

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

BARBERS

(By authority conferred on the director of the department of licensing and regulatory affairs by section sections 205, 308, 1110, and 1112 of the occupational code, 1980 PA 299, MCL 339.205, 339.308, 339.1110, and 339.1112, Executive Reorganization Order Nos. 1991-9, 1996-2, 2003-1, and 2011-4, MCL 338.3501, 445.2001, 445.2011, and 445.2030)

PART 1. GENERAL PROVISIONS

R 339.6001 Rescinded.

History: 1991 AACS; 2003 AACS; 2014 AACS.

R 339.6002 Definitions.

Rule 2. (1) As used in these rules:

(a) "Code" means the occupational code, 1980 PA 299, MCL 339.101 to 339.2677.

(b) "Department" means the department of licensing and regulatory affairs.

(2) Terms that are defined in the code have the same meaning when used in these rules.

History: 2021 MR 21, Eff. Nov. 4, 2021.

R 339.6003 Rescinded.

History: 1991 AACS; 2003 AACS; 2014 AACS.

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 All of the following rules are rescinded: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 AACCS.

PART 2. LICENSES

R 339.6021 Rescinded.

History: 1991 AACCS; 1998 AACCS.

R 339.6022 Licensure by endorsement; substantially equal requirements;

substituted experience; training obtained outside the United States.

Rule 22. (1) An individual who is licensed as a barber in another state, jurisdiction, or country may apply for a barber license by endorsement under this rule.

(2) An applicant for licensure by endorsement, in addition to meeting all the requirements under section 1108 of the code, MCL 339.1108, shall submit an application on a form provided by the department, pay the required fee, and satisfy all of the following requirements:

(a) Hold or have held in good standing a license as a barber for at least 1 of the 3 years immediately preceding the date of application.

(b) Provide proof of any name change, if the name on the application does not match the name shown on the submitted documents.

(c) Demonstrate that the licensure requirements of the state, jurisdiction, or country in which he or she is authorized to perform barber services are substantially equal to the requirements for licensure under the code and these rules.

(3) The requirements of another state, jurisdiction, or country are considered substantially equal to the requirements for a barber license in this state if both of the following conditions are satisfied:

(a) The state, jurisdiction, or country required an applicant to pass 1 or more examinations that tested barber theory and practical application that are substantially equal to the theory and practical application examinations for licensure in this state.

(b) The state, jurisdiction, or country required an applicant to receive not less than 1,800 hours of prelicensure training at a licensed barber college.

(4) If the applicant's prelicensure training does not satisfy the requirements of subrule (3)(b) of this rule, pursuant to section 1108(3) of the code, MCL 339.1108, the hours of prelicensure training required under the code and these rules may be substituted with barber or barber apprentice experience at a ratio of 100 hours of training for each 3 months of barber or barber apprentice experience. To receive credit, the applicant shall attest on a form provided by the department that he or she worked as a barber or barber apprentice for a period of time equal to the number of hours of training required for licensure.

(5) Both of the following apply regarding education, training, or experience obtained outside of the United States:

(a) An applicant who received education, training, or experience outside the United States shall have documentation provided directly to the department from the educational institution, apprenticeship, or employer verifying his or her education, training, and experience. Documentation that is provided in a language other than English must include a copy in English that is translated and notarized by an embassy or professional translation service.

(b) If the educational, apprenticeship, or work experience records are unavailable from the country in which an applicant received his or her education, training, or experience, he or she may not substitute experience for any of the hours of prelicensure training concerning safety and sanitation, or laws, rules, or regulations. To receive credit for other required prelicensure training hours, the applicant shall provide both of the following:

(i) A notarized affidavit stating the total number of years of education, apprenticeship, or barber experience he or she has completed. The affidavit shall include the name of each school he or she attended and the degree or training he or she received, including the courses taken and grades received, and if applicable, the names of each former employer or apprenticeship supervisor.

(ii) A notarized statement from a government official of the country in which the records are unavailable attesting to the unavailability of his or her records.

(6) Each state, jurisdiction, or country in which the applicant holds or has ever held a license as a barber shall verify that the applicant's license is currently in good standing or was in good standing just prior to its lapse.

History: 2021 MR 21, Eff. Nov. 4, 2021.

R 339.6023 Relicensure requirements.

Rule 23. (1) An applicant whose license has lapsed for 3 years or less after the expiration date of the last license may be relicensed under section 411(3) of the code, MCL 339.411, after submitting a completed application on a form provided by the department and the required fee.

(2) An applicant whose license has lapsed for more than 3 years after the expiration date of the last license may be relicensed under section 411(4) of the code, MCL 339.411, after submitting a completed application on a form provided by the department, the required fee, and satisfying either of the following requirements:

(a) Pass the examination required for licensure pursuant to section 1108(1)(d) of the code, MCL 339.1108.

(b) Establish that he or she has an active barber license in good standing in another state, jurisdiction, or country.

History: 2021 MR 21, Eff. Nov. 4, 2021.

PART 3. SANITATION

R 339.6031 Premises.

Rule 31. (1) All premises used by a licensee must be maintained in a clean, safe, and sanitary condition. The premises must 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, furnishings, and work surfaces must be kept clean. Open windows and doors must be screened to prevent the entry of insects. Waste containers must be kept closed with a lid or hinged-door and emptied when full and at least once every 24 hours. Waste containers must be cleaned and disinfected at least once every 24 hours unless lined with a plastic bag that is disposed of each time the waste container is emptied.

(3) Equipment and supplies for barbering use must be stored separately from storage for any other purpose. Soiled or used towels or rubbish must not be allowed to accumulate on the premises or in adjacent areas. Used towel and rubbish storage may not be adjacent to storage for clean supplies. Covered containers or cabinets must be provided for clean supplies that are not wrapped for sanitation.

