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STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST

MARIA G. FLORES-CAMPOS and
LEVI`C SALON,
RESPONDENTS.

FINAL DECISION AND ORDER
LS0712034BAC

Division of Enforcement Case File Number: 06 BAC

The parties to this action for the purposes of Section 227.53 of the Wisconsin Statutes are:

Maria G. Flores-Campos
2021B West Mitchell Street
Milwaukee, Wisconsin 53204

Levi`c Salon
2021B West Mitchell Street
Milwaukee, Wisconsin 53204

Barbering and Cosmetology Examining Board
Post Office Box 8935
Madison, Wisconsin 53708-8935

Department of Regulation and Licensing
Division of Enforcement
Post Office Box 8935
Madison, Wisconsin 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Barbering and Cosmetology Examining Board (Board). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Maria G. Flores-Campos (Date of Birth: August 3, 1983), 2021B West Mitchell Street, Milwaukee, Wisconsin 53 204, is duly licensed as a barbering and cosmetology manager in the state of Wisconsin (license #81-31157). That license was first granted on June 23, 2006, and is current through March 31, 2009.
2. Ms. Flores-Campos is also duly licensed in the state of Wisconsin as a barbering and cosmetology practitioner (license number 82-82293). That license was first granted on July 30, 2003, and is current until March 31, 2009.
3. Levi`c Salon, 2021B West Mitchell Street, Milwaukee, WI 53204, is duly licensed as a barbering and

cosmetology establishment in the state of Wisconsin (license #80-33379). This license was first granted on September 14, 2005, and is current through March 31, 2009. Maria G. Flores-Campos is listed with the Department of Regulation and Licensing as the owner of Levi's Salon. As owner of a licensed barbering and cosmetology establishment, Ms. Flores-Campos is responsible for compliance with Wis. Stats. Ch. 454 and Wisconsin Administrative Code Chs. BC 2, 3 and 4. Omar Juarez is listed with the Department of Regulation and Licensing as the manager of record of Levi's Salon.

4. An inspection of Levi's Salon by Investigator Kelley Sankbeil of the Department of Regulation and Licensing on March 21, 2007, found the following:

- a. Significant hair accumulation in drawers, along the walls and under the sinks.
- b. The use of a client sink basin to clean implements and tools. (Levi's Salon does not have a separate sink for cleaning contact equipment)
- c. An unsupervised apprentice on the premises during normal business hours.
- d. A failure to post the establishment license for Levi's Salon.
- e. Clean hairbrushes contaminated with hair.
- f. Clean rollers contaminated with hair and end wrap papers.
- g. Client sink was not clean to the sight and touch.
- h. Reuse of disposable manicuring contact equipment.
- i. Reusing disposable facial wax wooden applicators on more than one client.
- j. The use of an unauthorized disinfectant.
- k. Contamination of the unauthorized disinfectant with particulate matter.

5. On September 18, 2007, Ms. Flores-Campos admitted to Paralegal Theodore Nehring of the Department that she was renting Omar Juarez's manager's license for Levi's Salon. Mr. Juarez was only the manager of record with the Department and was not present at Levi's Salon at a daily basis to manage the establishment.

6. In resolution of this matter, Maria G. Flores-Campos and Levi's Salon consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Barbering and Cosmetology Examining Board has jurisdiction to act in this matter pursuant to Wis. Stats. Sec. 454.15.

2. The Wisconsin Barbering and Cosmetology Examining Board is authorized to enter into the attached stipulation pursuant to Wis. Stats. Sec. 227.44(5).

3. By the conduct described in Findings of Facts 4 and 5, Maria G. Flores-Campos and Levi's Salon have violated Wis. Stats. sec. 454.15(2)(c). Engaged in the practice of barbering or cosmetology, aesthetics, electrology or manicuring which evidences a lack of knowledge or ability to apply professional principles or skills.

4. By the conduct described in Findings of Facts 4 and 5, Maria G. Flores-Campos and Levi's Salon have violated Wis. Stats. sec. 454.15(2)(i), which provides that any violation of Chapter 454 or of the Administrative Code promulgated under Chapter 454 is cause for discipline.

5. By the conduct described in Findings of Fact 5, Maria G. Flores-Campos and Levi's Salon have violated Wis. Admin. Code § BC 2.04(1). Licensees may not assist or participate in the unauthorized or unlicensed practice of barbering and cosmetology, aesthetics, electrology or manicuring.

6. By the conduct described in Findings of Fact 5, Maria G. Flores-Campos and Levi's Salon have violated Wis. Admin. Code § BC 2.06(5). In the case of the owner of a barbering and cosmetology establishment, employ a manager who shall have direct authority over the operation of the establishment.

7. By the conduct described in Findings of Fact 5, Maria G. Flores-Campos and Levi's Salon have violated Wis. Admin. Code § BC 2.07(1). The licensed manager of a barbering and cosmetology establishment shall be responsible for the daily operations of an establishment and ensure that the establishment is in compliance with ch. 454, Stats., and chs. BC 3 and 4. The manager shall maintain supplies and equipment necessary to maintain safe and sanitary establishment conditions.

8. By the conduct described in Findings of Facts 4 and 5, Maria G. Flores-Campos and Levi's Salon have violated Wis. Admin. Code § BC 2.07(1g). The manager shall train and supervise an apprentice in accordance with s. BC 6.04(1) and shall supervise temporary permit holders and training permit holders.

9. By the conduct described in Findings of Fact 4, Maria G. Flores-Campos and Levi's Salon have violated Wis. Admin. Code § BC 2.07(2). The manager shall post all required licenses, permits and notices.

