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**COSMETOLOGY ASSOCIATION  
of NOVA SCOTIA  
POLICY & PROCEDURES MANUAL**

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## SECTION 1: THE ASSOCIATION

### 1. ORIGIN, MISSION & GUIDING DOCUMENTS

#### Origin

The Cosmetology Association (the “Association”) is a Member-driven, not-for-profit organization that was originally formed in 1962 by cosmetologists who wished to self-regulate the Cosmetology Industry (the “Industry”).

- The Association was originally named the “Association of Nova Scotia Hairdressers”, by virtue of the Association’s Constitution and By-laws, 1960, and the *Hairdressers Act*, 1962 (as amended).
- In 1996 the Association of Nova Scotia Hairdressers (and the *Hairdressers’ Act*) was renamed the Cosmetology Association of Nova Scotia (S.N.S. 1995-1996, c.5 as amended), and the *Cosmetology Act*.
- The Association underwent a re-invention process in 2000 – 2001, wherein it:
  - reviewed governance roles
  - began to document processes
  - began to develop a strategic plan
  - developed a mission statement
  - developed a vision statement
  - revised the nominating and election process.
- In 2003, the *Cosmetology Act* was amended to include Estheticians.
- In 2009, 2018, and 2021 the Association’s *By-Laws* were updated.
- In 2012, was again amended and was proclaimed; the current *Cosmetology Act*, 2012, c. 39 (the “Act”).

The Cosmetology Association’s *Act* and By-laws are attached at Appendix A.

#### Mission Statement

The Association’s mission is to:

- promote the highest licensing compliance standards and universal precautions for the safety of the public and the practicing professional cosmetologist;
- foster a well-informed and highly participative Membership;
- uphold an exemplary standard for instruction and licensing;
- ensure public protection through assiduous attention to compliance standards and strict adherence to the Association’s *Code of Ethics & Professional Conduct*; and
- promote positive awareness of the Association to third-party stakeholders and the public.

## **Vision Statement**

The Association's vision is to:

- represent 100% of cosmetologists in the Province of Nova Scotia;
- ensure the Association's educational processes operate at the highest standard;
- ensure Members and the public view the Association as the professional backbone of the Cosmetology Industry;
- host a major annual trade show event;
- ensure reciprocity and communication is continually conducted with cosmetology associations in other jurisdictions.

## **Pandemic Guidelines**

The year 2020 brought forth a pandemic not experienced in Canada for 100 years. On March 22, 2020, the then Premier of Nova Scotia, Stephen MacNeil, declared a State of Emergency and ordered all non-essential services to cease operation until further notice. This included the Cosmetology Industry.

On June 5, 2020, the Province authorized the reopening of the Cosmetology Industry to the public (with conditions). Following the advice and requirements of the Nova Scotia Government, Dr. Robert Strang (Chief Medical Officer of Health NS), and Public Health, a Covid-19 operational plan was implemented for the Industry.

*Subject to all Federal and Provincial pandemic rules and regulations and in accordance with the Nova Scotia Health Protection Act and the Nova Scotia Health Protection Act Order.*

These Guidelines must be followed by all Cosmetologists, salons and spas (hereinafter referred to as "salon(s)"), schools and colleges (hereinafter referred to as "school(s)"), and the Association's head office at all times during a State of Emergency unless otherwise stated.



## Guiding Documents

- A. The Nova Scotia *Cosmetology Act*, 2012, c. 39
- B. The Nova Scotia Cosmetology Association *By-Laws*
- C. The Cosmetology Association's Policy and Procedures Manual (updated frequently to reflect progression and changes within the Cosmetology Industry)
  - Original Policy: June 1993
  - Revised August 1993
  - Revised November 1993
  - Revised January 1994
  - Revised May 1994
  - Revised August 1996
  - Revised December 1996
  - Revised April 1997
  - Revised January 2001
  - Revised February 2001
  - Revised May 2001
  - Revised December 2001
  - Revised September 2002
  - Revised January 2003
  - Revised May 2003
  - Revised July 2003
  - Revised October 2003
  - Revised March 2004
  - Revised November 2013
  - Revised April 2014
  - Revised January 2017
  - Revised November 2018
  - Revised April 2019
  - Revised July 2020
  - Revised September 2020
  - Revised March 2021
  - Revised July 2021
  - Revised December 2021
  - Revised January 2022
  - Revised March 2022
  - Revised May 2022
  - November 2022
  - December 2022
- D. Henry M. Robert et al, *Robert's Rules of Order Newly Revised*, 11th ed. (Da Capo Press, 2011)
- E. Cosmetology Association of Nova Scotia, (2023) *Code of Ethics & Professional Conduct for Members & Directors* (attached at Appendix B)
- F. Cosmetology Association of Nova Scotia's *Salon & Spa Compliance Handbook* (attached at Appendix C)
- G. *Health Protection Act*, 2004, c. 4 and *Health Protection Act Order* (as amended)
- H. *Occupational Health and Safety Act*, 1996, c. 7
- I. *Canadian Free Trade Agreement*, Part VII (NS *Fair Registration Practices Act*, 2008, c. 38)
- J. A Forum of Labour Market Ministers, (2009) *A Pan-Canadian Framework for the Assessment and Recognition of Foreign Qualifications*
- K. *Labour Standards Code*, R.S., c. 246

## 2. FIVE-YEAR PLAN (2020-2025)

The Association will:

- enhance Member and Social Media communications;
- work on refining and bringing the By-laws and regulations up to date so that continual adjustments are not needed;
- continue to address the need for recognition and specific licensure;
- continue to address the need for alternative pathways to licensure in specific skill areas found under the scope (skill) of cosmetology;
- create a smaller version of the By-laws and Policies books and issue to Members;
- ensure that exam equipment and education standards are updated and upgraded; and
- work towards achieving Public and Member respect for the Industry.

## 3. GOVERNANCE

### The Board & the Executive Director

**Governance:** *“The engine that drives the train of organizational change.”*

Governance is a process undertaken by a group of individuals (the Board of Directors) who are ultimately accountable to their constituents. The Board of Directors acts as a single entity in a moral and sometimes legal sense to create a single resolution from the different views and values of its peer members. It follows a process that focuses on policies to meet the high-level, long-term goals and needs of an organization (the Association.) Those in a position of governance (Directors) act in a unified way that reaches beyond the views and aspirations of individuals.

- Governing bodies must ensure that an effective management team is in place.
- Governance is implementing assessment and control systems.
- Governance means maintaining fiscal responsibility.
- Governing bodies are responsible for planning the succession and diversity of those in governing positions.

High-performing organizations with strong governance in place share a successful practice: the clear delineation of the roles of staff and governing directors. High-performing boards not only respond to information they have been given but request and seek information to identify current member and industry concerns. High-performing boards deal with “big picture” issues, are policy-focused and future-oriented.

- The role of the Association’s Board of Directors is one of creating a progressive future through forward thinking, strategic planning, and action.
- Members of the Board of Directors deal with strategic policy matters relating to Member service, legislation and the overall growth of the Association.
- Members become a Director of the Board of Directors by virtue of the Association’s *Act* and *By-Laws*.

### **Management**

Management is the position undertaken by an appointed Executive Director to coordinate and allocate entrusted resources into a cohesive unit, in order to achieve the goals of the organization in an ethical, prudent and cost-effective manner.

### **Governance within the Cosmetology Association**

The Board of Directors develops policies, long-term goals and resolutions designed for the enhancement of the Association, providing broad guidelines for the Executive Director to work within. The composition of the Board of Directors changes; Directors are part-time, and they possess varying skills.

- The Executive Director works in a trusting, peer relationship with the Board of Directors and is mandated to attend to the Association’s business affairs.
- The Executive Director is chosen and appointed for their expertise and specialist skills.
- The Executive Director is an integral element of the Association, ensuring continuity and management consistency of the Association’s business affairs.

## **4. THE MEMBERSHIP**

### **Mission Statement**

The Association’s mission is to ensure that its Members reach their full and highest potential in a continuously evolving Industry.

### **Vision Statement**

The Association will endeavor to:

- provide on-going, professional development programs and classes to all actively licensed Members of the Association;
- instill confidence in Members so they can provide the highest level of professional services to their clientele;
- create opportunities for Members to participate in education in their local geographical area, helping to meet Industry requirements;

- provide the advanced courses required in order to upgrade licences in both esthetics and hairdressing and:
  - ⇒ help Members adhere to labour standards (First Aid, WHMIS, Occupational Health and Safety, etc.), and
  - ⇒ offer specialty training, including:
    - business courses (e.g.: computer skills, accounting, salon management, human resources, communication, strategic business planning, marketing, and Social Media)
    - new trend upgrades/professional development (e.g.: clipper cutting, braiding and weaving, and make-up)
    - Instructor training (Train the Trainer/Adult Education).

### **Education**

In past surveys, meetings, and conversations with the Association's Membership, Members advised the Association that there was an insufficient quantity of professional development courses being provided. An Education Fund was developed in response to this feedback.

#### **Education Fund: Guiding Policy**

The audited financial statements are reviewed annually by the Board of Directors. The Association will reinvest annually a portion of its net revenue into the Education Fund. \$20,000 from funds is allocated to lay the foundation for professional development educational classes.

The cost of each class is to be projected considering the venue, educator's fees, travel and accommodation expenses, including the number of participants in the course or program.

The Board of Directors will review the financial status of the Association's Education Fund annually and make a decision regarding additional funds to be added to the fund.

The Education Fund is not available for basic training (i.e.: initial training courses required for licensing).

#### **Professional Development**

Registration applications for professional development (upgrading) classes will be accepted on a first come, first served basis.

Any participant registered for professional development must hold a current and valid cosmetologist licence with the Association in order to be registered for a class (unless otherwise stated).

If an individual registered for a class does not attend, that person will be billed a non-refundable Failure to Attend (FTA) Fee in accordance with the Association's By-laws, at Schedule B.

- A participant cancelling registration for a professional development class for medical reasons (in which case a doctor's note is required) will receive a full refund less the FTA Fee if the participant cancels more than ten (10) days prior to the scheduled date (after that period, no refunds will be given).
- If a professional development class is cancelled by the Association, a full refund will be issued to all participants.

See Section 4(2) for further information.

### **Online Services**

The Association's website is equipped with necessary secure firewalls to protect information a Member provides online.

The following services are accessible online to Members:

- Ability to pay invoices online using via VISA, MasterCard, or Debit Visa/Mastercard and obtain account balance;
- Ability to update contact information such as change of address, telephone number, date of birth, email or employer; and
- Uploading of photo for Member ID.

### **Job Postings**

The Association's Administrative Staff is responsible for posting job opportunities at the request of a Member.

Job posting requests should be submitted by email to [info@nscosmetology.ca](mailto:info@nscosmetology.ca) with a request to have the company's employment opportunity displayed on the Association's website. The email request must include an ad in .pdf or .jpg format (only) that outlines the job position to be filled, a list of preferred skills the ideal candidate should possess, and relevant salon contact information.

Job postings received by email, mail, or in-person will also be posted on the Association's internal office bulletin board. Requests for posting a job on the Association's Private Facebook Members Only Group should be created by the Member Salon and shared with the Association (who will accept the post upon receipt and approval of same). The Association's Administrative Staff is not responsible for the content of job postings.

