

OCCUPATIONAL CODE (EXCERPT)
Act 299 of 1980

***** 339.1108.amended THIS AMENDED SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT
OF THE 2021 REGULAR SESSION SINE DIE *****

339.1108.amended Barber license; requirements; effect of licensure in another state, jurisdiction, or country; denial or limitation of license; substitution of experience for instruction; barber apprenticeship program.

Sec. 1108. (1) The department shall issue a license to practice as a barber to an individual who fulfills all of the following requirements:

- (a) Is not less than 17 years of age.
- (b) Is of good moral character.
- (c) Demonstrates satisfactory completion of either of the following:
 - (i) Not less than a 1,800-hour course of study at a licensed barber college.
 - (ii) Subject to subsection (4), served as an apprentice for at least 1,800 hours in a barber apprenticeship program.
- (d) Passes an examination approved by the board and the department.
- (e) Has completed the tenth grade of school or has an equivalent education as determined by the department.

(2) The department shall issue a license as a barber to an individual who has held a license as a barber in another state, jurisdiction, or country for 1 out of the 3 years immediately preceding the date of application if the requirements for licensure in the other state, jurisdiction, or country are substantially equivalent to the requirements of subsection (1), as determined by the department. However, the department may deny or limit a license described in this subsection if the applicant has been disciplined, or disciplinary action is pending, in another state, jurisdiction, or country.

(3) For the purposes of fulfilling the requirement of subsection (1)(c)(i), an individual whose instruction as a barber was received in another state, jurisdiction, or country may substitute experience as a barber or barber apprentice for instruction in the ratio of 3 months of experience for 100 hours of instruction. However, if the individual's experience as a barber or barber apprentice was acquired in a country that the department considers a country from which records are not generally available, both of the following apply to the substitution of experience for instruction under this subsection:

(a) The individual may not substitute experience for instruction under this subsection unless he or she provides a signed and notarized attestation detailing his or her experience, including his or her place of employment or apprenticeship, to the department.

(b) The individual may not substitute experience for any of the hours of instruction concerning safety and sanitation, or concerning laws, rules, and regulations, required by the department by rules promulgated under this article.

(4) A barber apprenticeship program does not satisfy the requirements of subsection (1)(c)(ii) unless the owner of the barber college or barbershop that conducts the apprenticeship program ensures that the apprenticeship program meets all of the following requirements:

- (a) A student or apprentice is not required to be in attendance for more than 40 hours per week.
- (b) A system to keep and maintain records as required under subsection (5).
- (c) A grading system for students or apprentices is established.
- (d) A student or apprentice is required to pass an examination before the owner of the barber college or barbershop certifies to the department that he or she has completed training.
- (e) Before the barber college begins training a student, or the barbershop accepts an apprentice, the owner of the barber college or barbershop obtains proof that the student or apprentice has a high school education, or the equivalent of a high school education. This subdivision does not apply to a student who is enrolling in a program offered as a part of the regular curriculum of a public school and approved by the state board of education.

(f) Before the barber college begins training a student, or the barbershop accepts an apprentice, the owner of the barber college or barbershop submits an application to the department on behalf of the student or apprentice. The owner of the barber college or barbershop shall retain a copy of the proof of education described in subdivision (e), if applicable, and the application described in this subdivision in the records of the barber college or barbershop until the student or apprentice applies for examination to obtain a license.

(5) The owner of a barber college or barbershop that conducts an apprenticeship program shall keep and maintain the following records for each apprentice for at least 3 years:

- (a) A daily attendance record.
- (b) A record of the types of services and practical applications performed during the apprentice's training.
- (c) The date the apprentice began participating in the apprenticeship program.
- (d) A copy of the apprentice's contract.
- (e) An evaluation and progress records of the apprentice's work.
- (f) A proposed completion date of the apprentice's participation in the apprenticeship program.
- (6) The owner of a barbershop that conducts an apprenticeship program shall provide a curriculum and instruction that is substantially similar to that required to be provided by a barber college.
- (7) The owner of a barbershop that conducts an apprenticeship program shall not charge a fee for the teaching of barber services to apprentices on the premises. The owner of a barbershop where 1 apprentice has been successfully trained may allow the training of additional apprentices at the establishment, except that not more than 2 apprentices may be trained at the same time.
- (8) If the location of a barbershop where an apprenticeship program is conducted changes, the owner of the barbershop may continue the apprenticeship program at the new location if a new license is issued under section 1111, and an apprentice who was receiving training at the original location may continue to receive training at the new location.
- (9) As used in this section, "apprentice" means an individual who is engaged in learning the theory and practice of serving as a barber and providing barber services.

History: 1980, Act 299, Imd. Eff. Oct. 21, 1980;—Am. 1981, Act 83, Imd. Eff. July 1, 1981;—Am. 1982, Act 360, Eff. Mar. 30, 1983;—Am. 1984, Act 25, Imd. Eff. Mar. 12, 1984;—Am. 1988, Act 463, Eff. Sept. 1, 1989;—Am. 2014, Act 136, Imd. Eff. May 27, 2014;—Am. 2021, Act 101, Eff. (sine die).

Popular name: Act 299