

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	FINAL DECISION AND ORDER
	:	AS TO RESPONDENT
BUCHANANS BARBER SHOP AND	:	ZELDA M. JONES
ZELDA M. JONES,	:	
RESPONDENTS.	:	LS09060111BAC

Division of Enforcement Case File # 06 BAC 019

The parties to this action for the purpose of Wis. Stats. § 227.53 are:

Zelda M. Jones
2308 West Center
Milwaukee, WI 53205

Barbering and Cosmetology Examining Board
P.O. Box 8935
Madison, WI 53707-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin 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. Respondent Zelda M. Jones is licensed in the State of Wisconsin as a Barbering and Cosmetology Manager, license # 81-25730. This license was first granted to her on July 1, 1994 and is current through March 31, 2009. The most recent address on file with the Department of Regulation and Licensing for Zelda M. Jones is 2308 West Center, Milwaukee, WI 53205.
2. Respondent Buchanans Barber Shop was licensed in the State of Wisconsin as a Barbering and Cosmetology Establishment, license # 80-33713. This license was first granted to it on January 23, 2006 and was changed to inactive status on January 13, 2009. The most recent address on file for Buchanans Barber Shop (with license # 80-33713) is 313 West Center Street, Milwaukee, WI 53212.
3. In response to a complaint received by the Wisconsin Department of Regulation and Licensing, an investigator from the Division of Enforcement performed an unannounced inspection at Buchanans Barber Shop on February 15, 2008.
4. The February 15, 2008 inspection revealed the following violations:

One container of barbicide was dirty;

There were hair clippings on the floor and on the counter behind the barber chairs;

Contact equipment was not being kept in clean sanitary condition and was not being properly stored in covered containers; and

The establishment overall was not being kept in clean sanitary condition.

5. At the time of inspection, Zelda M. Jones was listed with the Department of Regulation and Licensing as the manager of Buchanans Barber Shop. As manager, Ms. Jones was at all times relevant to this action responsible for compliance with Wis. Stat. Ch. 454 and Wis. Admin. Code §§ BC 3 and BC 4.

CONCLUSIONS OF LAW

1. The Wisconsin Barbering and Cosmetology Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 454.15, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. The Zelda M. Jones has violated:

- a. Wis. Admin. Code § BC 4.01(1) by failing to insure all areas of the establishment and the equipment, tools and implements used by licensees for services in the establishment were maintained in a clean, sanitary and safe condition;
- b. Wis. Admin. Code § BC 3.01(4) by failing to insure all floor coverings in the establishment were kept in a clean, orderly and safe condition and by failing to insure loose hair was removed regularly and placed in a closed container; and
- c. Wis. Admin. Code § BC 4.02(5) by failing to insure that disinfectant used for decontamination was changed daily and kept in a covered container.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Respondent Zelda M. Jones is hereby REPRIMANDED.

IT IS FURTHER ORDERED that:

2. Respondent Zelda M. Jones shall pay a FORFEITURE in the amount of FIVE HUNDRED DOLLARS (\$500.00) within 90 days of the date of this Order and shall pay COSTS in the amount of FOUR HUNDRED EIGHTY DOLLARS (\$480.00) within 90 days of the date of this Order.

3. Payment shall be made by **certified check or money order**, payable to the Wisconsin Department of Regulation and Licensing and sent to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817, Fax (608) 266-2264

4. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may, in the alternative, impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit any payment as ordered, then Respondent's license SHALL BE SUSPENDED without further notice or hearing until Respondent has complied with the terms of this Order.

5. This Order is effective on the date of its signing.

IT IS FURTHER ORDERED that file 06 BAC 019 is hereby closed as to Respondent Zelda M. Jones.

Dated this 1st day of June, 2009.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Jeannie M. Bush