

**PRINCE EDWARD ISLAND
HAIRDRESSERS' ASSOCIATION**

Standard Bylaws

**P.O. Box 984
Charlottetown, P.E.I.
Pursuant to Hairdressers' Act
2006**

September 26, 2016

Part I:

Interpretation and Application

1:01 These Bylaws may be cited as P.E.I. Hairdressers' Association Bylaws.

1:02 In these Bylaws,

- a) "Act: means:
The Hairdressers Act;
- b) "*Association Member*" means:
an individual who has been issued a license by the Association as a Licensed Beauty Operator I, Licensed Beauty Operator II, Master Beauty Operator, Retired Master Beauty Operator, and Salon Proprietor who is not a licensed beauty operator;
- c) "*Document*" means:
a report, return or other instrument required pursuant to the Act or these bylaws;
- d) "*Form*" means:
a document prepared in a manner or style as prescribed by these bylaws;
- e) "*Dormant Member*" means:
an individual who obtained a license from the Association and, who has not been active in providing hairdressing services for a period of three (3) years or more and, who is not a Retired Master Beauty Operator;
- f) "*Licensed Beauty Operator I*" means:
an individual who has successfully completed their student hairdressing training program and is licensed by the Association as a Licensed Beauty Operator I;
- g) "*Licensed Beauty Operator II*" means:
an individual who has successfully completed the Licensed Beauty Operator I program and is licensed by the Association as a Licensed Beauty Operator II;

- h) “*Master Beauty Operator*” means:
an individual who has successfully completed their Licensed Beauty Operator II program and is licensed as a Master Beauty Operator;
- i) “*Nominating Committee*” means:
a committee of the Association as constituted pursuant to part IV of these bylaws;
- j) “*Retired Master Beauty Operator*” means:
a Master Beauty Operator who has been a licensed hairdresser for a minimum of fifteen (15) years and who has been a member of the Association for a minimum of ten (10) years and who has retired from providing hairdressing services;
- k) “*Stayed License*” means:
a licensed individual, who has temporarily discontinued being an active hairdresser within the primary field of membership for a period of three (3) consecutive years or less, or who has discontinued residing within the primary field of membership for a period of three (3) consecutive years or less;
- l) “*Work Permit*” means:
a temporary authorization by the Association that permits an individual to provide hairdressing services under such terms and conditions as established at the time of the issuance of the work permit.

1:03 Except as otherwise provided in these bylaws, the interpretations and applications as provided in the Act shall apply.

1:04 Unless otherwise provided for in the Act or these bylaws, Bourinot’s Rules of Order or Robert’s Rules of Order shall dictate the procedures and conventions to guide the conduct of business at meetings.

PART II

Registered Office and Records

2:01

- 1) The registered office of the Prince Edward Island Hairdressers' Association shall be:

Civic 1123, Rte. 219
Mount Stewart R.R.1
P.E., C0A 1T0

- 2) Changes to the registered office of the Association shall be as approved by the Council.

2:02

- a) The Association shall maintain records as specified in the Act, including, but not limited to, the following records and documents:

1. member data base;
2. minutes of meetings;
3. operational reporting systems;
4. audited financial reports and related documentation;
5. applications for licenses;
6. applications for permits;
7. examination documentation;
8. all policies approved by the Council;
9. contracts entered into by the Council or its authorized representatives;
10. records of financial transactions and related support documentation;
11. documentation and records required by Federal or Provincial statutes;
12. personnel records and employee records.

Any other documentation or records as deemed appropriate by Council.

- b) The Association shall maintain records and documents as specified in the record retention policy as approved by the Council.

PART III

Qualifications for Membership

3:01

- a) The primary field of membership shall be limited to all subscribers who are residents of Prince Edward Island;
- b) a member who ceases to reside within the primary field of membership for a period greater than three (3) years may retain their membership under such conditions that the Council may establish;
- c) application for membership for individuals who have not been registered as a student must be in writing, and in a manner and on such forms as prescribed by the Council.
- d) application for student registration must be in writing, and in a manner and on such forms as prescribed by the Council.

