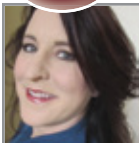


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# Finding Your Space vs. Knowing Your Place



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The Nail Extension Jaime Schrabek

Many beauty professionals aspire to operate their own salons. Understandably, it's very appealing to envision a career in which we make our own decisions, control our work environment, do what we love and support ourselves. But how realistic is that really? How do we find our space within the beauty industry?

As nail professionals, our space has been limited both literally and figuratively. We make space in the back corners of hair salons, among other nail professionals in nails-only salons or sometimes in a salon of our own. Each type of space has its advantages and disadvantages depending on our preferences and circumstances.

For example, working with others can be collaborative and nurturing, or competitive and discouraging. Working alone might be ideal for a seasoned professional with loyal clients, but a complete disaster for a novice who lacks skills.

Without effective leadership, we've allowed ourselves to be relegated into a position of inferiority within the beauty industry. Apparently, we know our place; we minimize our work as "just nails" and tolerate derogatory and divisive language ("immigrant," "Oriental/Asian," "chop shop," "white-trash"

or "ghetto") that perpetuates negative stereotypes. As a result, our status as nail professionals suffer, individually and collectively.

All professional beauty licensees have an obligation to follow the applicable laws and regulations, whatever those may be in your particular state. Meanwhile, government agencies have a responsibility to enforce the laws. That's why what's happening in California, the state with the largest population of nail professionals, has been so frustrating. Instead of prioritizing the enforcement of existing laws to eliminate misclassification, wage theft and tax evasion, the California legislature, with the passage of AB5, would prohibit nail service providers from booth renting to "protect" us from exploitation. And what are we doing to protect ourselves? Not enough if we allow lawmakers to regulate us into a position of inferiority just because we do nails.

*Finding our space will prove even more difficult when knowing our place means we don't have the same rights as other beauty professionals.*

To protect the most exploited among us, all

licensees must be treated equally under the law. Whether intended or not, AB5 neglects the role of the Board of Barbering and Cosmetology in our licensure and fails to remedy the lack of education and compliance in the beauty industry. Salon owners and licensees who comply will bear the burden of even more unfair competition.

### **Here's what we can reasonably expect:**

Treating licensees as “workers,” not licensed professionals, undermines the value of our work and investment in training, equipment and supplies.

Licensees will form partnerships or corporations to be considered an owner, complicating both their legal and tax status; Limited options (salon ownership or employment) will result in lower wages for manicurists employed in beauty and nail salons; Salon owners will be less likely to employ nail service providers full time, scheduling part-time rather than pay for break periods/overtime.

The expense of supplying and staffing for nail services will discourage beauty salon owners from hiring, giving more power to nails-only salons; More salons will engage contract labor through other companies to avoid directly employing manicurists; Cosmetologists and dual-licensed pros will booth rent and offer nail services without being employed, defying the law.

Beauty salon owners will direct booth renters/employees to clock in and out according to which

services are being provided: in for nails and out for hair/skin services; Manicurists who've developed their careers as booth renters will lose their business unless they can manage to become salon owners themselves; Manicurists who already have resources (financial and otherwise) will be able to afford to operate their own establishments, while most will not.

Establishment owner/manicurists will allow others to work in their salons around their schedules rather than employ another licensee.

Manicurists will be incentivized to work mobile or in their homes despite the prohibition against services outside a licensed establishment; Working alone limits opportunities for business growth and the ability to accommodate clients due to illness, family emergency, jury duty, etc.; Manicurists working alone will be more isolated and vulnerable to workplace violence.

Consumers will avoid “immigrant” nail salons believing that all exploit their “workers;” Unable to verify employment status, consumers can not make better choices to support ethical salons; In cases of consumer harm or violations of health and safety regulations, determining responsibility for liability, enforcement actions and/or fines will be problematic.

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