

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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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
MARY SCHATZMAN,	:	
RESPONDENT.	:	ORDER 0001748

Division of Enforcement Case No. 11 BAC 029

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

Mary Schatzman
9319 Jonathan Ct
Caledonia, WI 53108-9624

Wisconsin Barbering and Cosmetology Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Division of Enforcement
Department of Safety and Professional Services
P.O. Box 8935
Madison, WI 53708-8935

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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Mary Schatzman (dob 05/28/1970) is licensed in the State of Wisconsin as a Barbering and Cosmetology Practitioner, having license number 70842-82, first issued on 11/29/1990 and current through 03/13/2013. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 9319 Jonathan Ct., Caledonia, WI 53108-9624.

2. On June 8, 2011, a department investigator visited the Quick Time Hair Salon where Respondent was working.

3. The owner of Quick Time Hair Salon was paying Respondent as an independent contractor and issuing 1099s rather than W-2 tax forms and the Respondent accepted these.

4. Respondent did not have a booth rental contract, no rent was alleged to have been paid, respondent did not have an establishment license nor does she hold a barbering and cosmetology manager license.

5. On June 8, 2011, the department investigator observed Respondent at work and her workstation. The following violations were observed:

- a. Respondent did not wash her hands between clients.
- b. Respondent did not use a neck strip or towel when draping each client.
- c. Respondent had scissors, combs and clipper guards in the open on a mat at her station.

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. By the conduct described in the Findings of Fact, Respondent violated Wis. Stat. § 454.08(1)(b) and Wis. Admin. Code §§ BC 2.045(1) and BC 3.02(2)(b) by practicing outside of a licensed establishment since she was being paid as an independent contractor but did not have an establishment license for her booth nor having a manager's license.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code §§ BC 4.01(2) and (6) by not washing her hands prior to serving each patron and not using clean towels and neck strips for each client.

4. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § BC 4.02 (4) by keeping clean contact equipment in covered containers.

5. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 454.15(2)(i).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The attached Stipulation is hereby accepted.
2. Respondent Mary Schatzman is hereby REPRIMANDED.
3. Within 30 days of the date of this Order, Respondent shall pay the first installment of a FORFEITURE in the amount of \$1200 and COSTS of this matter in the amount of \$145. The forfeiture and costs will be due in installments of \$336.25 due on the 15th of the

month following the date of this Order, the 15th of the fourth month after the date of this Order, the 15th of the seventh month after the date of the Order and the 15th of the eleventh month after the date of this Order.

4. Payment of forfeiture and costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at the address below:

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

5. 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 payment of the forfeiture and costs as ordered, Respondent's license (no. 70842-82) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the forfeiture and costs.

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

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

by: 
A Member of the Board

6-11-12
Date