PART IV

Elections

4:01 For the purposes of Section 4 of the Act, the Council shall appoint an individual, from within the Council, to form the nominating committee. This individual shall be the chairperson of the committee and shall have the power to add to the committee as deemed necessary. It shall be the duty of this committee to nominate or cause to be nominated at the annual meeting (or special meeting where elections are to be held) at least one (1) member for each vacancy, including unexpired term vacancy, for which elections are being held. The Council shall appoint this committee at least sixty (60) days prior to any membership meeting where elections are being held.

4:02 The nominating committee shall;

- a) when deemed necessary by the chairperson of the committee convene a meeting of the committee at least twenty (20) days prior to any membership meeting where elections are being held;
- b) identify the number of positions for which elections are being held;
- c) select from the membership, candidates for nomination. In selecting candidates the committee shall give consideration to geographic and gender representation;
- d) prior to accepting a candidate for nomination, determine to their own satisfaction that the person to be nominated;
 - i) is qualified to be elected pursuant to the Act and these bylaws' and,
 - ii) has consented to the nomination;
- e) present, by the chairperson, or their designate, the report of the nominating committee. This report shall;
 - i) provide notification of all vacant positions for which elections are to be held;
 - ii) provide notification of all candidates being nominated by the committee;
- f) the chairperson or their designate shall move the adoption of the committee report.

4:03 For the purposes of conducting elections at an annual or special meeting;

- a) the chairperson of the nominating committee or at the pleasure of the nominating committee, the chairperson of the meeting, shall finalize the nominating procedures and shall call for additional nominations from the floor. After three (3) calls for nominations, the chairperson shall declare nominations cease;
- b) where the number of candidates nominated does not exceed the number of positions to be elected, the chairperson shall declare all the candidates elected by acclamation;

- c) where the number of candidates nominated exceeds the number of positions to be elected, the chairperson shall call for a vote by the members to be held by secret ballot;
- d) subject to Subsection (c) above only one ballot is to be taken for election to the Council, and one ballot for the election to committees where elections are required. The number of candidates equal to the number of positions to be elected receiving the highest number of votes are to be declared elected;
- e) where candidates are to be elected for varying terms, the candidates receiving the highest number of votes cast are to be declared elected for the longest or the longer terms, as the case maybe:
 - i) where two or more candidates received an equal number of votes, and the tie must be broken to determine the candidate to be elected, the members present at the meeting will take a second ballot only of the candidates receiving an equal number of votes and the results of this second ballot shall determine their ranking in the first ballot results;
 - ii) where two or more candidates have received an equal number of votes and they have been declared elected pursuant to Subsection (d) above, the determination of the terms of each candidate shall be made by the President of the Council;
 - iii) where a member votes for more than the number of positions to be elected on his/her ballot, his/her ballot is declared spoiled and is not to be counted;
 - iv) for the purpose of conducting elections by secret ballot, the chairperson shall appoint at least two (2) scrutinizers to distribute, collect and tabulate election results and report such results to the chairperson;
 - v) where practical scrutinizers, appointed pursuant to Section 4:03 (e) (iv), shall be individuals who are not eligible to vote; but in no instance shall a person who is a candidate be appointed.

Part V ***Council***

5:01

- a) The Council shall consist of nine (9) members elected by the members. Regular terms for members shall be for periods of three (3) years, provided that members shall hold office until the election and determination of the qualifications of their successors. The regular terms shall be so fixed at the beginning, or upon any increase or decrease in the number of directors, that approximately the same number of regular terms shall expire at each annual meeting. No director shall be elected for more than three (3) consecutive terms;
- b) the composition of the Council shall be;
 - i) maximum of one (1) person from a licensed salon that is a salon proprietor and not a licensed hairdresser;
 - ii) minimum of eight (8) persons that are Master Beauty Operators. In the event a salon proprietor does not fill the position on Council, than a Master Beauty Operator maybe nominated to fill this position.
 - iii) maximum of one (1) person appointed at the discretion of the Minister pursuant to Section 4(3)(b) of the Act;

5:02 Regular meetings of the Council shall be held at a date, time and place as determined by the Council. The president, or in his/her absence the vice-president, may call a special meeting of the Council at any time, and shall do so upon the written request of any three (3) members. The president, or in his/her absence the vice-president, shall fix the date, time and location of special meetings unless the Council prescribes otherwise.