Postings to the Association's website will be deleted after a minimum of thirty (30) days unless the Member requesting the posting asks for an extension prior to the thirty (30) day expiry.

Administrative Staff at the Association do not make follow-up phone calls to determine if a position has been filled or if the Member seeking a job has been successful in obtaining employment.

The Association does not accept any responsibility for the employer/employee relationship and conducts no research, nor does the Association provide an opinion regarding potential employers/employees.

The Association will not contact any employer directly on behalf of a potential employee regarding a job application submission or status unless it relates to licensing.

#### **Benefits from Third-Party Benefactors**

There are many third-party benefits that are available to Association Members. Including but not limited to:

- Blue Cross Insurance (this coverage is automatic, without obligation)
  - ⇒ \$10,000 Group Life Insurance Policy
- Caldwell Roach & Southport Asset
  - ⇒ Access to home, health and medical, auto, business, dental and long-term disability insurance benefit discounts

A full list and information regarding additional benefits, discounts, policies, etc., can be found on the Association's website or can be obtained by contacting the subject company directly.

## SECTION 2: ROLES & RESPONSIBILITIES

### 1. CONDUCT & CONFIDENTIALITY

#### Conduct

The Association will not accept behaviour (from individuals of the Membership, the Board of Directors, the Association's Committees, subcommittees or Administrative Staff) that is unbecoming of a professional that will adversely affect the Association or violate its *By-Laws*.

- No Member shall violate the *Act* and/or *By-Laws* of the Association.
- All Members shall govern their behaviour in accordance with the Association's governing *Policies & Procedures* and *Code of Ethics & Professional Conduct*.
  - ⇒ Any breach of these Policies by any Member or Administrative Staff will result in a formal investigation conducted by the Association's Executive Director, HR Committee, or Discipline Committee (as the case may be) to determine the validity of the alleged breach.
  - ⇒ If the alleged breach is found to be valid after the investigation process, the Member will be subject to the disciplinary scale of sanctions by the Executive Director or as recommended by the Discipline Committee (as the case may be).
  - ⇒ A formal investigation procedure and chosen disciplinary sanction will be documented.
- Members of the Board of Directors, the Association's Committees and subcommittees will not accept poor performance, continued absenteeism or any behaviour from fellow Members that is disruptive to the effective overall performance of these bodies.
- Members of these bodies are responsible for their own performance and behaviour.
- Members of the Board of Directors, the Association's Committees and subcommittees shall undertake disciplinary proceedings in the event a Member of any of these bodies breaches any principles or guidelines.

#### Confidentiality

Members of the Board of Governance of the Association and Administrative Staff must be cognizant of the fact that in the course of performing their day-to-day duties, they will see, hear and work with a vast amount of confidential information and records. For example: content of Meeting Minutes, Member contact information, exam results, school or student statistics, etc. As such, every effort must be made to keep this information confidential. Blatant disregard for confidentiality may be considered grounds for immediate dismissal from the Board of Directors or Administrative Staff.

- Administrative Staff and Directors may not respond to inquiries about schools or salons by recommending one school or salon over the other.
- Any information provided to the Membership or the public regarding schools and salons must be generic.
  - ⇒ When the public is inquiring about schools, they should be advised to visit a school; talk to current instructors and students, review school contracts and curriculum of the school, and ensure that the particular school and its instructors are licensed and registered with both the Association and the Nova Scotia Department of Advanced Education.
  - ⇒ The public should be advised to look for current salon registration and an inspection sticker and encouraged to talk to other clients of the school's salon.

### **Exceptions**

As the governing body of a professional organization, some information generated by the Association should be transparent to Members, the general public and to Provincial Government officials. The following lists material that is deemed to be public information:

- Licence status of a Member
  - ⇒ Whether or not someone holds a current licence (temporary or otherwise) for the services they are performing (this does not include whether or not they failed an examination or inquiries as to a Member's exam marks or outcomes).
- Salon registration status (including validity of a salon permit).
- Policies and procedures for governance, management, examinations, and inspections.
- AGM Meeting Minutes and audited financial statements (available to Members at the Association's Annual General Meeting ("AGM") or upon request by the Provincial Government).
  - ⇒ Any active Member in good standing that requests access to AGM Meeting Minutes or any audited financial statements will be provided with copies of the immediately preceding 3 years' AGM Meeting Minutes and immediately preceding 3 years audited financial statements for viewing at the Association office.
  - ⇒ Copies of AGM Minutes and audited financial statements will only be provided to the requesting Member for the term of that individual's active Membership with the Association. For example, if the requesting Member has been a valid, active Member in good standing for one year only, the requesting Member will be provided with the immediately preceding year's AGM Minutes and audited financial statements only for viewing at the Association office.



- Board & Committee Meeting Minutes
  - ⇒ Although typically confidential to the Board of Directors, the Association's Committees and subcommittees, requests by Members in an appeal or an investigation or hearing situation, this information may be made available by request via the *Freedom of Information and Protection of Privacy Act*, 1993, c. 5.

## 2. BOARD OF DIRECTORS

The Board of Directors will undertake in its actions to set policies and govern in a manner that places emphasis on strategic leadership. Focus will be on the future of the Association, addressing the needs and issues of the Association (as opposed to reacting to current events) and differentiating itself and its roles from those of the Executive Director and Administrative Staff. The Board of Directors will make decisions that are based on well researched and statistical evidence only and will not develop plans, make policies or initiate action on supposition, hearsay or unsubstantiated information.

The Board of Directors will direct and concentrate its efforts towards careful analysis, consideration and development of policies and procedures that will reflect the values and ethics of the Membership and govern in a manner that encourages professionalism, contribution, and discipline among the Association's Board Members and Committees.

- The Board of Directors of the Association will govern within the overriding principles of accountability, transparency, and democracy.
- The Board of Directors shall act solely in the interests of the Members and the public.
- A *Code of Ethics & Professional Conduct* shall be fostered by the Board of Directors and adhered to by the Board of Directors of the Association.
- Long-term professionalism, education, licensing, compliance, Member services and the growth and enhancement of the Association will be the main focus of the Board and its Directors.
- The Board of Directors' efforts will focus on strategic and policy matters.
- Input may be sought from the Association's Committees and the Executive Director to support these efforts.
- The Board of Directors will delegate the tasks and functions of the Association's business affairs and the provision of day-to-day Member services to the Executive Director.
- Only the Chairperson or a specified delegate can request that the Executive Director perform special tasks that the Board of Directors has agreed upon.

- The Board will embark on no significant undertakings unless they are reflected in the Association's strategic plan.

The Board shall also conduct an annual self-evaluation.

### **Board Term**

At each succeeding Annual General Meeting, the membership will elect only three (3) new directors to the Board, meaning, each year approximately one-third of the Board will retire and be replaced by newly elected or re-elected directors. Each director shall thereafter hold office for a term of not more than three (3) years. No member will be eligible to serve as a director or be elected or appointed to the Board for more than two (2) consecutive terms. After serving two (2) consecutive Board terms, a director shall not be eligible for re-election or reappointment to the Board until at least one (1) year has lapsed from the end of their last term. If no successor is elected to fill any role on the Board, the person previously elected or appointed continues to hold office.

### **Meetings**

The first meeting of the Board of Directors must be held not less than 14 days and not more than 30 days following the AGM.

### **Orientation Meeting**

Orientation is mandatory and is to be held annually, either virtually or in person. The orientation is to be conducted jointly by the Chairperson of the Board of Directors and the Executive Director. The session is to be attended by all Directors and Administrative Staff. The orientation must outline the duties of the Board of Directors and the Executive Director, demonstrating the hierarchy of authority within the Association. The meeting must include an overview of the *Act* and *By-Laws*.

Inspectors and examiners must attend at least one orientation during their designation as such.

### **Policies**

Directors must be on time for scheduled meetings and arrive with an open, unbiased, and objective mind.

If the Board of Directors congregate for only one (1) meeting (i.e.: there are no meetings scheduled for the next day), the meeting must conclude by 4 p.m. to allow Directors ample travel time.

The Board Meeting Agenda may include a Consent Agenda.

Directors must be prepared with reports and supporting documentation ready to be distributed at a meeting. If possible, this should be distributed with the meeting package.

If documentation is distributed at a meeting that is required for an upcoming meeting, Directors must read the documentation promptly after receiving it and once again prior to the next meeting.

Directors must note any questions or concerns regarding documentation received and contact the Executive Director if they require further clarification or information they do not feel is provided or have questions they need answered to assist them in a decision-making process.

Directors are encouraged to talk to others about ideas, receive feedback, benchmark goals with colleagues and other organizations.

If a Director wishes to address at a meeting an issue they consider crucial, they must notify the Chairperson of the Board of Directors or the Executive Director at least one week prior to the scheduled meeting to have it added to the meeting agenda.

A minor issue (no more than five minutes) may be added to the Consent Agenda when approving the Agenda under *Meeting Additions* or *Member Concerns*.

If a Director cannot attend a meeting, they must notify the Executive Director or the Association's Executive Assistant as soon as possible of their intended absence.

Each Board Director is responsible for making and canceling their own hotel reservations in the case of an overnight stay.

### **The Chairperson's Rights**

The Chairperson should dedicate most of their efforts to facilitating discussion and working with Directors to deliver the best possible results of the meeting.

- The ability to achieve a successful meeting is hindered if the Chairperson becomes deeply involved in debate, very attached to a certain outcome, or is often "setting the record straight" (especially with respect to contentious issues).

It is important for the Chairperson to run meetings impartially.

- This does not mean the Chairperson must avoid debate at all costs or be void of any bias on issues.
- In small meetings (i.e.: Committee meetings), the Committee Chairperson may enter a debate.
- In more formal meetings, the Board or Committee Chairperson may present a report, offer clarification, or share helpful information but not dominate the discussion.

### **Minutes**

*Definition:* Minutes are the official record of a meeting, primarily focused on action and not discussion: What was done, instead of what was said.

The Secretary (or Executive Director) of the Board of Directors (as the case may be) is to record and photocopy all Minutes of meetings and have the Minutes approved and signed by the current Chairperson. Original, handwritten copies of Minutes must be left at the Association office. A copy of the immediately preceding meeting Minutes must be present at meetings held immediately thereafter. The Secretary (or Executive Director) reads past Minutes at meetings.

It should not require detective work to find out what was decided at a meeting; therefore, Minutes serve as a reference for Directors, Members, Administrative Staff, and third-party associates. Good Minutes are:

- accurate, action-orientated, objective and consistent,
- recorded in point-form notation,
- comprehensive and note decision-making,
- relevant, including only key information pertaining to the report (i.e.: budget, research, etc.)

Administrative Staff must obtain approval from the Executive Director before releasing Board or Committee Meeting Minutes to anyone other than the group of individuals who created the Minutes.

### **Correspondence**

Members of the Board of Directors and the Association's Committees should be advised to exercise caution when giving verbal advice to Members or the public without the proper information at hand (i.e.: examination results, quoting policy, etc.) It is often more advisable to inform Members to contact the office for information.

To avoid reporting information (verbally or written) that may not reflect the official policies of the Association, all correspondence must flow through the Executive Director.

- Letters on behalf of the Board are to be signed by the Board Chair.
- Letters on behalf of the Association's Committees are to be signed by the Chairperson of that Committee, distributed by the Executive Director, and filed at the Association office.
- Copies of correspondence must be kept at the Association for retrieval purposes.
- All correspondence must be typed on the Association's official letterhead template (the Association's official letterhead is stored at the office and is not to be removed, duplicated, or distributed for any reason).