(4) Toilet facilities must be furnished on the premises unless public toilet facilities are reasonably available.

(5) Licensed premises must have stationary washbasins located within the licensed premises. Washbasins used to satisfy the sanitation requirements of these rules may not be in a restroom or out of view of the work area where services are performed. Each basin must 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.

(6) Licensed premises must comply 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 AACCS; 2019 AACCS; 2021 MR 21, Eff. Nov. 4, 2021.

R 339.6033 Tools and equipment.

Rule 33. (1) Before being used on a patron, tools and equipment used for barbering must 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 that has a strength of not less than 15 watts. Tools sanitized in this manner must be kept mechanically clean.

(b) Thoroughly washing the tools and 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 Environmental Protection Agency. After sanitizing, the tools and equipment must be stored in a covered container.

- (c) Sharp-edged tools must be wiped with a 70% alcohol solution.
- (2) When not in use, tools and equipment that are intended to come in contact with a patron and are capable of storage in a covered container must be stored in a covered container.
- (3) Tools and equipment must be maintained in a sanitary and safe condition and 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 must be sanitized before reuse or must be discarded.
- (5) Small items of equipment, including combs, brushes, rollers, clips, pins, head coverings, caps, permanent waving rods, protectors, and supplies, must be maintained in a sanitary condition, must be stored in covered containers, and, to minimize the possibility of accidental, unsanitized reuse, must not be carried about between work areas on the person of a licensee.

History: 1991 AACCS; 2019 AACCS.

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 AACCS.

R 339.6037 Patron protection.

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

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

(3) A hair cloth or cape must be used on each patron. A clean, fresh towel or sanitary paper or cloth neck strip must 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 or cloth neck strip must be placed in a covered container with a hinged door or lid.

(5) Creams and other semisolid substances must be covered when not in use and must be removed from their containers with spatulas. Fluids or powders used on a patron must 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 AACCS; 2019 AACCS.

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 AACCS.

PART 4. BARBER COLLEGES

R 339.6040 Substitution of hours for credits earned in Michigan-licensed cosmetology school; substantially similar criteria and determination; notice to department.

Rule 40. (1) Pursuant to section 1110(6) of the code, MCL 339.1110, a barber college may allow a student who is a Michigan-licensed cosmetologist to substitute up to 1,000 hours of substantially similar instruction obtained from a Michigan-licensed cosmetology school for hours of instruction required by the barber college.

(2) In determining if an hour of instruction earned from a Michigan-licensed cosmetology school is substantially similar and may be substituted for required instruction in the barber student's curriculum, the barber college may consider all of the following:

(a) The student's cosmetology school transcript.

(b) The student's scores on examinations.

(c) The cosmetology school's course descriptions.

(d) The student's performance on an examination conducted by the barber college that tests the student's theory and practical knowledge.

(3) The barber college shall determine the number of substantially similar instruction hours that will be substituted for hours of required instruction in the student's barber college curriculum before the student begins his or her barber college program.

(4) The barber college shall notify the department of the number of substantially similar hours it permitted the student to substitute in the student's barber college curriculum.

History: 2021 MR 21, Eff. Nov. 4, 2021.

R 339.6041 Construction standards and required equipment.

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

(a) A classroom with adequate space and sufficient number of desk chairs for each student in attendance.

(b) A practical training room.

(c) A separate student locker area.

(d) Adequate toilet facilities to meet the needs of the number of enrolled students.

(2) The practical training room must 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.

(3) 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.

(4) A practical training station must 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.

(5) 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 must be displayed indicating that the work performed in the barber college is primarily performed by students.

History: 1991 AACCS; 1994 AACCS; 2019 AACCS.

R 339.6045 Rescinded.

History: 1991 AACCS; 2003 AACCS; 2006 AACCS; 2014 AACCS.

R 339.6047 Barber college; curriculum.

Rule 47. A barber college shall follow a curriculum of instruction in barbering shown under table 47. The curriculum may vary within 10% of the hours for each subject

specified in this rule as long as the total theory hours is not less than 225 and the total practical hours is not less than 1,575.

TABLE 47
Barber Training Curriculum

Topic	Theory Hours	Practical Hours
(a) Orientation: (i) History of barbering profession. (ii) Implements of barbering profession.	10	0
(b) Safety and sanitation: (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.	60	50
(c) Client services: (i) Composition, structure, function of skin, hair, head, face, and neck. (ii) Analysis of bone structure, skin, and hair. (iii) Determination of services desired by client. (iv) Examination of client (identifying disorders and diseases), referral for medical treatment. (v) Recommending services and follow-up maintenance.	30	These activities must be performed as part of activities specified in subdivisions (d), (e), and (f) of this rule.
(d) Haircut and shave: (i) Hair cutting. (ii) Hair styling. (iii) Razor honing and stropping. (iv) Shaving and beard trimming.	60	1,000
(e) Chemical services: (i) Shampooing and conditioning hair. (ii) Hair waving and relaxing. (iii) Hair coloring and lightening.	15	125
(f) Secondary services: (i) Skin care (facials, massage, and therapy). (ii) Hair and scalp treatments (preparations, massage, and therapy). (iii) Selling and servicing hairpieces.	25	275
(g) Laws, rules, and regulations: (i) Governing the barber. (ii) Governing the barbershop.	10	0
(h) Business management: (i) Ethics. (ii) Merchandising. (iii) Bookkeeping.	10	100

(iv) Taxes. (v) Insurances.		
(i) Licensure examination preparation.	5	25
	225	1,575

History: 1991 AACCS; 2019 AACCS; 2021 MR 21, Eff. Nov. 4, 2021.

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 AACCS.

R 339.6051 Rescinded.

History: 2006 AACCS; 2014 AACCS.