5:03 The Council may hold meetings in person, by way of communication vehicles or in such other manner as approved by Council.

5:04 The Council shall hold six (6) regular meetings per fiscal year. However, in no circumstance shall more than one (1) regular meeting be held in a calendar month.

- 5:05** If a member fails to attend regular meetings of the Council for three (3) consecutive meetings or four (4) meetings within the fiscal year of the Association without reasonable cause or notification, or otherwise fails to perform any of the duties incumbent upon him/her as a member, his/her office may be declared vacant by the Council and the vacancy filled in accordance with the Act.
- 5:06** Immediately following the adjournment of the annual meeting of members, the Council shall reconvene and shall select from their number, in such manner as they determine, the Council executive for the subsequent year.
- 5:07** The Council may remove any executive member from office for failure to perform the duties thereof, after giving the executive member reasonable notice and opportunity to be heard.
- 5:08** The President of the Council shall preside at all meetings of the Council and at meetings of the members. The president shall perform such other duties as customarily apparent to the office of president or as he/she may be directed by the Council, not inconsistent with the provisions of the law, the Act, or these bylaws.
- 5:09** The ranking vice president shall exercise all the duties of the president during his/her absence or his/her inability to act.
- 5:10** The Secretary-treasurer of the Council shall prepare and maintain or cause to be prepared and maintained, complete minutes of all meetings of members and the Council. The Secretary-treasurer shall give or cause to be given, all notices of meetings of members as prescribed in the Act and shall perform such other duties as may be directed by the Council, not inconsistent with the provisions of the law, the Act, or these bylaws.
- 5:11** The Council may appoint an individual other than the Secretary-treasurer to prepare complete minutes of all meetings of members and of the Council. This individual shall be referred to as the recording secretary.

5:12 The Council shall have the general management of the affairs, funds, and records of the P.E.I. Hairdressing Association as prescribed in the Act. In addition to the duties as prescribed in the Act, and duties customarily performed by the Council, the Council shall;

- a) act upon all applications for membership referred by the registrar in a manner and form determined by Council and the Council may accept applications for membership retroactive to the date of the application;
- b) periodically review and fix the amount and coverage of insurance and approve all insurance contracts entered into by the Association;
- c) approve the terms of and conditions of all member services provided by the Association;
- d) perform or authorize any action consistent with the law, the Act and these bylaws not specifically reserved to members by the Act or these bylaw;
- e) set the remuneration of the executive director or any other person appointed by the Council;
- f) enter into contracts or agreements for the provision of services to the Association;
- g) monitor the ongoing performance of the Association and require such reporting structure as specified in the policies of Council;
- h) establish the schedule of fees and other costs associated with membership;
- i) establish the schedules of fees and other costs associated with the registration of students;
- j) set the schedule of fees and other costs associated with the examination procedures as establish by Council;
- k) establish requirements for examinations content and passing levels;
- l) establish the guidelines required for the carrying out of inspections;

m) perform other duties as the members may from time-to-time require.

5:13 In addition to the eligibility requirements as stipulated in Section 5(1) of the Act, no individual is eligible to be a member of Council who;

- a) is an active hairstylist in another Province or Territory of Canada;
- b) is employed in the public service of the Province of Prince Edward Island or by a provincial agency or by a corporation, whose substantive duties are directly concerned with the business or affairs of the Association;
- c) is an employee or provider of services by contract or agreement;
- d) is an instructor of a training school pursuant to Section 2 of the Act;
- e) is an owner or employee of a beauty supply business.
- f) is an owner of a salon or is an employee in a salon which already has an elected/appointed member to the Council. In the event a member becomes the owner of a salon or an employee in a salon that already has an elected/appointed member on Council than the member with the least years of continuous years of service to the Council must resign immediately.