### **Liability**

Directors face exposure to liability for any of their own actions that are inconsistent with the duties of the Association (the fact that Directors are volunteers does not protect them from the law or liability).

Directors are liable if they authorize or perform a wrongful act.

Directors should ensure that any contract entered by the Association is worded carefully, so it is clear it is the Association entering into that contract and not the individual Director (as Directors can be criminally prosecuted or subject to civil liability).

## **3. EXECUTIVE DIRECTOR (also known as Registrar)**

### **Policies**

The Executive Director shall:

- be aware of the *Act* and Bylaws, the Vision and Mission Statements, and the Strategic Plan,
- act cautiously and anticipate any probable consequences of any course of action that the Association chooses to undertake (all decisions must reflect the Mission Statement),
- oversee the operation, management, and administration of the Association, working within the guidelines documented in the Policies and Procedures Manual established by the Board of Directors,
- act prudently, effectively, ethically, maintain confidentiality and act within their scope of authority,

- act honestly and in good faith in the best interests of the Association, meeting the standards of conduct and care (an Executive Director who acts in this manner will not be liable for simple errors of business judgment that occur while the Executive Director performs the duties of office),
- develop employee policies and offer equal opportunities and conduct fair, non-discriminatory hiring,
- encourage and support staff growth in their position through professional skill development, setting and monitoring job-related objectives, and evaluating work performance annually, and
- work strategically and effectively in a respectful manner with internal and external audiences but avoiding conflicts of interests.

Audiences include but are not limited to the Board of Directors, Administrative Staff, the Membership, salon Inspectors, cosmetology educators and school administration, Associate Members, suppliers/distributors, government officials, legal advisors, Media, and the public.

### **Responsibilities (with respect to)**

#### **The Board of Directors**

- Attending and reporting at all meetings of the Board of Directors.
- Implement an annual communications plan by executing the goals, objectives, strategies, and tactics determined by the Board of Directors.
- Assist the Board of Directors in anticipating trends, issues, and opportunities to achieve goals.
- Document benchmark goals and outcomes to evaluate future successes and/or failures.
- Plan and co-ordinate the AGM with the Board of Directors and Nominating Committee.
- Serve as requested as a consultant to the Association's Committees.

#### **Finance**

- Ensure all budget items are fiscally prudent and comply with the goals, objectives, strategies, and tactics of the Association.
  - ⇒ Directors face potential liability with respect to loss of investment of organization funds and therefore must establish acceptable levels of risk.
  - ⇒ Directors should obtain outside help when their own level of expertise may not enable them to make correct investment decisions.

- Monitor monthly expenditures, adhering to the annual budgetary plan and authorization from the Board of Directors, and reporting frequently on the status of investments.
- Maintain healthy cash reserves above ten (10) per cent of operating expenses.
- Ensure financial transactions are completed by more than one person.

### **Compliance**

- Implement and advocate the highest of safety and infection control standards and practices within Nova Scotia salons to protect cosmetologists, schools, and the public.
- Implement and advocate annual Membership licensing compliance as dictated in the *Act* and By-Laws.
- Implement and advocate cosmetology school licensing and registration pursuant to the *Act* and By-Laws, *Private Career Colleges Act*, 1998, c. 23; 2015, c. 25 and Department of Advanced Education requirements.
- Plan, co-ordinate and monitor salon inspections in conjunction with Inspectors and the Association office.
- Hire and train salon Inspectors.
- Respond and manage all compliance issues, including Member, salon, school, or other public complaints.

### **Education: Membership**

- Seek and provide advanced professional development educational classes through the Education Fund for the Membership.
- Seek additional educational funding from third-party alliances.
- Provide local and on-the-road advanced professional development classes across the Province.
- Approve advanced training applicable to Members seeking to obtain a Master or Instructor Cosmetologist Licence.

### **Education: Schools & Students**

- Provide cosmetology course curriculum outlines for Cosmetology schools across the Province.
- Host annual instructor in-services.
- Host Provincial examinations.
- Work in conjunction with the Association's Committees to prepare and update Provincial exams as required.
- Recruit and train Provincial Examiners.
- Provide school inspection schedules to Inspectors and counsel as needed.

- Oversee exam participant reviews upon request resulting from unsuccessful examination.

### Legal

- Advise and implement legislative changes, including additions or omissions from the *Act* or from the Association's By-Laws.
- Adhere to labour mobility standards and licence reciprocity pursuant to the *Canadian Free Trade Agreement* (replacing the *Agreement on Internal Trade*), Part III, Chapter Seven (*NS Fair Registration Practices Act*) and the Pan Canadian Framework.
- Seek and receive legal counsel for sensitive and confidential matters.
- Review Member files in consideration for possible disciplinary action.

### Management

- Establish and maintain a friendly and productive headquarters for Administrative Staff and the Membership, in which effective, efficient, and ethical office procedures are practiced.
- Implement a *Code of Ethics & Professional Conduct* (and any disciplinary action incidental thereto).
- Oversee human and financial resources within the Association.
- Generate job descriptions and conduct fair recruitment practices for new hires.
- Designate and assign work appropriately among Administrative Staff.
- Evaluate annually the work of Administrative Staff in the areas of professionalism, productivity, quality of work, job enthusiasm, punctuality, skills development, teamwork, and career advancement.

### Media Relations

- Generate informative material about the Association's mission, policies, events, and updates via multiple communication vehicles including the Association's website, print collateral, email, Social Media outlets, traditional Media, etc.
- Identify current and potential cross-program problems or crises and gather internal and external information to develop responses on behalf of the Association.
- React appropriately to time-sensitive issues with expert decisions under minimal or no direction.
- Foster mutually beneficial alliances with other professional regulatory bodies and the Media.



## 4. COMMITTEES

### Purpose

The Association's Committees are work groups established by the Board of Directors that serve as an advisory group and are selected from a slate of volunteers. The Association's Committees are comprised of individuals with pertinent skills, knowledge, and expertise, selected by the Chairperson. The key purposes of the Association's Committees include, but are not limited to the following:

- Undertake a detailed investigation of issues with the aim to develop and evaluate the pros and cons of options designed to resolve the issue,
- To gather detailed information on a specific topic upon which the Board of Directors must decide,
- To undertake activities on a project that is designed to achieve a specific objective,
- To oversee on behalf of the Board of Directors regular functions (i.e.: aiding in the preparation of the AGM, education, Industry research, etc.),
- In the case of the former Provincial Examiner and Licensing Committee (PELC), the Executive Director will set policy and procedures as per the *Act* and By-Laws and the *Private Career Colleges Act, supra*, and oversee and direct all functions and activities relating to curriculum, examinations, licensing, and compliance matters. The Executive Director will report to the Board on policy development and changes, and on issues that involve non-compliance and/or litigation. The Executive Director is provided with support by Administrative Staff in scheduling and in some cases carrying out investigative activities.

### Standing Committees

There are two standing Committees of the Association:

1. Finance
2. HR

### Committee Functions & Processes

A Committee Chairperson agrees with the Board of Directors on the terms of reference, objectives, and timetable for the Association's Committee work; information that is then explained to the Association's Committee Members by that Committee's Chairperson or Executive Director.

A Committee identifies specific functions that need to be completed and assigns responsibility to individual Committee Members.

Committee meetings must result in clear decisions and action plans that serve to move the Association Committee's work toward fulfilling its terms of reference and objectives.

- Meetings can be in person, or to avoid time and costs, may be conducted via online virtual platform (some Committee tasks require detailed data gathering, investigation and assessments to identify possible scenarios, options, or direction that the Board of Directors decide upon).
- A Committee may also require support from Administrative Staff. In such cases, a request is made to the Executive Director (if the request unduly overloads the workload of the office, the Executive Director may refuse the request with justification).

A Committee Chair's role is to facilitate discussion and debate, ensuring that all Committee Members remain focused on the Committee's mandate.

Should voting on a position be needed, the Committee Chair has an equal vote, but a simple majority is sufficient.

The voicing and debate of ideas must be encouraged and the ideal of 'many views, one voice' (as with the Board of Directors) must prevail (Committee Members are not permitted to overpower the deliberations or use personal attacks as a debating method).

If a Committee's work extends over several months, the Chair of that Committee is required to report regularly to the Executive Director on the Committee's progress.

Once all information is collected, the Committee evaluates each option as to its pros and cons (or costs and benefits), ranking each option in priority order as to apparent best fit.

- A final report is issued to the Board of Directors in advance of a meeting in which the research is to be discussed and reviewed.
- The Chair of the Committee presents the Committee's final report to the Board of Directors via the Executive Director and explains and recommends the options available, (no decisions are made by a Committee, since it is the role of the Board of Directors to make the final decision.)
- If the Board of Directors requires more information or wants other options to be investigated, the Committee Chair is charged with this responsibility.

Once the work of a Committee is complete and terms of reference (goals and objectives) are met, Committee Members will evaluate their performance and make suggestions (provide feedback) for improving the process they followed if needed.

The Association Committee is then disbanded if its task was project oriented.

The Board of Directors is ultimately responsible for the performance of Association Committees and will take appropriate action in the event a Committee is not meeting its terms of reference, schedule, or objectives.

## **5. INSPECTORS & EXAMINERS**

### **Inspector Position**

Under Board authorization, the Executive Director hires or engages Inspectors under the *Act* at section 40(1).

Inspectors may not and cannot carry a weapon and cannot enforce any other piece of legislation other than the *Act*.

An Inspector:

- must hold a current Master Cosmetologist or Master Cosmetology Instructor Licence,
- must have been active in the Cosmetology Industry for at least the immediately preceding five (5) years,
- must participate in a mandatory annual orientation session,
- must participate in mandatory testing and on-the-job training with an experienced Inspector,
- must have flexible hours,
- must be professional at all times and always keep in mind that he/she is a representative of the Association and the Industry,
- must be available for immediate non-compliant and/or complaint inspections,
- must complete detailed documentation and paperwork as per information provided in the Inspectors' training manual,
- may be called upon to testify from time-to-time during the year.

### **Examiner Position**

Subject to the approval of the Board of Directors, the Executive Director may appoint one or more Examiners to assist in the conduct of examinations of persons who wish to practice cosmetology. [*Act* section 38(1)]

An Examiner shall:

- hold a valid Master Cosmetologist Licence with a minimum five (5) years' experience or a valid Master Cosmetologist Instructor Licence and not be currently working in a school or learning environment,
- must participate in mandatory testing and on-the-job training with an experienced Examiner,
- be available for examinations with thirty (30) days' notice of examination date,
- be available at least fifteen (15) minutes prior to examination registration,
- receive an approved hourly wage,
- be reimbursed for mileage, accommodations, parking, and other miscellaneous, reasonable expenses,
- be professional at all times and always keep in mind that s/he is a representative of the Association and the Industry,
- be available for yearly orientation and meetings,
- keep updated on the requirements for examinations and the examination process,
- complete examination paperwork and keep legible notes on examination practical sheets.

## **SECTION 3: ANNUAL GENERAL MEETING (AGM)**

### **1. AGM**

The Annual General Meeting of the Association:

- may be held in person or by electronic means as approved by the Board of Directors; and
- any vote may be held by secure electronic means and the vote of the majority of voting Members in person or by electronic means shall be the act of the Association at such a meeting; and
- where held by electronic means shall be subject to such policies respecting virtual or electronic meetings as the Board of Directors may make from time to time.

