



**Regulation Matters:
a CLEAR conversation**

Episode 9: Licensing Reform Efforts: Professional Beauty Industry Perspective **October 9, 2018**

Line Dempsey: Once again, welcome to our podcast, Regulation Matters: a CLEAR conversation. I'm your host, Line Dempsey. For those of you who do not know me, I am the senior investigator with the North Carolina State Board of Dental Examiners and I'm the current chair of the National Certified Investigator Training Committee with CLEAR. As many of you may know, the Council on Licensure, Enforcement and Regulation, or CLEAR, is an association of individuals, agencies and organizations that comprise the international community of professional and occupational regulation. Our podcast is a chance for you to hear more about the latest and greatest in our community today. I'm joined by Myra Reddy. She is the Government Affairs Director for the Professional Beauty Association. So welcome.

Myra Reddy: Thank you so much for having me. I really appreciate it.

Line: Absolutely, and thanks so much for joining us. So today's topic is the reality of licensing reform efforts, and I understand that you'd like to talk with us a little bit about some of the reform efforts to reduce barriers to obtain an occupational license and some of the challenges and opposition to reform, I guess. So, maybe the best way to start this is kind of answering the question that I have: What is the Professional Beauty Association?

Myra: Well, that is a great question. We have undergone a few name changes and mergers throughout the years, but the Professional Beauty Association has actually been around for over 100 years. It started out on the East Coast and migrated on over out to Scottsdale, Arizona, and that's where our national headquarters is. The Professional Beauty Association is the only national association that offers membership opportunities to licensed professionals within the beauty industry, salon business owners, and manufacturers and distributors. It's very unique in that we offer membership for all four sectors of the professional side of the industry. We don't really deal with any over-the-counter-type OTC products as much as we deal with everything that happens in a salon environment. It is a national trade association, so we offer education, government advocacy, events, networking - a little bit, actually, for everyone across the board.

Line: Gotcha, so for example like hairstylists, barbers, nail technicians, estheticians - that's kinda what makes up your population?

Myra: Yes, on the licensed professional side all fifty states -do you require a license if you would like to practice cosmetology and provide those services. Also, you could go to school and obtain a more narrow license in the field as a nail technician or as an esthetician, a barber. Some states have even gone further to split up licenses into different types of categories. You can now, for example here in the state of Arizona, attend a cosmetology school or program for a hair stylist only license. So that would essentially leave out any other of the attributes like nails and skin care.

Line: Gotcha. And so, I guess, does PBA, the Professional Beauty Association, do they support the requirements for an occupational license?

Myra: We do! We do support the requirement for an occupational license. And there are many, many reasons why, but I'll try to provide a good summary for that. Other than some of the basics about consumer health and safety and consumers' expectation to standards and rules being followed in a safe and sanitary, infection-free environment when they go in to provide services, we understand and recognize that consumers may not know about licensing. They may not understand licensing. They may not know the educational requirements for their professional beauty provider. But they do have an expectation when they go in for services, whether that be skin care, nails, hair, the treatments for the scalp or hair, that they have individuals working with them that have a reasonable knowledge of what they're doing and a reasonable set amount of training. The occupational licensing itself really is the last step in the process is probably the easiest step in the process.

What we care about being mandatory is the education that leads up to obtaining that occupational license. We feel as an association that anyone dealing with a client and providing services and utilizing professional grade products for services beyond a hair cut, that that training should be a requirement, not something voluntary. This shouldn't be... I wake up one morning and think to myself, "I'm gonna just start providing someone with facials," with professional grade products that I have no idea how to mix and apply to someone's skin. So the educational requirement for us is a mandatory requirement. We feel the occupational license itself sets up accountability, also provides for a consumer complaint process for the consumer, that being the board or whomever/whatever agency within that state oversees occupational licensing. It may be the State Department of Health or maybe a different department that looks at occupational licensing as a whole. It varies from state to state. So that process is put in place for the benefit of the consumer.

