

# Legislative Analysis



## APPRENTICESHIP INSTEAD OF BARBER COLLEGE

Phone: (517) 373-8080  
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**House Bill 4207 as reported from committee**

**Sponsor: Rep. John R. Roth**

**Committee: Regulatory Reform**

**Complete to 5-25-21**

Analysis available at  
<http://www.legislature.mi.gov>

*(Enacted as Public Act 101 of 2021)*

**BRIEF SUMMARY:** House Bill 4207 would amend the Occupational Code to allow an individual to become a barber by either completing a barber apprenticeship program (if certain conditions are met) or completing a course of study at a barber college.

**FISCAL IMPACT:** The bill would not have a significant fiscal impact on the Department of Licensing and Regulatory Affairs (LARA) or on other units of state or local government. Allowing barber apprenticeship programs to satisfy licensure requirements would not result in an expansion of the department's regulatory scope. The allowance would not be expected to impact application volumes in any appreciable way.

### **THE APPARENT PROBLEM:**

According to committee testimony, some barbershops in Michigan have found it difficult to fill open positions. At the same time, barbershops are reporting that they are finding young people interested in becoming barbers but unable to attend barber college because the schools have a waiting list, because the nearest barber college is too far away (there are no barber schools in the Upper Peninsula or northern Lower Peninsula), or for financial reasons. Some states allow a person to train under a licensed barber as an apprentice as an alternative to barber college. Michigan also allows licensed cosmetologists to mentor apprentices. Legislation has been offered to allow barber apprenticeships.

### **THE CONTENT OF THE BILL:**

House Bill 4207 would amend the Occupational Code to provide that an individual could complete a barber apprenticeship program, instead of completing a course of study at a barber college, in fulfilling requirements for licensure as a barber under certain conditions.

#### **Requirements for licensure as a barber**

Currently, LARA must issue a license to practice as a barber to an individual who meets all of the following:<sup>1</sup>

- Is at least 17 years old.
- Is of good moral character.
- Has finished the tenth grade of school or has an equivalent education as determined by LARA.
- Demonstrates satisfactory completion of at least an 1,800-hour course of study at a licensed barber college.
- Passes an examination approved by the Board of Barber Examiners<sup>2</sup> and LARA.

<sup>1</sup> [https://www.michigan.gov/documents/lara/Barber\\_Licensing\\_Guide\\_654041\\_7.pdf](https://www.michigan.gov/documents/lara/Barber_Licensing_Guide_654041_7.pdf)

<sup>2</sup> [https://www.michigan.gov/whitmer/0,9309,7-387-90501\\_90626-249981--,00.html](https://www.michigan.gov/whitmer/0,9309,7-387-90501_90626-249981--,00.html)

An individual who held a barber license in another state or country for at least one of the three years before application can be licensed in Michigan if LARA determines that the other jurisdiction's licensing requirements are substantially similar to the above.

Under the bill, instead of completing a qualifying course of study at a barber college, an individual could serve for at least 1,800 hours as an *apprentice* in a barber apprenticeship program conducted by a barber college or barbershop, as further described below.

*Apprentice* would mean an individual who is engaged in learning the theory and practice of serving as a barber and providing barber services.

### **Barber apprenticeship program**

A barber apprenticeship program would have to meet all of the following requirements:

- A student or apprentice must not be required to attend for more than 40 hours a week.
- The program must have a system to keep and maintain records as described below.
- The program must have a grading system for students or apprentices.
- A student or apprentice must pass an examination before the owner of the barber college or barbershop certifies to LARA that he or she has completed training.
- Before the barber college begins training a student or the barbershop accepts an apprentice, the owner must obtain proof that the student or apprentice has a high school education or its equivalent. (This would not apply to a program approved by the State Board of Education that is offered as part of the regular curriculum of a public school.)
- Before the barber college begins training a student or the barbershop accepts an apprentice, the owner must submit an application to LARA on behalf of the student or apprentice.
- A copy of the proof of education and the application described above would have to be kept in the records of the barber college or barbershop until the student or apprentice applied for examination to obtain a license to practice as a barber.

The owner of a barbershop conducting an apprenticeship program could not charge a fee for teaching apprentices on the premises. The curriculum and instruction provided would have to be substantially similar to that required to be provided by a barber college (see **Background**, below). The owner of a barbershop where one apprentice was successfully trained could allow the training of additional apprentices at the barbershop, except that no more than two apprentices could be trained at the same time.