### **2. VIRTUAL OR ELECTRONIC ANNUAL MEETING**

In the event of a public health crisis (such as a pandemic) or similar exceptional circumstance which makes it unlawful or impractical to hold the AGM in-person, the AGM may proceed, in whole or in part, virtually on such electronic platform as may be determined by the Board of Directors. The place where the Chairperson is located shall be deemed to be the place of the meeting.

- The Board of Directors shall select an electronic platform that permits instantaneous communication among participants and is able to accommodate a similar number of participants as an in-person annual meeting.
- Only current licensed Members shall be permitted to register and attend the virtual annual meeting. Registration of Members will be prioritized over students, Associate Members, and guests (special guests may be approved by the Board of Directors – i.e.: legal counsel, accountant, Administrative Staff).
- All participants will be required to provide a valid email address at the time of registration to which information and technical instructions relating to the annual meeting will be sent.
- At a virtual annual meeting:
  - ⇒ the agenda containing the order of business shall be electronically distributed to all registered participants at least 72 hours in advance of the annual meeting, along with clear instructions as to how to connect to the virtual platform.
  - ⇒ the virtual platform shall provide a mechanism for participants to ask questions and to speak to motions or resolutions. The Chairperson is responsible for electronically assigning the floor and for limiting debate.
  - ⇒ voting on resolutions shall occur by secure electronic means either during or immediately following the annual meeting. Only active Members that register and attend the annual meeting shall be eligible to vote. Eligible voters may vote electronically on their own behalf in a manner as set out prior to and during the annual meeting.
- Except as otherwise provided in this Policy, a virtual AGM shall be conducted as fair as possible in accordance with the By-laws and policies applicable to an in-person AGM, with such modifications as are reasonably necessary to accommodate the virtual format and any technical limitations of the virtual platform.

### **3. NOMINATING COMMITTEE**

#### **Purpose**

The Nominating Committee of the Association is appointed by the Board of Directors to ensure the continued successful operation of the organization. The Nominating Committee will review the slate of vacancies for the upcoming year and seek advice from the Board of Directors and the Executive Director on the skills, knowledge and characteristics required to perform the functions of the upcoming positions.

Provided there are suitable nominees available, and that it is otherwise possible, the Board shall consist of :

- at least one (1) Member from each of the following categories of licence or permit holder: a hairstylist; an esthetician; a specific licence holder; an instructor; and a salon or spa owner or manager, who is an active Member;
- at least (1) Member of Indigenous, African Nova Scotian, other racially visible persons, persons with disabilities, or other unrepresented groups; and
- a balance of experienced Members and those who have yet had an opportunity to sit on the Board of Directors.

The objective of the Nominating Committee is to ensure that the Board as much as possible has equitable geographic representation from across the province such as:

1. Northern Region (Cumberland, East Hants, Colchester);
2. Cape Breton (Cape Breton, Inverness, Victoria, Port Hawkesbury, Richmond);
3. Valley (Annapolis, Kings, Berwick, Bridgetown, Hantsport, Kentville, Middleton, Wolfville);
4. South Shore (Barrington, Bridgewater, Lockeport, Lunenburg, Mahone Bay, Shelburne, Windsor, West Hants);
5. Western Region (Digby, Clare, Argyle, Yarmouth, Clark's Harbour);
6. Eastern Region (Pictou, Antigonish, and Guysborough);
7. Halifax Regional Municipality (Halifax, Dartmouth, and Surrounding Areas).

The most qualified candidates are sought for positions on the Board of Directors.

The Nominating Committee shall endeavor to ensure that there is at least one nomination for each position available on the Board of Directors.

#### **Guiding Policies**

- The Board of Directors will not conduct the election processes in a way that inhibits Members from exercising their rightful franchise.
- In all cases, elections to the Board of Directors shall be by secret ballot.
- Nominations for candidates standing for election to the Board of Directors shall be able to submit nominations to the Executive Director through mail, email, fax or in-person, so long as the nomination form is completed and signed in accordance with the nominating procedures of the Association.
- In preparing advice to the Nominating Committee, the Board of Directors shall offer advice on the ability of an incumbent candidate to be elected.

- The advice must be factual and based on the incumbent's ability to perform the specific functions of their position and their ability to meet their obligations and requirements.
- The Nominating Committee may recommend more than one (1) candidate for each position but will not recommend more candidates than are necessary, keeping in mind the balance of geography, diversity, Industry representation, experience, new ideas and the skills required to accomplish the strategic plan.
- The Nominating Committee shall ensure that potential candidates are currently licensed and have met all requirements for nomination.
- The Nominating Committee will make every effort to provide information to potential nominees about the commitment involved and the specific duties of each office.

#### **Formation & Composition**

- The Board of Directors will annually name its Chairperson.
- The Board of Directors will announce the Nominating Committee for the following year at each AGM.
- The immediate Past-Chairperson, or any Past-Chairperson can be considered to become Chair of the Nominating Committee; however, the Board of Directors is not restricted to choosing other candidates.
- The Chairperson of the Board of Directors shall not be eligible to sit on the Nominating Committee *ex-officio* or otherwise but shall monitor the progress of the Nominating Committee through regular contact with the Chair of the Nominating Committee to ensure that the Nominating Committee is prepared with a slate of nominees to meet the deadlines of the e-mail/mail-in nominating process.
- Members of the Nominating Committee are not barred from becoming nominees for the Board of Directors themselves.

The Nominating Committee must be comprised of five to seven people, including:

- An officer of the Board of Directors (i.e.: Executive Director)
- A director of the Board of Directors
- At least one hairdresser
- At least one esthetician
- At least one Member outside of the Board of Directors

The Nominating Committee is discharged when its report is formally presented at the AGM, although if one of the nominees withdraws before the election, the Nominating

Committee is revived to agree upon another nomination if there is time. (*Robert's Rules of Order Newly Revised, supra*)

## **4. ELECTION**

### **Regulations**

- The Nominating Committee of the Board of Directors shall prepare a call for nominations – and notice shall be issued to all Members in good standing at least 35 days in advance of the AGM.
- The Nominating Committee must be cognizant of the fact that Administrative Staff needs time to prepare, print and mail publications to the Membership in time to meet the 35-day requirement; therefore, the Administrative Staff will need to have this information at least 50 days prior to the AGM.
- The Nomination Form will include the names of current Directors offering to stand for election.
- The nominator is obliged to ensure the form is completed in its entirety, including a biographical background of the nominee, the signature and the Association licence number(s) of the nominee and the nominator.
- The Board of Directors will receive timely telephone or email reports on receipt of nominations.
- The Executive Director will keep the original envelopes and any courier receipts and will print out email nominations and will save email nominations in a special email folder set up for nominations.
- Email nominations must be accompanied by the nominee's and the nominator's email addresses.
- In cases where a vote is required, the winner will be the candidate receiving the highest number of votes.
- All ballots and/or electronic votes will be kept on file at the Association for one year following the election.
- In the event of tie, a run-off election will be held at the AGM with the winner being the candidate receiving the highest number of votes.
- If the number of candidates nominated for the Board of Directors equals the number of open positions, then the candidates will be acclaimed and the voting process for the Board of Directors will be cancelled.
- Should there be insufficient candidates nominated for the Board of Directors, then nominations will be received from the floor at the AGM and a vote for more candidates will be held.
- Election results will be announced at the AGM by the Chair of the Board or the Association's legal counsel.



- Election results will be reported to the Executive Director and the Board of Directors prior to the AGM only if:
  - ⇒ No nominees resulted from the call for nominations or the work of the Nominating Committee.
  - ⇒ There is a tie in the results that requires an election (revote) to take place at the AGM.
- The Board of Directors will determine at the first meeting after the AGM, the date and location of the next AGM and will request that the Executive Director immediately develop a timeline indicating the deadlines for mailing out and receiving nominations.

## **SECTION 4: LICENSING & PERMITS**

### **1. MEMBERSHIP**

The Association has available the following classes of Memberships, in accordance with the Association's By-laws:

#### **Active Member**

An Active Member is a currently licensed Cosmetologist or an individual that has at least 50% ownership of a school, salon, or spa, as per the Association's By-laws.

#### **Associate Member**

Any individual who applies for an Associate Membership that identifies themselves as a former or retired Member of the Association must have been an active Member in good standing no later than January 1, 2013. An Associate Membership is not available to those who were last actively registered prior to December 31, 2012.

In addition, any professional beauty supply company may apply to the Association for an Associate membership. The cost of application will be in accordance with the Association's By-laws, at Schedule B.

#### **Honorary Member**

To be appointed at the discretion of the Board of Directors.

*A Code of Ethics & Professional Conduct* shall be fostered by the Membership and always adhered to by the Members of the Association.

The cost of application will be in accordance with the Association's By-laws, at Schedule B.

## 2. ISSUING LICENCES & PERMITS

All Nova Scotia cosmetologists, salons (commercial, in-home, mobile, nursing home and hospital spas), salon owners, schools and students providing cosmetology services must be registered with the Association and must renew their licence/permit annually by submitting the required form along with applicable fee payments. The Association will not issue licences/permits until the correct forms and full payment of fees are received. Licensing fees are to be paid for one (1) full year, renewed annually on or before the December 31 deadline.

- Administrative Staff will confirm upon request licensing and salon registration status to prospective employers and employees.
- Administrative Staff will confirm upon request that a salon has met all the salon registration and inspection requirements for the current year.

### Licences

A Member may hold one of the following categories of licence in accordance with the By-laws:

- **Cosmetologist (Hairdressing)**
- **Cosmetologist (Esthetics)**  
*Note:* any individual that held a Cosmetologist (Esthetics) licence prior to January 1, 2022, is required to apply for and obtain a Specific Licence (Eyelash Enhancements) by no later than December 31, 2023.
- **Master Cosmetologist (Hairdressing)**
- **Master Cosmetologist (Esthetics)**  
*Note:* any individual that held a Master Cosmetologist (Esthetics) licence prior to January 1, 2022, is required to apply for and obtain a Specific Licence (Eyelash Enhancements) by no later than December 31, 2023.
- **Master Cosmetologist Instructor (Hairdressing)**
- **Master Cosmetologist Instructor (Esthetics)**

**Note:** any individual that held a Master Cosmetologist Instructor (Esthetics) licence prior to January 1, 2022, is required to apply for and obtain a Specific Licence (Eyelash Enhancements) by no later than December 31, 2023.

- **Specific Licence (Salon Assistant)**

- **Specific Licence (Nail Technician)**

- **Specific Licence (Makeup Artist)**

**Note:** any individual that held a Specific Licence (Make-up Artist) prior to January 1, 2022, is required to apply for and obtain a Specific Licence (Eyelash Enhancements) by no later than December 31, 2023.

- **Specific Licence (Body Hair Removal Services)**

**Note:** Facial Waxing

Any individual that provided facial waxing services prior to January 2005, was required (at the time) to apply to the Association for the addition of *facial waxing* to the individual's licence held prior to January 2005.

Any Member that did not apply during the eligibility period in 2003/2004 or obtained a licence other than a Specific Cosmetologist (Body Hair Removal) licence after 2005, is not eligible for facial waxing.