Also in the feedback that we receive from our business owners - now the professional beauty industry is a huge industry in the United States. It can't be outsourced. We have small businesses - together across the US, there are over a million licensed beauty professionals and the small business owners are driving a huge source of the economy for the US. Some rate at 56 to 58 billion dollar industry in the US for professional beauty. These salon owners tell us, Look in order to be sustainable and to offer

individuals long-term employment - the types of employment that our legislators wanna see, that our government will say is the American dream, you want flexibility, you want benefits, you want healthcare, you want paid sick leave on top of all the other requirements that you might be responsible for at the local level, at the state level, and the federal level - they need employees that are trained and are licensed, especially when it comes down to an insurability factor.

So there are many, many reasons. I hope I'm trying to summarize as many as possible to explain why PBA supports occupational licensing within the professional beauty industry.

Line: Right. And I think you guys did some research maybe in 2012 with general election voters where, if memory serves me correct from some of the things I read, it was almost like 94% of the population that was polled viewed these types of licensees as needing a license, wanting to have them have a license, versus not.

Myra: That's correct, and I'm glad that you brought that up. We did have an independent third party poll administered. It was after the election and you're right, it had 94% of voters saying they support requirements that their stylist, barber, nail technician, or esthetician be licensed. We also find that we agree occupational licensing is appropriate in certain fields, and it can be effectively and correctly utilized. The public does see, in general - across the board, this isn't a partisan issue - they do see the benefit of licensing within the professional beauty industry. It's not anti-competitive for them - for any of us in the field - and it's really something that employers are seeking, to ensure that they can effectively run their business.

Line: Right, and then there's some sense of a level of education that they are required in order to have it. I ran into some problems like that. My background is in exercise physiology. And so I had a master's degree in exercise physiology. I was working for Duke University and I'd gone through all kinds of things to be able to personal train people, but because I didn't have a personal trainer certification, people were less likely to hire me for personal work, whereas I had way more education than the normal personal trainer, so it was something I had to do in order to better market myself and also give that full sense of security to the public. So that's really interesting. Now, do you guys ever, I guess, consider a voluntary certification as something that would be worthwhile in lieu of a state license?

Myra: You know what we do think should be voluntary is continuing education. We don't think that the state should have to carry the responsibility of mandating continuing education. It is not difficult to enter into the field of cosmetology. Although it varies depending on which state you live in, you could either be in a program that is six to nine months long or you could be in a program that's two years long. It depends on if you're going to be a full-time student, a part-time student, and other varying factors. What's difficult is staying in the professional beauty industry, keeping up with services, keeping up with health and safety requirements that change.

There's lots of things that change in states, especially dealing with chemicals. In fact, we were just

looking at the state of Kentucky that changed some things at the board level on chemicals for use in a nail salon. Those are things that people need to keep up with in order to be successful and to deter any injuries or harm happening to their clients. We think that should be the responsibility of the beauty industry itself to foster and to mentor individuals in keeping up with those types of standards. We would not support a certification or anything voluntary in regards to cosmetology as a whole, because we do feel that the education should be mandatory. Establishing some type of voluntary requirement would negate all that, so that's not something that we would stand behind.

Line: Gotcha. Now, is the beauty industry growing, is it in a decline, is it kind of staying stabilized? What's the status of that right now?

Myra: It is growing, and there are many opportunities for people to fill employment. In fact, we are excited that the Bureau of Labor Statistics - if you look at their job outlook, which they do for many career fields throughout the United States - their job Outlook is reporting that employment within the professional beauty industry is projected to grow 13% by 2026, and according to the BLS that is faster than the average for all occupations that they review.

So this is amazing. When you look at another important factor, some people will say that the beauty industry is somewhat recession-resistant - we never say proof - but resistant, because when people are either looking for a job that you're going to stop and try to get that hair cut before an interview. Maybe you are not going to go out and have that vacation that you plan this year but you might do a staycation at a spa. If you want a little pick me up, you're gonna probably make a purchase within your salon of a beauty product of some sort. So I think this industry thrives really well in the economy. And from our business owners, if you were to ask them, if you were not restrained right now financially by your requirements for your salon - either it be upgrades that you need to make sure that you're keeping up with in regards to OSHA requirements or the EPA, or your local and state requirements or just general things that everyone's working on, like paid sick leave or increases in minimum wages across the US - if money wasn't an issue, how many employees would you hire? And it's shocking to me. Some people are like, I would hire six, I would hire eight, I would hire five. No one has said none. So they are definitely looking to fill and hire positions. And this is really an investment, when someone does bring someone on into their salon, this training is for entry level positions, so then it's the responsibility of the salon owner to foster them and mentor them and to send them for additional training, and it is a huge investment. There's a lot of time in this, but this is for people that have made the beauty industry a life-long career with flexible hours. It's not just about working behind the chair in a salon. They may start there, but one day they may become that owner, they may develop their own product line, they may become a national educator. So there's so many steps, it's just a long pathway for career opportunities once you obtain that license and that basic foundation of education.

