



NORTH CAROLINA BOARD OF BARBER EXAMINERS

Memo

TO: Board members

FROM: Dennis Seavers

DATE: December 4, 2020

SUBJECT: Complaint report

Under 21 NCAC 06C .0912, the executive director must “submit to the Board a report of dismissed complaints that he or she has not previously reported, with a summary of the allegations and a justification for the dismissal.” The executive director is required to dismiss complaints for the following reasons:

- The complaint lacks information, such as barbershop location or a description of the alleged conduct, necessary to investigate the complaint. (Before dismissal, the executive director must attempt to collect additional information from the complainant, if possible.)
- The complaint alleges conduct that is not prohibited by the board’s statutes or rules or is not within the board’s jurisdiction.
- After receiving a recommendation from the investigator, the executive director determines that the allegation is untrue.

This memo serves as the required report. By a majority vote, the board may reopen any of these complaints if the board believes that the dismissal was not justified. If the board agrees with the dismissals, no further action is required.

Various complaints—no jurisdiction

During the pandemic, the governor has issued executive orders with requirements for barbers and barbershops, such as a requirement for workers to wear face coverings. The board received various complaints about noncompliance with these executive orders. In these cases, the shops or barbers weren’t violating any of the board’s statutes or rules. Instead, they were violating the governor’s executive orders, the penalties for which were misdemeanors and which were in the jurisdiction of local law enforcement.

The following complaints about noncompliance with executive orders were dismissed because local law enforcement, rather than the board, had jurisdiction.

- Complaint ID 377 in Wilson
- Complaint ID 386 in Southern Pines

Complaint ID 354 in Kill Devil Hills

The board received a complaint with multiple allegations. First, the complaint alleged that the shop was unsanitary. Second, the complaint alleged that the barbers weren't following the executive order with COVID-19-related requirements, such as wearing masks. Third, the complaint alleged that the style the barber provided wasn't what the customer requested.

For the first allegation, the board staff determined that the shop was sanitary. The shop received a sanitation score of 97 out of 100. The remaining allegations weren't within the board's jurisdiction.

Basis for dismissal: the allegations were unsubstantiated or outside the board's jurisdiction.

Complaint ID 376 in Pinehurst

The board received a complaint about a barber advertising a mobile barbershop on social media. However, when the staff investigated, the barber didn't have a mobile barbershop. Instead, he was moving to another shop and was trying to notify his clients through social media.

Basis for dismissal: the allegations were unsubstantiated.