- **Specific Licence (Eyelash Enhancements)**

**Note:** Eyelash extensions (as it was then) was removed from the Esthetics and Make-up curriculums, effective as of January 1, 2022, as Eyelash Enhancements (as it is now) is a stand-alone licence. Applications for grandfathering those Estheticians and Make-up Artists that held a licence with the Association in either of these two categories will be available at the Association office until December 31, 2023. There will be no charge for the addition of the stand-alone licence to the Estheticians and Make-up Artists affected by this change.

No applications will be accepted after December 31, 2023.

- **Specific Master Cosmetologist Instructor – Nail Technician**

- **Specific Master Cosmetologist Instructor - Make-Up Artist**

- **Specific Master Cosmetologist Instructor - Body Hair Removal Services**

- **Specific Master Cosmetologist Instructor - Eyelash Enhancements**
- **Temporary Licence (Graduate)**
- **Temporary Licence (Transfer)**
- **Temporary Licence (Visitor)**  
A Temporary Licence (Visitor) may be issued for no more than one year from the date of issue. Upon expiry of a Temporary Licence (Visitor), an applicant may reapply for licensing with the Association.

**Licensing Prerequisites:**

Any applicant for licensing (including applicant to a school of cosmetology) must meet entrance requirements including proof that the applicant has completed grade 12 (by providing a high school or General Educational Diploma “GED” diploma) or the equivalent thereto (and provide, if required, proof of language proficiency testing at a Canadian English Benchmark minimum level 5 in all areas).

As of May 15, 2022: Any individual that has attained the age of 65 years that has been registered with the Association **and** working in the cosmetology industry for more than 10 consecutive years will pay a \$10 licensing fee only, until they attain the age of 70, at which time it will become nil.

Any individual that holds more than two licences with the Association will receive a 50% reduction on the 3rd and subsequently 4th licence fees (as the case may be).

The Executive Board of Directors may waive minimum entrance requirements in special circumstances for persons with disabilities or other social disadvantages (such as considering applications received from refugees of war, or those from victims of flood, fire, etc. Please contact the Cosmetology Association directly if any of these situations apply.) The Board must be satisfied that the applicant is likely to be successful in the study and practice of cosmetology prior to waiving such requirements.

**Note:** A student must meet all prerequisites for admission to the program as part of a student contract with the school, prior to starting the school program (see Sections 6(1) and 6(4)(h) of the Private Career Colleges General Regulations under the *Private Career Colleges Regulation Act, supra.*) In such cases, a student must comply with the requirements of their school prior to starting the school program even though a

permit may be issued under these *By-Laws* after the student has started their course at the school.

## **Permits**

### **Student Permit**

In accordance with Section 26 of the Act, a student who is registered in a course of cosmetology at a school must apply for and receive a Student Permit prior to the beginning the course. Upon providing evidence that s(he) meets the prerequisites set out below and submitting the appropriate application to the Executive Director, the student shall be issued a Student Permit which enables the student to engage in the practice of cosmetology under the direct supervision of a Master Cosmetologist Instructor to the extent necessary to fulfill the requirements of the curriculum and in order to satisfy the requirements set out in the *Act*. A Student Permit will be in effect for the term of the course in which the student is registered at the time the student applies for the Student Permit.

### **Permit to Operate a School**

Only a school as defined in the *Act* is authorized to offer a course of study in cosmetology.

### **Salon Permit**

Any business or sole proprietorship offering cosmetology services to the public for fee, gain, or expectation of reward or remuneration is required, by law, to obtain a salon permit issued by the Cosmetology Association of Nova Scotia (applicable to commercial, home-based, and mobile businesses). The Association must be in receipt of the required application form, documentation (including a development and/or occupancy permit from the associated municipality if applicable), and prescribed fees prior to issuing a salon or spa permit.

Upon approval, a salon permit will be issued according to the number of employees that are employed by and actively working in a salon. Permit categories are as follows:

- Salon (1)
- Salon (2-5)
- Salon (6-10)
- Salon (11+)

The above noted categories pertain to salon employees only. A listing of fees associated with the above permit categories can be found in the Association's By-Laws, at Schedule B.

All Salon Permits must be renewed on or before December 31st of each calendar year.

#### **Mobile Services Permit**

Any Cosmetologist that transports equipment from one location to another for the purposes of practicing cosmetology for fee, gain, or expectation of reward or remuneration is required, by law, to obtain a Mobile Services Permit issued by the Cosmetology Association of Nova Scotia. The Association must be in receipt of the required application form, documentation, and prescribed fees prior to issuing a Mobile Services Permit. The fees associated with a Mobile Services Permit can be found in the Association's By-laws, at Schedule B.

All Mobile Services Permits must be renewed on or before December 31<sup>st</sup> of each calendar year.

#### **Photo ID**

In order to maintain and ensure Industry compliance and standards for the protection of the general public and cosmetologists, all Members will be required to obtain a photo ID card issued by the Association by no later than December 31, 2019.

These picture IDs will help guarantee to the public, distributors, and vendors that cosmetologists are licensed and in compliance with regulations and policies and have been properly trained in universal precautions and the skills of the trade/profession in order to safely provide cosmetology services to the public and purchase from professional distributors. The public and distributors (i.e.: Maritime Beauty, Euro Beauty, Eastern Esthetics, etc.) are encouraged to confirm that a cosmetologist licence is current and up to date, allowing a cosmetologist to provide professional services and to purchase supplies that should only be sold to professionals.

Picture IDs will also prevent those who are not licensed Members of the Association from presenting themselves as cosmetologists. All cosmetologists should display and promote their licence and/or salon or mobile permit at all times (in person, on Social Media, etc.)

Paper Licence cards must be visible to the public at all times while performing cosmetology services.

An initial ID card is free with Membership. Members requiring a replacement card will be charged in accordance with the By-laws, at Schedule B.

Additional information regarding the Association's Photo ID requirements can be found on the Association's website or by contacting the Association directly.

### **School Permit**

It is necessary to register a school of cosmetology and all individual cosmetology programs. It can take 8 to 10 weeks to approve a new program. Private training schools must also register with the Private Career Colleges division of the Department of Advanced Education. See Section 6(1) - *Curriculum*.

School permits and instructor licence fees are due before the December 31 deadline, with the monetary amount being based on the number of students enrolled from the previous year. If an instructor's licence is not renewed by January 1, that instructor's training must cease, and all hours completed by that instructor after the January 1<sup>st</sup> renewal deadline will be null and void. Notification will be issued to instructors and administrators at the school regarding licence renewal by means of electronic mail or phone call.

### **Master Licence Designation**

Cosmetologists who wish to upgrade to Master Cosmetologist are required to successfully obtain three (3) Association approved professional development credits and to have completed (3) consecutive years of active work as a Cosmetologist in a cosmetology establishment. Applicants are also required to be in good standing with the Association when applying for Master Licence designation.

Every Member who obtained Master Licence designation after September 2019 is required to provide proof of one Association approved upgrade every two years (based on date of original licensing) to the Association office to be kept on file.

### **Instructor Licence Designation**

To obtain a Master Instructor licence (Hairdressing & Esthetics), Cosmetologists are required to successfully complete two (2) years of active work as a Master Cosmetologist in a registered cosmetology establishment and meet any other requirements as may be determined by the Association. Master Cosmetologists who are self-employed will be required to show proof of business registration, and length of time of ownership.

Every Member who obtained Instructor Licence designation after September 2019 is required to provide proof of one Association approved upgrade every year (based on date of licensing) to the Association office to be kept on file.

To obtain a Specific Master Cosmetologist Instructor licence (Nail Technician, Make-Up Artist, Body Hair Removal, Eyelashes), Cosmetologists are required to complete three (3) years of active work as a Specific Cosmetologist in a registered cosmetology establishment and meet any other requirements as may be determined by the Association.

Every effort will be made to have licence upgrade applications processed and response mailed out to Member within thirty (30) days of receipt of the request (provided all documentation is in order). Application processing time is typically 4 to 6 weeks.

Requirements for Train the Trainer or certificates in adult education programs are a minimum of 90 hours of training (as required by Department of Advanced Education). See *Train the Trainer/Adult Teaching Certificate* below for more information.

#### **Master or Specific Instructor Application & Process**

Master Cosmetologists and Specific Cosmetologists are required to fill out an application for Instructor Licence and submit it to the Association for review.

#### **Application Fee(s):**

Fees associated with this application are noted in accordance with the *Cosmetology Act, 2012, c.39* at Schedule B.

See Schedule B of the By-laws for current Master and Specific Master Instructor Licence Fees.

#### **Approved Professional Development Classes**

Approved professional development classes can be found on the Association's website at [www.nscosmetology.ca](http://www.nscosmetology.ca) or by contacting the Association office directly.

All approved and registered professional development classes expire one year post registration, and must be renewed annually, based on approval date.

#### **Train the Trainer/Adult Teaching Certificate**

Once approved for a Master Instructor or Specific Master Instructor Cosmetologist licence, Instructors are required by Department of Advanced Education to complete



a Train the Trainer/Adult Teaching Program within 3 years of the licence approval date. Instructors have 3 years to complete all 3 module requirements and are required to submit copies of certificates to the Association upon receipt of same.

### **Cosmetologists Living in other Provinces or Countries**

The policy of the Association is to follow fair registration practices, allowing cosmetologists from other Provinces or Countries to practice cosmetology in Nova Scotia with at least an equivalent licence to the one held previously, provided the applicant meets all Nova Scotia cosmetology licensing requirements. If an applicant does not fully meet all licensing requirements, that applicant may be granted a restricted Nova Scotia licence reflecting the applicant's individual qualifications. An application form is available on the Association's website and at the Association's office.

A person who resides outside Nova Scotia or has recently moved to Nova Scotia from a jurisdiction where there is no licensing in place for cosmetologists, and who is seeking to take the examinations but who has not been trained in a cosmetology school must provide evidence satisfactory to the Board of Directors as set out in the Association's policies, that they have sufficient work experience to write the examination for the desired licence without further occupational training.

All applicants are required to successfully complete required examinations within one (1) year of approval for examination.

### **Out of Province or Country Credential Transfer Requirements & Process**

Anyone who is moving to Nova Scotia from another Canadian Province or Territory within Canada must obtain a licence from the Cosmetology Association of Nova Scotia in order to provide any cosmetology service to the general public. In order to obtain a licence from the Association, the applicant must submit a Credential Review Application for review. More information on the Credential Review process can be found on the Association's website.

Any individual that holds current and valid certification or Red Seal endorsement from another province in Canada will be required to complete the Association's Provincial By-law test only upon approval for licensing.

Any individual providing documentation with a credential application that cannot be verified or authenticated by traditional means, must obtain and provide to the Association a 3<sup>rd</sup> party credential assessment from a registered school of cosmetology (of their choosing) in Nova Scotia.

Any individual transferring to Nova Scotia from another province in Canada that has more than five years, consecutive working experience in industry and has provided verifiable and authentic proof upon application, may be eligible upon approval to challenge the Association's Provincial By-law examination only.

### **English Proficiency**

For applicants whose first language is not English, proof of English language proficiency testing with a minimum pass level of 5 in all areas from a recognized language testing institution is required (equivalent to Canadian English Language Benchmark minimum level 5).

A Canadian English Language Proficiency Index Program (CELPIP) General Test and International English Language Testing System (IELTS) General Training Test will be accepted.

