



**Executive Office**

1625 North Market Blvd., Suite S-308, Sacramento, CA 95834  
P (916) 574-8200 F (916) 574-8613 | [www.dca.ca.gov](http://www.dca.ca.gov)

# MEMORANDUM

<b>DATE</b>	July 20, 2020
<b>TO</b>	Board of Barbering and Cosmetology Licensees
<b>FROM</b>	Kimberly Kirchmeyer Director Department of Consumer Affairs
<b>SUBJECT</b>	<b>Guidance on Performing Personal Care Services Outdoors</b>

## I. Introduction

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, the 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.

The following guidance identifies the services that may be 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.

## II. Outdoor locations in which services may be performed

Licensed services should only be performed in outdoor areas outside a licensed establishment that are contiguous with or adjacent to a licensed establishment, consistent with state public health directives.

In addition to outdoor spaces that are contiguous with or adjacent to a licensed establishment, licensed services may be provided in outdoor spaces that are (1) in close proximity to the licensed establishment; (2) immediately accessible to the licensee; and, (3) secured and under the control of the licensee. Examples of these types of approved outdoor spaces include, but are not limited to:

- Parking lots in which the licensed establishment is contained; and
- Sidewalks and other public thoroughfares reasonably proximate to the licensed establishment that are closed to public access during the period of service.

Any outdoor space proposed to be used for services:

- Must be reasonably accessible by the licensee of the licensed establishment to enable the cleansing and disinfection of tools and personal protective equipment;
- Must have the same ventilation and airflow as the outdoors; and,
- Cannot be enclosed or partially enclosed on more than one side in a way that otherwise restricts normal airflow.

### **III. Permissible outdoor services**

Barbering and cosmetology establishments providing outdoors services should not perform services that would require a customer to enter the establishment. All other barbering and cosmetology services may be performed in outdoor settings, except for the following services:

- All chemical hair services including, but not limited to, permanent waving, relaxing, bleaching, tinting, coloring, dyeing and straightening;
- Shampooing; and
- Electrolysis.

These services may not be performed outdoors. Chemical hair services and shampooing cannot be performed outdoors due to the inability to ensure adequate drainage and proper waste disposal. In addition, electrolysis is an invasive procedure that involves skin puncturing and blood draws and should only be performed indoors, in a controlled environment.

### **IV. Health and safety standards applicable to outdoor spaces**

Licensees must comply with all applicable guidance and directives of the California Department of Public Health. Services provided in outdoor areas outside a licensed establishment must also conform to all other applicable laws, including but not limited to applicable local land use requirements and permitting requirements, state and federal accessibility requirements, and Cal/OSHA's heat illness prevention standard.

In addition, the health and safety standards generally applicable to licensees operating in licensed establishments continue to apply to an establishment's use of outdoor spaces. Accordingly, establishments and individual licensees that utilize outdoor spaces remain subject to the following standards:

Business and Professions Code standards applicable to use of outdoor spaces:

- § 7348: An establishment shall at all times be in the charge of a person licensed pursuant to this chapter except an apprentice.
- § 7349: It is unlawful for any person, firm, or corporation to hire, employ, or allow to be employed, or permit to work, in or about an establishment, any person who performs or practices any occupation regulated under this chapter and is not duly licensed by the board, except that a licensed establishment may utilize a student extern, as described in Section 7395.1 or 7395.2.

California Code of Regulations, Title 16, Division 9, standards applicable use of outdoor spaces:

- § 978: Establishments shall maintain minimum equipment and supplies.
- § 979: All non-electrical tools shall be disinfected prior to use.
- § 980: All electrical tools shall be disinfected prior to use.
- § 980.3: All foot basins or tubs shall be disinfected after each client.
- § 980.4: When liners are used, all foot basins and tubs shall be cleaned after each use.
- § 981 (a): All tools that cannot be disinfected must be thrown away after a single use.
- § 984(a): No establishment shall permit a licensee afflicted with an infection or parasitic infestation to serve clients.
- § 984(b): No establishment shall allow a licensee to work on a client with an infection or parasitic infestation.
- § 985: A sanitary neck strip or towel shall be used to keep coverings from touching a client's skin.
- § 986: All neck or nail brushes shall be cleaned prior to use.
- § 987: All linens shall be properly laundered and stored in a clean covered place.
- § 988(a): All liquids, creams, waxes, gels and other cosmetic preparations must be kept in clean closed containers.
- § 988(b): All bottles and containers shall be labeled to disclose their contents.

- § 988(c): When only a portion of a cosmetic preparation is needed, it must be removed from the bottle or container.
- § 989: No establishment shall use a product disapproved by the FDA or have on the premises methacrylate monomer and/or methylene chloride.
- § 990: All headrests or chairs shall be covered with a clean towel or paper sheet. Treatment tables must be covered with table paper, clean towel or clean sheet after each use.
- § 991: No licensee shall perform an invasive procedure.
- § 992: Skin exfoliation shall be the upper most layer of the skin. Skin removal techniques are prohibited.
- § 993: No establishment shall use a razor-edged tool to remove calluses. No establishment shall have on the premises a needle like tool used for extractions.