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## Notice of Disciplinary Enforcement Priorities

### Background

On March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency in California in response to COVID-19. Since that time, the State Public Health Officer has issued Statewide Public Officer Orders requiring the closure of certain sectors to disrupt the spread of COVID-19 among the population.

The most recent Statewide Public Health Officer Order, issued on July 13, 2020, requires, for counties on the State Monitoring List, closure of indoor operations for additional sectors that include barbering and cosmetology. The Order specifies that operations may continue outdoors, where risk of transmission of COVID-19 is lower, under specified circumstances.

On July 20, 2020 the California Department of Public Health and California Department of Industrial Relations (Cal/OSHA) issued [COVID-19 Industry Guidance: Hair Salons and Barbershops Outdoor Services](#), which provides guidance for hair salons and barbershops to support a safe, clean, outdoor environment for workers and customers. They also issued [COVID-19 Industry Guidance: Expanded Personal Care Services Outdoor Services](#), which provides similar guidance for esthetic, skin care, and cosmetology services and nail services.

Also on July 20, 2020, the Director of the Department of Consumer Affairs issued [additional guidance](#) on barbering and cosmetology services that may be safely performed outdoors, the health and safety standards applicable to an establishment's use of outdoor spaces, and the locations that may be used to provide outdoor services.

### Disciplinary Enforcement Priorities under the July 13 Order

In order to support the public health goal of limiting indoor operations to reduce transmission of COVID-19, the Board of Barbering and Cosmetology will prioritize its enforcement resources to ensure licensees do not operate indoors on licensed premises in counties on the Monitoring List.

Consistent with this priority and the guidance issued today for how licensees may safely operate outdoors, the Board will not initiate disciplinary proceedings or issue administrative fines or citations against licensees that offer services outdoors, provided that they offer only services authorized by, and otherwise operate in a manner consistent with, the guidance issued by the Director of the Department of Consumer Affairs and the guidance issued by the California Department of Public Health and California Department of Industrial Relations (Cal/OSHA).

To the extent licensees do not adhere to the above-referenced guidance or a consumer complaint is received, the Board reserves the right to initiate disciplinary proceedings or issue administrative fines or citations.

These enforcement priorities are effective immediately. They will remain in effect until further notice.

Licensees should be aware that other requirements, such as local zoning and permitting rules and local public health orders, may also apply to outdoor operations. This Notice addresses only the Board's discipline and enforcement authority.