



NORTH CAROLINA BOARD OF BARBER EXAMINERS

Memo

TO: Board members

FROM: Dennis Seavers

DATE: December 6, 2021

SUBJECT: Petition for rulemaking

On November 4, 2021, the board received a petition for rulemaking from North Carolina SportClips. A copy of the petition is attached to this memo. The board will consider this petition at its December 14, 2021 meeting. The purpose of this memo is to explain the general process for rulemaking petitions and explains the specific rule that is the subject of the petition.

Under G.S. § 150B-20, individuals may petition an agency to adopt or amend a rule. After receiving a petition, the board has 120 days to decide whether to grant or deny the request.

- If the board denies the request, it must issue a final agency decision with the reasons for the denial. The petitioner would then have the option to request judicial review.
- If the board grants the request, the petitioner must be notified, and the board would initiate the rulemaking process.

The petition asks the board to amend the provision in 21 NCAC 06L .0107 that requires shops licensed on or after January 1, 1995, to have handwashing sinks located within seven unobstructed feet of barber chairs. The petition proposes that the new distance be 10 unobstructed feet.

As a historical matter, the purpose of the existing rule was to promote frequent handwashing. Under G.S. § 86A-15, barbers must wash their hands before and after serving patrons. Part of the board's deliberation on December 14 would be to balance the needs of businesses with the goal of promoting sanitary practices.

Seavers, Dennis

From: Traci Carter <traci.carter@teammvpnc.com>
Sent: Thursday, November 4, 2021 5:09 PM
To: Seavers, Dennis
Subject: [External] Sport Clips petition

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Hello Dennis

Thank you for taking the time to speak with me this morning. Here are a few thoughts to start the process of creating a petition.

Rule # 21 NCAC 06L .0107

We have 72 Sport Clips in North Carolina which most of the locations have a direct access to running water from the cutting floor. Our challenge is all the locations do not meet the 7 feet requirement for the Barber Board. After measuring many locations, we see 9-10 feet direct line to the shampoo bowl in most of our locations.

Sport Clips is a national brand salon designed for men and boys. Our stylists are trained to specialize with men's haircutting. It makes perfect sense to have barbers allowed to work in our locations. In addition, we can offer job placement for barbers.

Many times, we've heard of barbers applying for a job with us, but we can not offer a job due to not reaching barber requirements. It is also a hardship for our franchise owners to construct our floor plan to meet the requirements, the cost to replum pipes is not easily done. If the rules extend to lengthen the 7 feet to 10 feet, this will allow our stores to hire 1-2 barbers for each store.

We want to be able to hire barbers to work alongside our stylists so they too can earn a good living and benefit from our successful company.

Please consider extending the length so we may hire barbers.

Traci Carter
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