5:14 In addition to common business standards a member of this Association shall;

- a) disclose to the Council any contracts, associations, employment, or interests which, in the opinion of the member, provides the potential or perceived potential of a conflict of interest;
- b) upon disclosure as stated in Subsection (a) above comply with the directions of the Council considered appropriate in the circumstances.

Part VI

Liability Insurance

6:01

- a) For the purposes of Section 5(11) (b) of these bylaws the Association shall purchase and maintain insurance for the benefit of a Council member or an officer against liability, incurred by that person while serving the Council as a council member;
- b) the Association shall purchase and maintain insurance for the benefit of an employee, provider of management services or a committee member against liability incurred by that person while serving the Association as an employee, provider of management services or committee member, where such employee, provider of management services or committee member is in a position of authority and may be subject to such liability;
- c) where, as a result of availability, cost or other factors, it becomes impractical to provide such coverage as stipulated in Subsections (a) and (b) above, the Council may, by resolution of the Council terminate such coverage.

Part VII

Membership Meetings

Annual and special meetings shall be held under such terms and conditions as stipulated in these bylaws and as determined from time to time by the Council.

7:01 The agenda for an annual meeting shall include;

- a) call to Order;
- b) ascertainment that a quorum is present;
- c) adoption of the agenda;
- d) adoption of the minutes of the previous annual meeting;

- e) adoption of minutes of special membership meetings during the past year (if applicable);
- f) report of Council;
- g) report of appointed committees (may be included with Council report);
- h) presentation of financial statements;
- i) report of nominating committee;
- j) elections;
- k) new Business;
- l) adjournment.

The members assembled at any annual meeting may suspend, or amend the above order of business by an ordinary resolution of the members present and voting at the meeting.

7:02 No matter is to be dealt with at a special meeting other than the matter stated in the notice of meeting.

7:03 A minimum of fourteen (14) days notice is to be provided to the members on the call of an annual or special meeting. The manner of notification shall be at the discretion of the Council.

7:04 The members present at an annual meeting of the Association shall constitute a quorum.

7:05 The number of eligible members present required for a quorum of a special meeting of the Association is the lesser of:

- a) twenty-five (25) members, or
- b) five percent (5%) of the members entitled at that meeting with a minimum of fifteen (15).

7:06 Voting privileges;

- a) Each member who is present at an annual or special meeting is entitled to one (1) vote;
- b) no member may vote by proxy;
- c) a member who is not an individual may vote through a representative where that member gives the Association notice of the appointment at least seventy-two (72) hours before the meeting where the representative is to vote on behalf of the member;
- d) no individual may act as representative for more than one (1) member.

7:07 If a quorum is not present an adjournment shall take place immediately following the official call to order by the chairperson. The meeting shall be rescheduled to a date no fewer than fifteen (15) days nor more than thirty (30) days thereafter and the members present at any rescheduled meeting shall constitute a quorum, regardless of the number of members present. The Council or the calling agent for the meeting shall provide notification of the rescheduled meeting to members in a manner as determined.

7:08 Only members whose membership is in a current status as of fiscal year end is entitled to vote at a meeting of members.

7:09 Subject to the Act, and these bylaws, at meetings of members of the Association;

- a) members shall vote by a show of hands;
- b) the chairperson of the meeting has the right to vote, but is not entitled to a second vote in the event of a tie;
- c) all questions shall be decided by a simple majority vote;
- d) where there is an equality of votes, the motion shall be declared defeated.

7:10 Members shall vote by secret ballot at an annual or special meeting in the following circumstances:

- a) elections, where the number of nominees is greater than the number of vacant positions;
- b) in other circumstances where the chairperson determines a secret ballot would be prudent;
- c) where three (3) members entitled to vote at a meeting demand a secret ballot.

7:11 The annual meeting shall be held within ninety (90) days of fiscal year end.