Documents not provided in English will require translation by a certified Canadian translator before being submitted to the Association. Any cost associated with document translation is the responsibility of the applicant.

### **Examination**

Any individual applying to the Association for licensing from out of Province or Country must, at minimum, challenge the Association's Provincial By-law test.

### **Out of Province Transfer Requesting Master Designation**

Any individual applying for Master designation through a Credential Review application is required to submit with the Credential Review application, supporting information and documentation in accordance with the requirements noted above under *Master Licence Designation*. Any professional development (credits) completed and obtained out of Province by a non-Member individual applying to transfer credentials to Nova Scotia from out of Province will be considered for upgrading purposes.

### **Accessibility - Accommodation**

The Nova Scotia Cosmetology Association will make all reasonable efforts to accommodate applicants with special needs. See Section 6(2) and (3) for more information.

### **Lapsed Licence**

Former Nova Scotia cosmetologists who have let their Nova Scotia licence lapse while living outside the Province may apply to have their licence re-instated without theory or practical examination should they be able to show proof of current, valid licensing from another province, state, or country.

- Individuals living in a province, state, or country that does not require licensing are required to maintain a Nova Scotia licence.
- Applicants must pay the full Nova Scotia licence fee for the returning year.
- Individuals living in a province, state, or country that does not require licensing and who chose not to maintain a Nova Scotia licence with the Association must pay late fees for each year the licence has been lapsed, including the returning year.

Information regarding the Association's Lapsed Licence Policy is available on the Association's website under the *Licensing* tab.

### **Appeal of Licensing Decision**

If you have applied to the Cosmetology Association of Nova Scotia for licensure and your application (request) has been denied, you have the right to appeal the decision of the Executive Director to the Review Committee.

An appeal request to the Review Committee can be made via email, fax, or regular mail to the Executive Director. There is no cost associated with an appeal request.

*NOTE:* Any person who was involved in an original credential review assessment and decision must not be involved in an appeal hearing related to that credential review decision.

## **SECTION 5: INSPECTIONS & COMPLAINTS**

### **1. INSPECTORS**

#### **Authority**

See *Act* section 40-42 and By-Law #8

- The authority and direction for conducting an inspection comes from the Association; Inspectors are not permitted to act alone without guidance.
- Inspectors have the right to enter and inspect all salons at reasonable business hours without appointment under Section 41 of the *Act*.
- Inspectors should not abuse this authority and should carry out their duties objectively without putting themselves or others in harm's way.

## **Behavior**

An Inspector is a fact gatherer and NOT a decision maker. Inspectors must report findings in an objective manner, and report only the facts without expression of personal opinion.

Key words: objective, thorough, factual, timely, with confidentiality.

- The guiding principle for good Inspectors is to act at all times in good faith and with fairness.

## **Documents**

*Definition:* real evidence; a written or printed paper that gives information about or proof of something (i.e.: letters, appointment books, computer schedules, brochures, business cards, pictures, etc.)

- Inspectors have the authority to look at listed appointments no matter what the format (a book, a computer screen or listing) and it is to be done in every salon.
- Inspectors have the authority to document evidence, using photos, videos, written documentation, etc.

## **2. CONDUCTING INSPECTIONS**

All salons and schools must register with the Association and hold a current, and valid permit. An inspection should be unscheduled, with no advanced warning given. In salons, the Inspector is inspecting for licensing, infection control and compliance with the *Act* and By-Laws.

In schools, an Inspector is inspecting for sanitation, student and registration and permit cards, student practical experience records, hours and attendance, school equipment, textbooks, student-teacher aspect ratio, instructor licensing, procedures, curriculum outline, test results and overall compliance with the *Act* and By-Laws.

It is the responsibility of the Executive Director to monitor the inspection process.

## **Implements**

*Definition:* A tool, utensil, or other piece of equipment, especially as used for a particular purpose. (i.e.: brushes, wax sticks, samples of disinfectant, etc.)

Inspectors are to ensure that all implements are disinfected and sanitized properly and kept separate from soiled implements, following all protocols and guidelines in the Salon & Spa Compliance Handbook.

### Salon/Spa Washroom Facilities

It is necessary to inspect all washroom facilities used by staff and clientele in a salon.

**Exception:** Shopping mall washrooms are not subject to inspection by the Association.

- Washroom facilities must have paper towels, hand towels, liquid soap, sanitizer, and tissue.
- There must be washroom facilities available for staff and clients, no matter the location.

#### **Washroom in a home Salon:**

⇒ A shared family washroom in a home Salon must be dedicated to clients during open business hours only and maintained in a manner that provides sanitary conditions for Salon staff and clients. There does not need to be a separate washroom for clients and salon staff in a home salon.

- Esthetic showers, bathing areas, hot tubs, foot baths must also be inspected if present.

### Inspection Conduct in Private Esthetics Rooms

- Manicure and pedicure services are not considered private services.
- Facial services, massage services and body-waxing services are considered private once they are in progress (however, if a client is properly draped, the Inspector should request to inspect the room for a few quick moments before the service starts).
- If services are private, the inspector will conduct the inspection in the remaining salon areas and wait for a short time for the esthetics room to become available (**note:** a salon cannot pass inspection until all the esthetics rooms have been inspected).

### Disinfectants Approved by the Cosmetology Association

All salons should follow the Association's list of approved sanitation and disinfecting agents. To review a full list, refer to the Association's *Salon & Spa Compliance Handbook*.

\*Ultra-violet sanitizers are useful for storing disinfected brushes and implements but must not be used as a tool or option for disinfection.

### **Virtual Inspections**

A virtual inspection may be implemented on the determination of the Executive Director.

Virtual inspections do not replace in-person, onsite inspections.

### **Post-Inspection**

- If a salon has passed inspection, the salon will be provided with an inspection sticker from the Association.
- If a salon fails inspection, the Association will follow-up with correspondence explaining why the salon failed and will provide further information and steps in the inspection process.
- A salon fails an inspection automatically when:
  - ⇒ expired, non-use or improper use of approved disinfectants is apparent;
  - ⇒ a salon licence and/or registration is not current with the Association, is not able to be verified or is non-existent;
  - ⇒ individual licences are not displayed in the open and available to the public;
  - ⇒ three (3) or more sanitation violations are documented (except for non-use or improper use of approved disinfectants);
  - ⇒ refusal of the salon manager to allow the inspection to proceed;
  - ⇒ if there is a situation where a licence is required but has not been obtained;
  - ⇒ current licences for all cosmetologists listed as working in the salon cannot be verified at the time of the inspection.

## **3. PROCESSING INSPECTION REPORTS**

### **Processing of Inspection Report**

Inspection forms and reports will be forwarded to the Association's Compliance Coordinator, who then will forward a copy of the failed original inspection form to the Executive Director for review. Administrative Staff is responsible for entering the inspection information (date, time, and any notes) into the Association's database computer system.

Any changes in address or other information changes including the addition or deletion of staff will be corrected and/or entered in the system prior to uploading and discarding the original inspection form.

The Executive Director will decide whether the inspection is considered a "regular failed" or a "serious failed" and if the salon requires a re-inspection.

- **A regular failed inspection:** Any salon receives a first failed inspection, when:
  - ⇒ there is a sanitation concern, and/or
  - ⇒ there is a salon licensing and/or registration concern,
    - if a Salon has failed inspection for current licensing and/or registration violations **only** and takes action immediately (i.e.: pays fees, etc.), an inspection sticker should be prepared with the original inspection date and mailed out to the salon as soon as possible following payment.
- **A serious failed inspection:** A salon will receive a serious failure inspection when:
  - ⇒ there is a sanitation and/or disinfection violation where the Inspector has noted special concern,
  - ⇒ there is a sanitation and/or disinfection violation, a notice of sanitation violation is sent to the salon,
  - ⇒ there is a licensing violation where any one of the staff do not hold a current licence,
  - ⇒ a Temporary Licence is required.

#### 4. COMPLAINTS

##### Filing a Complaint

All complaints shall be in writing and may be submitted electronically.

If a complaint is signed electronically with a signature attached by a complainant and the complainant's identity is verified (full name and contact particulars are required) by the Association's Administrative Staff, the complaint shall be submitted to the Executive Director to be dealt with in the strictest of confidence.

A complaint may be initiated by:

- a Member
- a body corporate or association
- an inspector of the Association
- a committee of the association
- any other person.

A Complaint Form is to be completed in its entirety; failure to do so may jeopardize due process (i.e.: if adequate information is not provided, the complaint may not be processed properly).

A complaint must be filed within two years of the incident giving rise to the complaint. A description of what has taken place must be included (i.e.: relevant details as to time, place, etc.) Any relevant materials that support a complaint should be provided, including pictures, videos, etc.

A complaint must be sent directly to the Executive Director or the Executive Director's Assistant, within one business day of receipt of same.

Upon receipt of the complaint, the Executive Director may make any inquiries and take necessary steps to address the complaint and within 30 days, the Executive Director will provide their findings in accordance with the *Act* and By-laws.

If any Member is found to be in continued violation of the *Cosmetology Act* and its By-laws in accordance with the above policies, the Member will be subject to discipline, in accordance with sections 44 through 63 of the *Cosmetology Act*.

## **SECTION 6: SCHOOLS**

### **1. POLICIES & QUALIFICATIONS**

#### **Policies**

##### **Governing Regulations**

- All schools must adhere to the following governing regulations:
  - The *Cosmetology Act, supra*
  - The *Cosmetology By-Laws*
  - Private Career College Policies and Regulations
  - NSCC Policies and Regulations
- The student-teacher ratio for all programs is eighteen (18) students per one (1) instructor in practical areas.
- All substitute instructors must hold a current Master Cosmetologist Instructor's licence or Specific Instructor's licence while instructing students in a registered school.
- The Association will review all facilities and the equipment of any school with a Cosmetology program both during the Industry Review Process and during inspections with the objective of ensuring that facilities and equipment are adequate and up to date for the safety, comfort and learning of students.

##### **Student Fees**

- Student Enrolment Fees are payable in accordance with the By-laws, at Schedule B.



- Students' examination fees (in accordance with the By-laws, at Schedule B), are payable within 30 days of intake.
- If a Student does not receive a Student Permit from the Association, the Student is not permitted to attend class until a Student Permit is obtained.
- The Student Enrolment Fee is refundable should the student withdraw or be asked to leave the school for any reason within 60 days of the intake or if the student does not start the program. After 90 days no portion of the Fee will be refunded.

### Curriculum

Any school teaching a cosmetology program that is required to be licensed with the Association must have each individual program approved by the Executive Director.

- This is done in the form of an Industry Review, which is required by the Private Career College Division of the Department of Advanced Education. Documentation can be obtained through that office by calling visiting their website at <https://novascotia.ca/lae/> or calling (902) 424-5636.
- Requests for an Industry Review must be received at the Association office 8 to 10 weeks in advance of start-up and will be placed on the agenda on a first-come, first-served basis.
- An Industry Review must be resubmitted for approval when a school is considering changes to their curriculum.
- A Program Review/Registration Fee (plus applicable taxes) applies to all Industry Reviews as per Schedule B of the By-Laws.

All programs must meet the minimum training requirements set by the Association.

- A curriculum outline is available to schools for each program in the Instructors' *Dropbox* or by contacting the Association office.
- Schools may provide training that goes beyond the minimum requirements, but all training must meet at least the minimum number of hours and content as set by the Association and must not contradict training and licensing as described in the *Act* and By-Laws.

