

HOUSE BILL REPORT

SHB 2427

As Passed House:
February 13, 2008

Title: An act relating to the cosmetology apprenticeship program.

Brief Description: Modifying provisions for the cosmetology apprenticeship program.

Sponsors: By House Committee on Commerce & Labor (originally sponsored by Representatives Kenney, Hankins, Dickerson, Conway, Ormsby, Pettigrew, Santos, Fromhold, Haler, Sullivan, Schual-Berke, Moeller, McCoy, Quall, Darneille, Morris, Williams, Skinner, Flannigan, Bailey, Kelley, Hunt, Campbell, Grant, Morrell, Chase, Barlow and Green).

Brief History:

Committee Activity:

Commerce & Labor: 1/15/08, 1/24/08 [DPS].

Floor Activity:

Passed House: 2/13/08, 93-1.

Brief Summary of Substitute Bill

- Removes the July 1, 2008 expiration date for the pilot cosmetology apprenticeship program and creates a permanent program.
- Requires participating apprenticeship programs to be conducted in approved salon/shops and use approved trainers.
- Requires the Department of Licensing to audit and inspect approved apprenticeship programs at least annually.
- Requires apprenticeship programs to post a notice in the salon/shop stating that services may be provided by an apprentice.

HOUSE COMMITTEE ON COMMERCE & LABOR

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Conway, Chair; Wood, Vice Chair; Condotta, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Crouse, Green, Moeller and Williams.

Staff: Alison Hellberg (786-7152).

Background:

Individuals training for a license in cosmetology, barbering, esthetics, or manicuring generally must attend a cosmetology school licensed by the Department of Licensing (DOL). The requirements for becoming licensed include graduating from a licensed cosmetology school and passing an examination.

In 2003 a pilot program was established for cosmetology apprenticeships, with up to 20 participating salons. The pilot program was extended in 2006. Under the pilot program, individuals may become licensed in cosmetology, barbering, esthetics, or manicuring by successfully completing a state-approved apprenticeship program and passing the appropriate licensing exam. Apprentices are allowed to receive wages while in the pilot program.

The DOL adopted various rules related to the apprenticeship pilot program including rules requiring participating salon/shops to keep certain apprenticeship records, establishing training requirements, requiring participating salon/shops to post a notice to consumers, and requiring apprentices to wear identification visible to the public.

An advisory committee, coordinated by the Washington State Apprenticeship and Training Council appointed by the Department of Labor and Industries, is responsible for coordinating the apprenticeship pilot program and presenting a report to the Legislature. The apprenticeship pilot program expires July 1, 2008.

The DOL regulates many businesses and professions under specific licensing laws. Each business and profession is under either the disciplinary authority of the Director of the DOL or a board or commission charged with regulating that particular profession. The Uniform Regulation of Business and Professions Act (URBPA) provides consolidated disciplinary procedures for these licensed businesses and professions.

Summary of Substitute Bill:

The cosmetology apprenticeship program expiration date of July 1, 2008 is deleted, and a permanent program is created to allow direct entry of individuals into an approved apprenticeship program. An apprentice actively enrolled in an apprenticeship program for cosmetology, barbering, esthetics, or manicuring may, without a license, engage in commercial practice as required for the program. To participate, an apprenticeship program must be approved by the Washington State Apprenticeship and Training Council.

An apprenticeship salon/shop must provide the DOL with a list of individuals acting as apprentice trainers. These trainers must be approved by the DOL, must have a current license in the relevant practice, and must have held that license for a minimum of three consecutive years. The program must keep apprentice monthly reports recording daily activities and the number of hours completed. These must be provided to the apprentice and be kept on file for three years.

If an apprenticeship program or salon/shop makes any changes that affect the information required to be submitted to the DOL, the program must submit revised information to the DOL prior to implementation of the changes.

The DOL must audit and inspect apprenticeship shops and apprentice monthly reports at least annually. If a shop is not maintaining required standards, notice must be given to the program. If the listed conditions are not corrected, the program is subject to penalty under the URBPA.

The training curriculum for an apprenticeship program is established as:

- 2,000 hours for a cosmetologist;
- 1,200 hours for a barber;
- 800 hours for a manicurist; and
- 800 hours for an esthetician.

An apprenticeship salon/shop must post a notice to consumers stating, at a minimum, that the shop participates in the apprenticeship program and that apprentices are in training and not yet licensed.

The membership of the Cosmetology, Barbering, Esthetics, and Manicuring Advisory Board is revised to include a member representing apprenticeship programs.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony:

(In support) This is an excellent program that gives students a chance to earn money while they are learning. Many of the participants in the pilot program for cosmetology apprenticeships could not otherwise enter the field. This program has been especially effective for single mothers, mature students, and those with alternative learning styles. Participants are able to honor their commitments to their families, not burden those families financially, and be full wage earners.

The pilot programs have been very successful and have not harmed traditional training programs. The apprenticeship program is not competition for traditional training schools

because apprentices would not be able to afford the other programs. This is a response to deficiencies in existing programs. Apprenticeship programs go beyond the programs of traditional schools. Apprentices learn customer service and how to feel comfortable working with clients when working in a salon.

This program is good for the Washington economy and economic development, particularly for rural communities where many of the cosmetology schools have closed.

(Opposed) None.

Persons Testifying: (In support) Representative Kenney, prime sponsor; Michelle Arnold and Janiece Hoggatt, Washington State Cosmetology Apprenticeship Program; and Randy Loomans.

Persons Signed In To Testify But Not Testifying: None.