working at the shop. Mr. Linton explained that Mr. Weaver was no longer working at the barbershop, and that all barber licenses were active and up to date. Mr. Mazza advised Mr. Linton that the Board would be sending out more inspectors to verify that the shop was meeting all necessary licensing and sanitation requirements.

Violation Review—Elite Unisex Barbershop.

Mr. Llimi Lanfranco appeared on behalf of Elite Unisex Barbershop, which failed its new shop inspection. Mr. Lanfranco explained that he received violations for unlicensed barbers, but he no longer employed those barbers. He said that the barbers had originally been licensed in another



country, but that they were now attending school to receive their Maryland barber's license, and that he planned to re-hire them when they completed their schooling and received their licenses.

Ms. Shirley Leach, Executive Director, explained that as a new shop, it was especially important to begin on the right foot. She said that the Board would not be able to issue a barbershop permit until they were sure that the shop was fully in compliance, which would mean only employing barbers with active Maryland licenses.

Mr. Lanfranco stated that he understood, and had already made the necessary changes. Mr. Phillip Mazza, Board President, advised Mr. Lanfranco that inspectors would be returning to his shop to verify this information.

Conviction Review

An informal conference was held to discuss an applicant who had answered yes to the conduct question due to a prior felony conviction. Due to the sensitive nature of the charges, Mr. Phillip Mazza, Board President, asked for a motion to enter into executive session per §3-305(b)(2). Mr. Derris Gray made this motion, and Mr. James Dickerson seconded it. The motion was approved, and the Board went into executive session at 11:10 AM. The Board came out of executive session at 11:30 AM.

Mr. Mazza summarized what took place during the executive session. He stated that the Board discussed the issuance of an apprentice permit, and after speaking with the apprentice and his sponsor, the Board unanimously agreed to issue the apprentice permit.

Apprentice Restart—S. Harris

Mr. Samuel Harris appeared before the Board to request a restart of his apprenticeship permit. Mr. Harris explained that originally became an apprentice in the nineties but decided to go into retail at the time. He tried again in 2012, but his father fell ill and he stopped to care for him. His father was a barber and a pastor, and after his father passed away, he decided to return to the field and complete his apprenticeship.

Mr. Phillip Mazza, Board President, asked for a motion to allow Mr. Harris to restart his apprenticeship. Ms. Alberta Fisher made this motion, and it was seconded by Mr. James Dickerson. The motion passed unanimously.

New Business

Inspection Report

Ms. Erica Lewis, Deputy Executive Director, informed the Board that the inspection supervisor, Ms. Nicole Thompson, had accepted another position with the State of Maryland. She stated that inspections were still continuing as usual, and that they were hoping to fill the position by

December. In the meantime, she said that the inspectors were inspecting between 23 and 30 shops per week.

Mr. Phillip Mazza, Board President, commended Ms. Lewis on the excellent job the inspectors were doing.

Complaint Committee Assignment

Mr. Andrew Campbell volunteered to sit on the complaint committee for the December meeting.

Electronic Violation Review

Mr. Matthew Dudzic, Board Administrator, reviewed a proposed online portal that would allow the complaint committee to review violations between meetings. Mr. Dudzic explained that the goal would be to eventually replace the physical meetings altogether.

Report on All School Meeting

Mr. Andrew Campbell provided an update on the recent all-school meeting held by PSI. He stated that when reviewing test results, there were major issues with barbers successfully passing the theory portion of the exam. Ms. Shirley Leach, Executive Director, added that in 2016 the practical portion of the exam had an 85% pass rate, while the theory portion only had a 44% pass rate. In particular, the chemical portion of the theory exam caused difficulty for many applicants. They discussed ways that schools and sponsors can improve training for the theory exam. Ms. Leach noted that these numbers were higher than last year, so it appeared that they were moving in the right direction.

Curriculum Review

Ms. Shirley Leach, Executive Director, noted that the current barbering curriculum included 8 theory hours and 20 practical hours on nails and manicuring, despite the fact that this was not in the scope of what was tested or taught in Maryland. Ms. Leach suggested redistributing those hours to other areas.

After some discussion, the Board agreed on the following redistribution of hours:

- Adding five theory hours to shaving and facial design and theory, bringing the total hours up to 10.
- Adding three theory hours to state board preparation, bringing the total hours up to 15.
- Adding 10 practical hours to haircutting (women's).
- Adding 10 practical hours to shaving.

Ms. Leach said she would advise the Maryland Higher Education Commission and the barbering schools of these changes.

Old Business

Mobile Barbershop Regulations

Mr. Phillip Mazza, Board President, explained that Mr. Derick Ausby had taken the lead on the development of mobile barbershop regulations, but was unable to attend this meeting to provide an update. Ms. Shirley Leach, Executive Director, stated that the Board of Cosmetologists were setting up similar regulations, and she would share the information she received from them with Mr. Ausby and Mr. Derris Gray.

