

Seavers, Dennis

From: Traci Carter
Sent: Tuesday, April 26, 2022 10:17 PM
To: Seavers, Dennis
Subject: RE: [External] FW: Petition for rulemaking

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Mr. Dennis Seavers,

I would like to request a consent to order for my shop so I may hire a barber.

My measurements from chair to sink is 9 feet. It is 8 feet from styling chair to shampoo chair. I am not able to add a sink to the cutting floor due to restrictions with my lease. In addition, if I did get a sink approved by landlord, I could not afford it the cost to add a sink to the cutting floor.

Mandie Ring (9953) is the barber I want to hire. She is a perfect fit and wants to join our team.

We require every employee to wash their hands between clients. This is in our handbook. We have regular visits from our state trainers to ensure all measures of sanitation is meet for NC State Board of Cosmetic Art and Sport Clips Sanitation standards. I have reviewed the Barber Board requirements and can meet everyone except for the 7 feet to a sink. I am asking for special permission to exceed the 7 feet ruling. I guarantee that hand washing will take place per your requirements between clients. We use antibacterial hand soap in our dispensary and bathroom. I will add the hand soap to the shampoo bowl if needed.

I'm in my store weekly and I personally train new hires on our process and procedures. I will make sure our barber will wash her hands before/after each client.

Thank you for considering my request.

SportClips Matthews Festival
1813 Matthews Township Pkwy Suite 300
Matthews, NC 28105

Traci Carter
Director of Training and Operations
North Carolina SportClips

You are allowed to attach my photos I sent earlier.
Thank you!

From: Seavers, Dennis
Sent: Friday, April 22, 2022 2:20 PM

To: Traci Carter

Subject: RE: [External] FW: Petition for rulemaking

Dear Traci,

Just to recap our conversation this afternoon:

I believe there are two tracks you'll want to follow to accomplish your goals here.

1. You can request a consent order for your one business where you want to hire a barber. This request would indicate that you are looking for special permission to exceed the normal 7" maximum distance between the handwashing sink and the barber chair. If you'd like to pursue this consent order, you can simply submit the request with an explanation of why you think it would be appropriate to exceed that distance. Although I could use this email thread without you having to submit a new request, it sounded in our conversation like you want to keep the petition for rulemaking (see below) and the request for a consent order separate. I also have a copy of a photo and video that you shared with the inspector. If you'd like me to include that with your request, please state that (you don't need to resend the files).
2. You can also submit a petition for rulemaking. Unlike (1) above, this would be a broader request that would apply to all shops. You'd be asking for the board to extend the distance in a rule, 21 NCAC 06L .0107, from seven to either eight or nine linear feet. (You can ask for both eight and nine and leave it to the board to decide, but that would be based on your needs.) The petition must include a statement about the effect of the requested rule change and your name and address. It's recommended but not required that you also provide a reason for the proposal and any data supporting the rule proposal. Please keep in mind that all petitions for rulemaking are posted on the website of the Office of the Administrative Hearing.

As we discussed, I believe your plan is to request (1) first, and after that's resolved you can request (2). But you certainly can submit both at the same time, if you wish. It's purely a personal choice based on your sense of how you want to come across to the board.

Also as we discussed, I will see whether the chairman will set a meeting earlier than June 21, 2022 (our next regularly scheduled meeting) so that your request for a consent order can be considered as quickly as possible.

If you have any questions about submitting the information, this email, or anything else, please feel free to contact me.

Dennis

From: Traci Carter

Sent: Thursday, April 21, 2022 4:10 PM

To: Seavers, Dennis

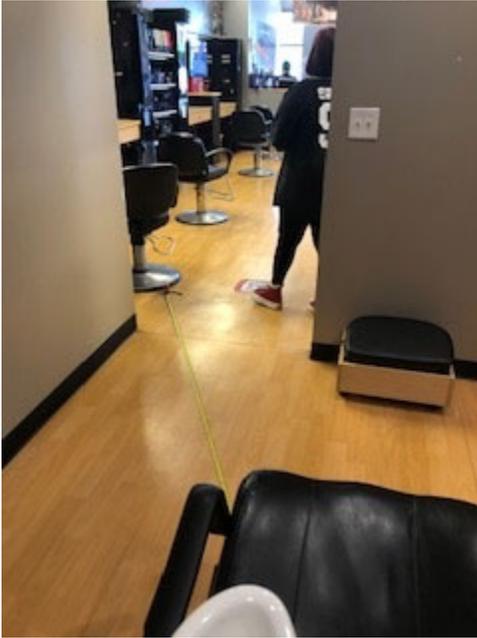
Subject: Re: [External] FW: Petition for rulemaking

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Hi Dennis.

Thanks for your response. There's two areas that I'm looking at. One is the big picture which will allow 80% of our existing stores to immediately hire barbers if the rule changed even to 9 feet. The second is personal, I have my own store and it is 8 feet from the back of the chair to the chair of the shampoo bowl. I have a barber who would love to join our team and I would like to hire her as well. The first thing is to try to get to the place that I can hire this particular barber maybe it will be an exception.

Hello to you for guidance and suggestions on this. Thank you so much!



Traci Carter
Director of Training & Operations
North Carolina SportClips

On Apr 21, 2022, at 3:42 PM, Seavers, Dennis <dennis.seavers@nc.gov> wrote:

Dear Traci,

I just want to make sure I'm clear on your request so I handle your submission the way you intend.

When we spoke on the phone, one of the options that we discussed was you filing a second petition for rulemaking that requests the board to amend the rule so that shops can have the handwashing sinks up to eight feet away, or perhaps something less than the 10 feet you had previously requested. However, this email reads more as a request to appeal the previous board decision.

Are you looking to file a second rulemaking petition, or something else? I don't want to put you through a bureaucratic labyrinth, so I'd be happy to reach out to you if you want to discuss this by phone.

Dennis

From: Traci Carter
Sent: Thursday, April 21, 2022 2:59 PM
To: Seavers, Dennis
Subject: [External] FW: Petition for rulemaking

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Dennis,

I would like to request to challenge this decision with respect. My request was denied because the board feels extending the ruling from 7 feet to 10 may hinder the barber from washing hands.

- In our shops that we want to hire barbers, there is a direct line from cutting station to shampoo chair/sink.
- In many cases, it's just 12 to 24 inches past 7 feet to reach the shampoo chair/bowl (with hot and cold water).
- SportClips requires all employees to wash their hands with soap and warm water for 20 seconds after each client. This has never been a challenge for us to walk to the sink and wash our hands. We have quality checks in place to insure all employees are following SportClips standards.
- In reference to razor work, SportClips does not allow shaving with a straight razor. We do use hot steam towels that we place on their face while getting a shampoo. This service is done at our Shower area.

While I respect rules to keep our industry at high standards of sanitation, I do not believe a few inches will keep our employees from washing their hands between clients.

What this ruling could do for our industry is to employ barbers, giving more options for career path and security.

I would like to request time to speak at your next board meeting.

Thank you,

Traci Carter
Director of Training and Operations
North Carolina SportClips

From: Seavers, Dennis <dennis.seavers@nc.gov>
Sent: Thursday, April 21, 2022 12:20 PM
To: Traci Carter
Subject: Petition for rulemaking

Hi, Traci,

Attached is the order from the previous petition for rulemaking. I've also included the cover letter.

If you have any questions, please let me know

Dennis

Dennis Seavers

Executive Director

North Carolina Board of Barber Examiners

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