All students must be provided with the most recent Association approved textbook(s) pertaining to the course they have enrolled in.

### Current approved textbooks:

Schools must provide all Cosmetology students with a **hard copy** of **each** textbook(s) associated with their course.

- Hair
  - ✓ Milady - Standard Cosmetology and Milady Natural Hair Care and Braiding textbook (current editions).
  - ✓ Pivot Point Fundamentals – series 101-111 and Milady Natural Hair Care and Braiding textbook (current editions).
  
- Esthetics
  - ✓ Milady Standard Esthetics & Foundations Fundamentals (12<sup>th</sup> ed.) and Milady Standard Nails (current editions)
  - ✓ Pivot Point Esthetics series and textbook 113 from the Pivot Point Cosmetology program (current editions).
  
- Lashes
  - ✓ Milady Foundations (current versions)
  - ✓ (LCN) Captivating Lashes
  - ✓ Premier Lash Canada
  - ✓ Milady Eyelashes
  
- Make-Up
  - ✓ Milady Makeup and Foundations (current editions)
  
- Nail Technology
  - ✓ Milady Standard Nails and Foundations (current editions)
  
- Body Hair Removal
  - ✓ Milady Standard Esthetics & Foundations Fundamentals (current editions)

### **Online Approved Programs**

- Pivot Point LAB
- Milady MindTap

### **Student Withdraw**

Students withdrawing from a program are required to fill out a Student Withdraw Form. The Instructor in charge of training (as indicated on the Student Permit) must complete and submit to the Association for each student withdraw within 10 days of the withdrawal or termination from the program.

An Examination Fee may be refunded up to 90 days after a course intake date. The Student Enrolment fee is non-refundable. Refunds will be issued to schools only. Accounts may be settled through school administration.

### **Dismissal of a Student**

A record of completed student hours and activities is to be filed with the Association office within 10 days of dismissal. The instructor in charge of training (as per

information provided on a Student Card) must complete a Student Withdraw form and file it with the Association.

Administrative Staff will note this information in the Association's database and file a copy of the completed Student Withdraw form in the student's personal file.

### **Field Trips – 1500 Hour Programs**

Students must complete a total of 40 field trip hours and 100 hours of OJT (on the job training outside of the school location). Application forms are available from the Association in advance.

- The application form for field trips must be forwarded to the Association office by email, fax or mail, at which point the Executive Director will approve or reject the application (with reasoning).
- The Executive Director will review the application form and will return it to the instructor, keeping a copy in the school's file and in Clear Service.

All activities must be under the direct supervision of a Master Cosmetologist Instructor or Master Cosmetologist with a minimum of 5 years' work experience in the Industry as defined in the *Act*.

Field trips are limited to 40 hours and OJT must be a minimum of 100 hours.

Field trips should expose students to different aspects of the Cosmetology Industry (i.e.: a field trip to a supplier, trade show, nursing home, to the Association office, etc.)

### **Qualification for Examination**

- A minimum grade 12 education that has been completed in a Government approved program with a diploma.
- Students that complete equivalency testing for grade 12 (GED, CAAT or Wonderlic) must show a reading comprehension level equivalent to a grade 12 level, or a Canadian English Language Benchmark Level 5.

## **2. PROVINCIAL EXAMINATION**

### **Examination Process**

Cosmetology students that have completed or are nearing successful completion of training must apply to participate in Provincial examination within 30 days of successful training completion\*. To participate in Provincial examination, a student must successfully complete:

- The number of training hours required in order to participate in the Provincial examination.
  - ⇒ 1,500 hours of training for hairdressing or esthetics
  - ⇒ 300 hours in any specific licence category
    - The Association will accept hours of training from a school provided it is registered under the *Private Career Colleges Act, supra*, the Department of Advanced Education and is registered with the Association.

\*Subject to change due to Pandemic outbreak or other acts outside the controllability of the Association.

### **Theory Examinations Delivered Electronically**

All written Exams may now be completed online via the Association's website (although participants can request to complete a written Exam at the Association office – laptop computers are available to loan).

Participants are given a maximum of 3 hours to complete all theory (written) tests.

### **Exam Registration & Completion Deadline**

Students must register for the Provincial examination within 30 days of successful training completion and must participate in the next available exam date.

Students have two years from the original intake date for all training components to be completed. If a student has not completed training within this time frame, the student must retrain in a full program.)

A student registering for examination must submit:

- a completed Verification of Successful Training Completion form along with a transcript of the student's marks;
- verification of tutoring (if applicable); and
- a Government issued photo ID.

Students are responsible for supplying all necessary equipment and supplies applicable to their area of cosmetology as outlined in the Association's Student Examination Guide(s).

Any student that does not bring all the aforementioned information or supplies will not be permitted to challenge exams on the scheduled examination day, and the

student will be marked “Did Not Attend”. The student will be required to pay a Re-examination Fee in accordance with the By-laws, at Schedule B in order to be rescheduled and to receive an extended Temporary Licence (Graduate).

Applicants will not be permitted to make arrangements by telephone at the Association office to have supplies or documentation brought to them in order to participate in the examination on that day.

The Executive Director may from time-to-time review individual circumstances and make a decision in extenuating circumstances to allow the examination participant to start late or to reschedule the exam at a reduced fee or at no extra charge (extenuating circumstances include family emergencies, illness, storms, etc.)

### **Successful Training Completion**

Means a student who has passed both the practical and theory aspects of each phase of the school curriculum.

- A mere attendance for 1,500 hours is not sufficient.
- It is not acceptable for a student to fail practical but pass theory (or *vice versa*).
- A minimum passing mark of 70% in all areas is required (practical, theory and the Association’s By-Law examination).

### **Verification of Successful Training Completion**

A Verification of Successful Training form is to be completed by an instructor of the school and sent to the Association prior to the exam date.

The school is responsible for sending this information prior to the examination date (failure to do so will result in the student not being eligible to participate in the examination on that day and being marked “Did Not Attend,” resulting in the student paying a Re-examination Fee in accordance with the By-laws, at Schedule B to reschedule, with no exceptions).

### **On the Job Training (OJT)**

1500-hour cosmetology programs have a work experience component within the curriculum. To avoid misunderstanding, OJT is mandatory (100 hours) and is to be completed within a salon.

- Students cannot perform services on clients until they have completed all program requirements.
- Students that have not completed the required hours can only observe or complete tasks that are not services performed on a client.

- Students that have finished the required hours must submit their Verification of Successful Training Completion form, examination fee, and have received a Temporary Licence (Graduate) prior to commencing a job if they wish to be able to perform services on a client.

### **Temporary Licence (Graduate)**

A Temporary Licence (Graduate) allows a student to work under the direct supervision of a currently licensed Cosmetologist until the date of examination. A Temporary Licence (Graduate) is issued in the following circumstances:

- after a student successfully completes their hours of training and applies for examination with the Association,
  - ⇒ A student cannot operate their own salon on a Temporary Licence (Graduate) or at any time be scheduled to work on their own in a salon without a licensed Cosmetologist being present for the purposes of direct supervision.
- if a student fails any phase of the Provincial examination, the student must apply for re-examination and once all fees are paid applicable thereto, a new Temporary Licence (Graduate) will be issued,
- a student may only be issued three (3) Temporary Licences (Graduate) in total.

### **Delivery of Examinations**

Examinations are to be held at the Cosmetology Association's office. However, as conditions warrant (e.g.: Pandemic outbreak), delivery of examinations may be held at alternate locations around the Province as required (in this instance, proctoring is required and can be arranged through the Association office by contacting the Executive Director).

Effective as of March 2022, theory portions of the Provincial examinations will be available online for completion.

### **Inappropriate Behavior During Examination**

- Exam participants and/or models that display unprofessional, inappropriate behaviour during an examination may be asked to leave the premises immediately.
  - ⇒ The exam participant will be marked "Did Not Attend" and will be required to pay the Examination Fee in accordance with the By-laws, at Schedule B prior to receiving an extended Temporary Licence (Graduate) and being rescheduled for another examination.
- Examples of inappropriate behavior:

- ⇒ Inappropriate language (swearing),
- ⇒ Unprofessional behaviour or attitude toward a model (losing temper or control with model, etc.),
- ⇒ Unprofessional behaviour or attitude toward Examiner(s),
- ⇒ Leaving the examination room for breaks without permission from Examiner(s),
- ⇒ Acting in any way that causes disruption, discomfort or shows a general lack of respect for models, other examination applicants, Examiners or Association staff,
- ⇒ Noticeable impairment by drugs and/or alcohol (any student found to be using or is impaired by drugs or alcohol will be asked to leave the premises immediately and marked DNA),
- ⇒ Cell phone usage – using a cell phone or other electronic device while an exam in is progress.

#### **Incomplete Examinations**

Exam participants who become ill (or whose model becomes ill) during the examination may apply to rewrite the examination without extra associated cost or penalty at the discretion of the Executive Director.

Consideration will also be given to participants who are called away due to unforeseen circumstances or family emergencies (in these cases, marks of completed phases will be recorded).

If an exam participant makes a decision not to complete any phase(s) of the examination due to frustration or lack of confidence in the outcome of one of the preceding phase(s), the participant will be marked “Did Not Attend” and must pay an Examination Fee in accordance with the By-laws, at Schedule B to be rescheduled for another examination and receive an extended Temporary Licence (Graduate) and there will be no evaluation completed for the exam applicant on that day.

#### **Student – Instructor Contact During Examination**

No contact between students and instructors or family members/friends during the Provincial examinations is allowed until the examination is complete (the Association will except verifiable emergencies).

## **Examination Pass / Fail**

### **Practical Examination Failure**

Prior to a third attempt at a practical exam, a student must be supervised by a Master Cosmetologist or Master Cosmetologist Instructor for a minimum of 50 hours in the failed phase(s) before presenting themselves for re-examination.

- A practice form must be sent to the student for verification of practice supervised by a Master Cosmetologist or Master Cosmetologist Instructor.
- The student must hold a valid Temporary Licence (Graduate) when the practice takes place in either a school or salon.

In the event a student fails **four or more phases** of the Association's practical hairdressing examination, the entire practical examination must be retaken.

### **Theory Examination Failure**

Upon failure of the written or oral theory examination on the second attempt, the student must receive an additional 50 hours of tutoring under the supervision of a Master Cosmetologist or a Master Cosmetologist Instructor before presenting themselves for a third examination.

Students must be successful in all written theory examinations in order to pass (i.e.: multiple choice and written; infection control and By-laws.)

### **Refund Policy**

- Examination fees are non-refundable.
- Exam participants who become ill just prior to or on the day of the examination must provide valid medical documentation for the day of the examination or will be subject to a DNA "Did Not Attend" Examination Fee in accordance with the By-laws, at Schedule B.
- An exam participant must register for the examination by the time appointed on the examination Notification (if the student does not register for the examination by the appointed time, the student will be marked "Did Not Attend" and will be required to pay the Examination Fee in accordance with the By-laws, at Schedule B to be rescheduled and receive an extended Temporary Licence (Graduate)).



### **Request to Review Examination**

The Executive Director will consider a written request from an applicant to discuss their examination if the applicant has failed one or more components of a first attempt.

### **Appealing Provincial Examination Results**

Any student who fails to pass any examination may, within 30 days of receipt of the results of the examination, appeal in writing to the Executive Director (the appeal must be filed by the student).