If a barbershop conducting an apprenticeship program changed locations, the apprenticeship program could continue, and an apprentice could continue to receive his or her training, at the new licensed location.

### **Records**

The owner of a barber college or barbershop conducting an apprenticeship program would have to keep and maintain the following records for at least three years:

- A daily attendance record.
- A record of the types of service and practical applications performed during the apprentice's training.
- The date the apprentice began participating in the apprenticeship program.
- A copy of the apprentice's contract.

- An evaluation and progress records of the apprentice's work.
- A proposed completion date of the apprentice's participation in the apprenticeship program.

MCL 339.1108

**BACKGROUND:**

House Bill 4207 is identical to Senate Bill 691 of the 2019-20 legislative session as reported from the House Ways and Means committee.

Under the Michigan Administrative Code (R 339.6047), a barber college course of study must generally follow the curriculum shown in the table below.

<b>Topic</b>	<b>Theory hours</b>	<b>Practical hours</b>
<b>Orientation:</b> <ul style="list-style-type: none"> <li>• History of barbering profession</li> <li>• Implements of barbering profession</li> </ul>	10	0
<b>Safety and sanitation:</b> <ul style="list-style-type: none"> <li>• General (basic first aid, work stations)</li> <li>• Bacteriology and diseases of hair, scalp, skin, nails, and glands</li> <li>• Implements (sanitation, maintenance, care)</li> <li>• Laws and rules governing safety and sanitation</li> </ul>	60	50
<b>Client services:</b> <ul style="list-style-type: none"> <li>• Composition, structure, function of skin, hair, head, face, and neck</li> <li>• Analysis of bone structure, skin, and hair</li> <li>• Determination of services desired by client</li> <li>• Examination of client (identifying disorders and diseases), referral for medical treatment</li> <li>• Recommending services and follow-up maintenance</li> </ul>	30	Performed as part of Haircut, Chemical, and Secondary services
<b>Haircut and shave:</b> <ul style="list-style-type: none"> <li>• Hair cutting</li> <li>• Hair styling</li> <li>• Razor honing and stropping</li> <li>• Shaving and beard trimming</li> </ul>	60	1,000

<b>Chemical services:</b> <ul style="list-style-type: none"> <li>• Shampooing and conditioning hair</li> <li>• Hair waving and relaxing</li> <li>• Hair coloring and lightening</li> </ul>	15	125
<b>Secondary services:</b> <ul style="list-style-type: none"> <li>• Skin care (facials, massage, and therapy)</li> <li>• Hair and scalp treatments (preparations, massage, and therapy)</li> <li>• Selling and servicing hairpieces</li> </ul>	25	275
<b>Laws, rules, and regulations:</b> <ul style="list-style-type: none"> <li>• Governing the barber</li> <li>• Governing the barbershop</li> </ul>	10	0
<b>Business management:</b> <ul style="list-style-type: none"> <li>• Ethics</li> <li>• Merchandising</li> <li>• Bookkeeping</li> <li>• Taxes</li> <li>• Insurances</li> </ul>	10	100
<b>State board examination preparation</b>	5	25
<b>Totals</b>	225	1,575

### ***ARGUMENTS:***

#### ***For:***

Currently, a person must successfully complete a course of study at a barber college to obtain a license as a barber. The bill would create an alternate pathway by allowing a person to participate in a barber apprenticeship offered by a barber college or a barbershop. A person completing an apprenticeship program would still have to pass the licensing examination to be licensed as a barber. Enactment of the bill could remove a barrier blocking some from entering the field, such as living too far away from a barber college to commute or not being able to afford the tuition, while still maintaining training standards to ensure the safe delivery of barber services.

***Against:***

The ability to show someone how to provide an even cut or use a razor is not the same as knowing *how* to teach and *what* to teach. A barber teaching an apprentice must be well-versed not just in barber practice, but also in theory and all of the laws, regulations, and departmental rules that a barber must follow, and must be able to successfully impart that knowledge to the apprentice. Therefore, some feel that the bill should require that any barber wishing to offer an apprentice program must obtain an instructor license in order to have the tools to provide an equivalent education. In addition, some feel that more hours should be required of barber apprentices, perhaps a total of 2,000 hours rather than 1,800, before sitting for the licensing exam.

***POSITIONS:***

Representatives of the following entities testified in support of the bill (5-11-21):

- Bulldogs Barbershop
- Professional Beauty Association

Americans for Prosperity indicated support for the bill. (5-18-21)

Legislative Analyst: Susan Stutzky  
Fiscal Analyst: Marcus Coffin

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.