Barber-Stylist License Implementation

Ms. Shirley Leach, Executive Director, explained that the examination for the barber-stylist license was ready to go as of August 28, and that PSI's candidate information bulletin was updated accordingly. She added that while no schools had yet filed an application to teach, they did have one person who expressed interest in taking the examination. She said that this information was provided to the schools at the recent all-school meeting.

Final Approval of Barber-Stylist Apprentice Regulatory Changes

Mr. Eric London, Assistant Attorney General, explained that in March the Board had voted and approved changes to COMAR 09.16.01.04 and 09.16.01.05 to reflect the addition of the barber-stylist apprentice permit. He said that while this was originally approved in March, it had to be published for 45 days and had an open period for public comment, which prevented the Board from voting for final approval at the June meeting.

After reviewing the revised language, Mr. Andrew Campbell made a motion for final approval of COMAR 09.16.01.04 and 09.16.01.05. Mr. James Dickerson seconded this motion, and the motion passed unanimously.

Mr. London explained that the new final language would go into the Maryland Register as quickly as possible, and become finalized 30 days thereafter.

Public Comment

James Shamil

Mr. James Shamil stated that he was a student in engineering management at Johns Hopkins University. He said that Hopkins did not have a barbershop on campus, and the closest shop was approximately 10 minutes away. He spoke to the campus about providing a space to set up a barbershop, and while they were unable to provide a permanent space, he believed it would be



possible to reserve empty classrooms on a rotating basis to act as barbershops. He said it was his goal to hire local licensed barbers to come in and practice in these temporary spaces, and wanted to know how to make this happen.

Mr. Eric London, Assistant Attorney General, said that while he understood the need, what was being suggested did not comport with Maryland's laws and regulations. He said that it would be difficult to set up a temporary space inside a classroom so that it complied with all the relevant safety and health issues. He suggested that if Hopkins was unable to offer a permanent space on campus, Mr. Shamil look for a permanent space in the neighborhood surrounding the campus.

Ms. Erica Lewis, Deputy Executive Director, added that once the mobile barbershop regulations were in place, he could also look into partnering with a local brick and mortar barbershop and setting up a trailer or RV as a mobile barbershop that could come on campus. Mr. Shamil said that he had looked into this, but was worried that the costs of purchasing and outfitting such a shop would be prohibitive. Ms. Shirley Leach, Executive Director, suggested that if this was an option he was strongly considering, that it might make sense to contact students other schools as well, so that the mobile shop could travel between different colleges and universities.

Jamal Cheatham

Mr. Jamal Cheatham stated that he was a licensed barber in Harford County, and wanted to know what more could be done about unlicensed barbershops and barbers. He said that there were barbershops out there who were hiring unlicensed barbers and paying them under the table, and simply fining these shops was insufficient because they were making enough money to pay the fine and continue operating illegally.

Mr. Phillip Mazza, Board President, explained that there were procedures in place to deal with shops like this, but that they relied on the public to make them aware of these issues. He said that inspectors did not have the resources to seek out every unlicensed shop, but they always prioritize complaints and immediately begin an investigation. Mr. Cheatham said that he had issues notifying the Board previously, because he had been told that he could not do so unless he gave his name and address. Mr. Mazza stated that this was required by Maryland law, and that even as Board members, they were required to file a written complaint with their name and number if they had suspicion of illegal activity.

Ms. Erica Lewis, Deputy Executive Director, added that while this information was required by law to file a complaint, the information was kept confidential and not provided to the respondent. Mr. Derris Gray added that it was unrealistic to assume that we could get out to every basement barber or unlicensed storefront given the manpower they had, and that the Board needed people like Mr. Cheatham to report these shops.

Mr. Cheatham asked where the money from these fines and licensing fees went, and why they could not be used to pay for more inspectors. Mr. Mazza explained that at this time, all fees collected went directly to the General Fund. He added that if Mr. Cheatham wished to see changes in the complaint process or in how the Board was funded, he recommended that Mr. Cheatham speak to his local delegate.



Approval of June 12, 2017 Minutes

The minutes for the June 12, 2017 minutes were reviewed by the Board. Mr. Phillip Mazza, Board President, requested a motion to approve these minutes. A motion was made by Mr. James Dickerson to approve the minutes, and was seconded by Mr. Derris Gray. The motion passed.

Adjournment

There being no further business to discuss or to present before the Board, Mr. Phillip Mazza asked for a motion to adjourn the meeting. Mr. James Dickerson made this motion, and it was seconded by Mr. Andrew Campbell. The motion passed, and the meeting was adjourned at 1:15 PM.