Upon receipt of an appeal, the following action may to be taken:

- The Executive Director will conduct a review of the examination documentation to ascertain that all marks have been added, calculated, and documented correctly.
  - ⇒ The Examiners involved in the original examination and against whom the appeal is being made must be involved in the initial discussion of the concern but cannot be involved in the decision to rectify the concern.
  - ⇒ If an appeal is regarding a written examination, the Association will contact the student to make an appointment to review the examination to determine areas of weakness (if the applicant is still not satisfied, then they must follow the process of making an appeal to the Executive Director).
  - ⇒ If an appeal is about a practical phase of the examination, the Association will review evaluation sheets and contact the student to assist the student in understanding where they lost points (if the applicant is still not satisfied, then they must follow the process of making an appeal to the Executive Director).

The Executive Director will review the results and may uphold, vary or reverse the results.

If the student is re-examined on appeal, the original Examiners will not be involved in the re-examination.

If Examiners note a trend in failures or unusual problems, these trends must be reported immediately to the Executive Director for investigation or review.

### **Request for Time Extension**

- The practical phase of an examination is timed, according to what is an expected standard in the Cosmetology Industry.

- Extra time is allowed (within reason) in the written phase of the hairdressing and esthetics Provincial examinations.
- 30 minutes of extra time to complete the written phase of the examination is permitted when:
  - ⇒ English is not the first language of the student,
  - ⇒ A student is hearing impaired,
  - ⇒ A student has documented learning or physical difficulty.

#### **Request for Accommodation**

- Requests for oral examination must be made in writing when applying for a Student Card by submitting a Request for Accommodation to the Cosmetology Association.
- A student requesting accommodation must provide a copy of their last testing assessment and other supporting (medical or otherwise) documentation as required by the Association.
- Once a student has begun theory examinations in written format, there will not be an opportunity to change to an oral format during that examination.

(See also *Accommodation for New Applicants or Students with Disabilities* below.)

#### **Examination Schedules**

- Registration for examinations takes place at the time documented on a participant's exam notification letter.
- Appropriate breaks are scheduled as defined in examination guidelines.

### **3. ACCOMMODATION FOR STUDENTS OR NEW APPLICANTS WITH DISABILITIES**

The Cosmetology Association will make all reasonable efforts to accommodate applicants with a special need.

#### **Request for Accommodation**

Requests for accommodation are to be made to the Association's Executive Director (in writing) no later than 15 days prior to a scheduled examination date.

A request for accommodation must include:

- the nature of the disability or need,
- the type of accommodation being requested, and
- where available, a description of what accommodation(s) the applicant has received in the past.

Depending on the nature of the disability or need and the type of accommodation being requested, the Executive Director may request that the applicant provide additional evidence to support their request. Such additional evidence may include, but is not limited to, a formal medical diagnosis or documentation from a health care practitioner explaining the need for the accommodation being requested.

### **Types of Accommodation**

The Executive Director is not required to provide the applicant with their preferred type of accommodation. In cases where the applicant's specific request cannot be met, the Executive Director will work together with the applicant to determine a reasonable solution.

If the applicant and the Executive Director cannot agree on what type of accommodation is appropriate in any case, the Executive Director will make a determination as to what accommodation, if any, is to be provided.

Examples of accommodations that can be made include, but are not limited to:

- Assistance in completing the written exam.
- Equipment for practical examination.

Examples of accommodations that can be made for the Association's Provincial Examination include, but are not limited to:

- written oral examination (i.e.: private with assistance),
- alternative time,
- additional time.

### **NOTE:**

Any arrangement (such as a language interpreter) must be arranged no later than 15 days prior to a scheduled examination date and all such arrangements are at the expense of the exam participant.

The Executive Director may decline to provide any accommodation when doing so would circumvent a *bona fide* occupational requirement.

Notes related to an accommodation request will be kept in the applicant's file, separate from other general materials in order to avoid inappropriate disclosure of personal medical or health-related information.

## **SECTION 7: FINANCE**

### **1. BUDGETARY BREAKDOWN**

#### **Operating Budget**

As soon as possible after the annual audited financial report is received, an operating budget must be submitted to the Board of Directors for approval. The budget is drafted with the cooperation of the Executive Director, the Financial Administrator, and the Finance Committee.

#### **Staff Training Budget**

The Executive Director is to administer the Administrative Staff training budget.

#### **Financial Reporting**

A budget review is to be conducted on a quarterly basis by the Executive Director and a report taken to the Chairperson of the Board of Directors and then to Board of Director's meetings quarterly.

#### **Financial Goals**

The Board of Directors and Administrative Staff are to maintain a "wish list." When departments are under budget review, a portion of extra funds may be set aside for approved items on the list.

#### **Expense for Discrepancies**

The Executive Director may refuse to pay questionable expenses pending a review by the Finance Committee.

#### **Travel Time**

The Board, Committee Members, Examiners, and Inspectors are reimbursed for mileage and will be paid their respective wages. Extra travel expenses may be approved by the Executive Director for extenuating circumstances (i.e.: a person doing errands for the Association or not using hotel expenses and staying with friends.)

Administrative Staff is paid mileage to any working destination over 40 kms.

## Expense Cheques

Expense cheques must be mailed out in the pay period that follows immediately after a meeting, providing expense forms, receipts (if applicable), etc., and are filed at the office. Extenuating circumstances can be an exception.

## 2. REIMBURSEMENT FOR EXPENSES

Accommodations	\$145/day (not including taxes)
Meeting Stipend – Board Chair	\$110/day
Meeting Stipend - Directors	\$90/day
Examiners	\$18 to 23 per hour
Inspectors	\$20 per hour
Lead Examiner	\$25 per hour
Meals	\$85/day without receipts, \$40.00 on travel day**
Mileage	\$0.55/km

Meal allowances for local meetings are not paid.

\*All meetings are paid out as follows:

- Committee Members participating in meetings held up to 4 hours to receive \$90 meeting stipend
- Meetings over 4 hours – participants to receive \$20 per hour after the 4<sup>th</sup> hour

\*\* Meals are paid out as follows: \$20 for breakfast, \$20 for lunch, and \$45 for supper and are paid out at \$40 only (for breakfast and lunch) for travel day(s).

- Members of the Board of Directors are paid travel, meal, and accommodation expenses only for the AGM (**note**: meeting stipends are not paid for the AGM).
- The Executive Director may use discretion regarding accommodation allowances taking into consideration availability, season, length of stay, job performed, etc.
- When Examiners and Inspectors incur an overnight stay, the meal allowance will be as noted above.
- When Examiners and Inspectors do not incur an overnight stay and when their departure in the morning is from home, the overnight meal allowance is not paid.
- Meeting allowances for phone conferences will not be paid unless there are extenuating circumstances that will be reviewed on a case-by-case basis by the Executive Director (i.e., an unusual number of telephone conferences or length telephone conference).

### **Conditions**

- In most cases, Directors are responsible for making (and if necessary, canceling) their own hotel reservations.
  - ⇒ Contact the Association office for more information regarding direct billing.
  - ⇒ If Member travels with a companion/spouse and there are extra charges for this person, the Member is responsible for paying these fees prior to checking out of the hotel.
- It is necessary for Member(s) to keep track of individual mileage.
- In order to be reimbursed for meeting expenses, Member(s) must complete an expense form and submit it to the Financial Administrator at the Association office.
  - ⇒ Payment will be made on the next pay date after the meeting (every second Friday).
  - ⇒ Failure to file an expense claim in time to be processed for the pay date will mean that Members will have to wait for reimbursement until the next pay date.

## **SECTION 8: OFFICE**

### **1. ACCESS TO PERSONAL RECORDS**

The Cosmetology Association will provide an applicant with access to all records held by the Association that are related to a student or an applicant's credential review application.

#### **Request**

A request for access to a student's or an applicant's records must be made by the student or applicant to the Executive Director in writing. A request for access to a student's or an applicant's records may be made by any person authorized by the student or applicant, in writing, to communicate with the Association on the student's or applicant's behalf.

#### **Timing**

The Association will respond to a student's or an applicant's request for access to their records within 30 days of receiving the student's or applicant's request.

The Association will retain copies of records relating to a student's or an applicant's application for a minimum period of one year following receipt of a completed application package for the student or applicant.

Should an applicant become a Member of the Association by licensing after their review, the information will be kept in the Member's file while they are a Member of the Association.

### **Exclusions**

The Association will not provide access to the following documents that may form part of a student's or an applicant's record:

- documents subject to legal privilege;
- reference letters, unless the provider of the reference letter explicitly authorizes the letter to be disclosed;
- documents that are prohibited from disclosure pursuant to any provincial Act or legislation;
- documents that could reasonably be expected to threaten or harm the mental or physical health or the safety of another person; or
- documents that could negatively affect public safety or undermine the integrity of the registration process.

### **Access**

A student's or an applicant's records may be viewed in-person at the main office of the Association by appointment.

### **Fees**

The Association will charge a fee in accordance with the By-laws, at Schedule B to cover the cost of gathering and preparing a student's or an applicant's records for release (includes providing applicant with a copy of a licence and/or certificate).

If a student or an applicant requests their records be sent by courier or mail, the student or applicant shall be responsible for the cost of the courier or mail service.

### **Corrections**

If a student or an applicant believes the information held by the Association is inaccurate, the student or applicant may request that the Association correct its records by making a written request to the Executive Director of the Association with documentation supporting the student's or the applicant's request.

## **2. INCIDENT REPORT**

When an incident or accident occurs involving a visitor to the Association office (a member of the public, a student, Administrative Staff, a Board Member or Association Committee Member, an Inspector, or an Examiner, either in the employ of the Association or performing other duties related to the Association), an Incident Report

must be completed as soon as possible and forwarded to the Executive Director for response. If the incident occurs on site and the Executive Director is available, the incident should be immediately reported directly to the Executive Director.

### **3. FACILITY RENTAL**

The Association classroom space is available for rental to Members and the public at a fee designated by the Board of Directors.

### **4. FEES & CONTACT**

#### **By-Laws - Schedule B**

All fees charged by the Association can be found in the Association's By-laws at Schedule B.

#### **Payment Options:**

There are four ways for a Member to make payment of Schedule B fees.

1. Payment by phone – with VISA, MasterCard, or Visa or MasterCard Debit
  2. Payment by mail – with a certified cheque or money order
  3. In Person – with cash, debit card, money order, VISA or MasterCard
  4. Payment online – with VISA, MasterCard, or Visa Debit
- Administrative Staff is required to confirm and/or update all contact information for Members, including date of birth, and obtain an email address if available (explain to the Member that the email address request is required for email updates, timely information, and bulletins).
  - All documents with noted credit card information will be shredded after payment is processed.
  - If a Member is paying to upgrade a licence, the payment will be processed upon receipt of all documentation required for upgrading.
    - Administrative Staff will make every effort to ensure Member has uploaded a photo to the Association's database for implementation of photo ID requirement.
    - Administrative Staff shall make every effort to have mail-in and telephone payments processed and mailed back to Members within three (3) working days of receipt of payment.



## **APPENDICES**

### ***TAB***

- A. *Cosmetology Act & By-laws*
- B. Code of Ethics & Professional Conduct
  - I. Director
  - II. Member
- C. Salon & Spa Compliance Handbook