10. By the conduct described in Findings of Fact 4, Maria G. Flores-Campos and Levi's Salon have violated Wis. Admin. Code § BC 3.01(1). Establishments, including floors, walls, ceilings, furniture, equipment, tools, utensils and instruments, shall at all times be in good repair and maintained in an orderly and sanitary condition.

11. By the conduct described in Findings of Fact 4, Maria G. Flores-Campos and Levi's Salon have violated Wis. Admin. Code § BC 3.01(4). All floor coverings in an establishment shall be kept in a clean, orderly and safe condition. Loose hair shall be removed regularly and placed in a closed container.

12. By the conduct described in Findings of Fact 4, Maria G. Flores-Campos and Levi's Salon have violated Wis. Admin. Code § BC 3.01(6). Establishments shall provide safe and secure areas for storing, cleaning and disinfecting equipment.

13. By the conduct described in Findings of Fact 4, Maria G. Flores-Campos and Levi's Salon have violated Wis. Admin. Code § BC 3.01(13). The establishment license shall be posted in the establishment.

14. By the conduct described in Findings of Fact 5, Maria G. Flores-Campos and Levi's Salon have violated Wis. Admin. Code § BC 3.02(1). The owner of a barbering and cosmetology establishment shall not operate the establishment unless a licensed manager has been employed for the establishment, subject to the exception for temporary unavailability of a manager in s. BC 2.06(5). The manager shall be responsible for supervising and managing the operation of the establishment.

15. By the conduct described in Findings of Fact 4, Maria G. Flores-Campos and Levi's Salon have violated Wis. Admin. Code § BC 4.01(1). All areas of an establishment and the

equipment, tools and implements for services shall be maintained in a clean, sanitary and safe condition.

16. By the conduct described in Findings of Fact 4, Maria G. Flores-Campos and Levi's Salon have violated Wis. Admin. Code § BC 4.01(5). Shampoo bowls and basins shall be drained after each use and kept in a sanitary and safe condition.

17. By the conduct described in Findings of Fact 4, Maria G. Flores-Campos and Levi's Salon have violated Wis. Admin. Code § BC 4.01(7). All other equipment and instruments shall be clean to sight and touch.

18. By the conduct described in Findings of Fact 4, Maria G. Flores-Campos and Levi's Salon have violated Wis. Admin. Code § BC 4.02(1). Unless sterilized, disinfection is required prior to reuse on another patron of any personal care instruments, including scissors, razors, clipper blades and tweezers.

19. By the conduct described in Findings of Fact 4, Maria G. Flores-Campos and Levi's Salon have violated Wis. Admin. Code § BC 4.02(4). Clean and disinfected contact equipment shall be placed in one or more covered containers. One or more separate containers shall be provided for the immediate storage of soiled contact equipment until cleaned and disinfected.

20. By the conduct described in Findings of Fact 4, Maria G. Flores-Campos and Levi's Salon have violated Wis. Admin. Code § BC 4.02(5). Disinfectant used for decontamination shall be changed daily and kept in a covered container.

21. By the conduct described in Findings of Fact 4, Maria G. Flores-Campos and Levi's Salon have violated Wis. Admin. Code § BC 4.08(2). Licensees performing depilation by waxing shall dispose of spatulas after each use.

22. By the conduct described in Findings of Facts 4 and 5, Maria G. Flores-Campos and Levi's Salon have violated Wis. Admin. Code BC 6.04(1). The establishment owner to whom an apprentice is indentured shall employ a licensed manager to be responsible to supervise the training of the apprentice. Apprentices shall not work without the supervision of a licensed manager.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that Maria G. Flores (license number 81-31157) and Levi's Salon (license number 80-33379) are **REPRIMANDED**.

NOW, THEREFORE, IT IS HEREBY ORDERED that Maria G. Flores-Campos and Levi's Salon shall jointly and severally pay to the Department of Regulation and Licensing a forfeiture of **TWO THOUSAND NINE HUNDRED** dollars (\$2,900.00).

IT IS FURTHER ORDERED that Maria G. Flores-Campos and Levi's Salon shall jointly pay costs in the amount of **SIX HUNDRED TEN** dollars (\$610.00) in this matter.

Payment shall be submitted in twelve (12) installments. The installments shall be submitted on the following payment schedule:

Payment Number	Due Date	Payment Amount
1	January 15, 2008	\$292.50
2	April 15, 2008	\$292.50
3	July 15, 2008	\$292.50
4	October 15, 2008	\$292.50
5	January 15, 2009	\$292.50
6	April 15, 2009	\$292.50
7	July 15, 2009	\$292.50
8	October 15, 2009	\$292.50
9	January 15, 2010	\$292.50
10	April 15, 2010	\$292.50
11	July 15, 2010	\$292.50
12	October 15, 2010	\$292.50

Ms. Flores-Campos may pay the full amount of the forfeiture and costs at any time prior to each due date for payment.

Department Monitor
Division of Enforcement
Post Office Box 8935
Madison, Wisconsin 53708-8935
608-261-7904

IT IS FURTHER ORDERED that in the event Maria G. Flores-Campos fails to timely submit any payment of the forfeiture and costs as set forth above, the barbering or cosmetology manager license of Maria G. Flores-Campos (license number 81-31157) and the establishment license of Levi’c Salon (license number 80-33379) **SHALL BE SUSPENDED**, without further notice or hearing, until Maria G. Flores-Campos has complied with the terms of this Order.

This Order shall become effective upon the date of its signing.

BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Jeannie M. Bush
A member of the Board

12/3/07
Date