Line: With this kind of increase or growth, is there thought to changing some of the requirements to obtain an occupational license or forming that in some way? I guess, what is the industry looking like?

Myra: Well, the industry would like to become more consistent across the US in regards to how a person obtains an occupational license. Right now to obtain a cosmetology license, the national average is around 1500 hours to be able to do so. We support that because for one of the reasons we support license mobility. We feel if you have gone to school, you've passed your board exams, you have obtained your occupational license, you should be able to live and work any place in the US wherever you desire, wherever you choose. So we would really like to see reform efforts made to increase license mobility or license reciprocity (a lot of people call it different things), so that employees can move. In some instances, it's even different by county, and if you have a salon owner that has multiple salons in different counties, that could even become an issue. We don't wanna see that barrier continue to exist.

Another idea that we are looking at, and hoping states will look at too, is to increase externship programs, where you allow people to work in salons which gives them a real-life great experience, as well as apprenticeship programs to work with schools and with states to see how that could be modified and increased as an opportunity, just a different way to enter into the profession.

So we do believe there's a lot that could be streamlined to become more consistent, especially in the way of testing. We've heard feedback that some states only allow you to test for your occupational license on the second Tuesday of the month, and you have to drive to the state capital. And if you're in Texas and you live, you know, clear across the state and you've got to drive to Austin, that could be a two-day trip. So, we would like to see increased testing opportunities - test in more locations, test more frequently, pre-graduate testing. If you're so far along within your cosmetology program, let's allow you to start testing now, because if there's an area that you need a little bit more help, then it'd be great to get that while you're still in school, not when you're out of school. Some of these students have a lot of test anxiety, so it would really help to have that comfort, that extra support from the school. And then you obtain your occupational license when you complete the rest of the program. So there's lots of ways that we can work together with policy makers to streamline and to standardize this process to make it a bit easier.

Line: Great, well, are there some other resources that can be shared that kind of better explain kind of what the beauty industry view is on occupational licensing?

Myra: Sure, absolutely. The Professional Beauty Association's website, which is probeauty.org, if you visit that page, we have an advocacy section and within that there's a page called "Your Safety First," which is probeauty.org/yoursafetyfirst. It's a Q & A format, and it talks people through why occupational licensing fits and works well for this industry. We do not wanna say reform or doing away with occupational licensing. There's really not one clear answer that I think for occupational licensing that fits across the board; there really isn't a blanket response to this. Every industry has their own reasons why their occupational licensing exists, and we would encourage everyone to take time to speak to each industry, like you're doing today, to learn a little bit more about the reasons and the background behind that. So we have a page set up at probeauty.org/yoursafetyfirst, that walks

through a sort of Q and A on how we feel about occupational licensing, why we believe it's licensed, what are some of the issues that happen in salons? It also links to a very valuable report from NDP analytics in the Goddard Institute called "The Value of Cosmetology Licensing to Health, Safety and the Economy of America." This is a free downloadable PDF that's accessible also through that site.

Line: Well, thank you, Myra, and thank you, again, for your time to be a part of this CLEAR podcast. It's always a great opportunity to learn and share from each other. And thank you for listening. We'll be back with another episode of Regulation Matters: a CLEAR conversation very soon. If you've missed one of our previous podcast episodes, feel free to take a look at our website at www.clearhq.org as well as finding our Podcast on iTunes and Spotify. Finally, a special thanks to CLEAR staff, specifically, Stephanie Thompson, our content coordinator and editor for our program. I'm Line Dempsey, and I hope to be speaking to you again soon.

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