Part VIII ***Finance***

8:01 Council shall approve the designation of the financial institution(s) for the daily operation of its ongoing business.

8:02 Council shall appoint the signing authorities and may assign signing limits for its ongoing business operation.

8:03 Council shall approve all terms and conditions for any loans or lines of credit that may be obtained from time to time by the Association.

8:04 Council may authorize the investment of its moneys that are not required for current purposes in secured investments offered by Canadian Chartered Banks or other Canadian owned financial institutions that provide deposit protection insurance. The maximum term of any investment shall not exceed five (5) years.

8:05 Council may, on behalf of the Association, purchase or lease real or personal property as pursuant to Section 3(1) of the Act for the purpose of carrying on the daily business of the Association.

8:06 Council may from its yearly operating surplus funds establish a fund to be known as the “Education Fund”. The sole purpose of this fund is to further the education of its members and students. The terms and conditions of such fund shall be as established by the Council.

8:07 All yearly surplus funds in excess of the Education Fund allocation are to be contributed to unrestricted net assets of the Association.

8:08 Membership fees are due and payable on or before August 31st for the subsequent fiscal year. Fees paid after August 31st shall be subject to such late fees and penalties as determine by the Council.

Part 1X

Financial Disclosure and Audit Financial Statements

9:01 Council shall present comparative financial statements in such form and containing such information that complies with generally accepted financial reporting standards and such additional information that may be required by the Council.

9:02 Council may appoint an auditor to hold office until a motion to rescind such appointment is accepted and a motion to appoint a new auditor is accepted.

Part X

Classes of Membership and Licensing Requirements

10:01 In accordance with Section 26(1)(c) of the Act the following classes of membership are established:

- a) Licensed Beauty Operator I
- b) Licensed Beauty Operator II
- c) Master Beauty Operator
- d) Retired Master Beauty Operator
- e) Salon Proprietor

The following are the terms and condition of these established classes of Membership:

Licensed Beauty Operator I

Individuals who have successfully completed their training at a registered school pursuant to Section 2 of the Act, and meet the following requirements;

- a) Obtain a written confirmation from the authorized personnel of the school that they have successfully completed the program;
- b) Provide a transcript of their program marks;
- c) Have obtained the minimum passing level as stipulated by the Council;

may, within a maximum of twelve (12) months of the date of their written confirmation, apply to the Association for a Licensed Beauty Operator status. Upon the Association's acceptance of the required information, and upon the applicant successfully completing a practical examination as specified by the Association, and upon payment of all fees as required, the applicant will be issued a certificate and license of a Licensed Beauty Operator I.

If the application for Licensed Beauty Operator I status is received after twelve (12) months and by twenty-four (24) months of the date of written confirmation, the individual must complete a theory examination in addition to the practical examination. If after twenty-four (24) months than the individual must obtain re-verification from the Training School.

Applicants who do not successfully complete the practical examination may apply to the Association to retake the practical examination. Prior to an application to retake the practical examination, the individual must complete a minimum of two hundred fifty (250) hours training in a licensed salon under the direct supervision of a Master Beauty Operator. Confirmation of training hours is required with the application for retake of the examination. A maximum of three (3) retake examinations will be permitted.

The maximum period of time permitted for the successful completion of the practical examination process is three (3) years from the date of the written confirmation. Due to special circumstances of the applicant (i.e. illness, family, etc), the Executive Director or the President of the Council may extend this maximum period of time.

Licensed Beauty Operator II

Individuals, who have completed a minimum of one thousand (1000) hours training in a licensed salon under an adequate level of supervision of a Master Beauty Operator as a Licensed Beauty Operator I, may apply to the Association for a Licensed Beauty Operator II status. Upon the Association receiving confirmation of hours required and the applicant successfully completing a practical examination as specified by the Association, and upon payment of fees as required, the applicant will be issued a certificate and license of a Licensed Beauty Operator II.

Applicants who do not successfully complete the practical examination may apply to the Association to retake the practical examination. Prior to the application to retake the practical examination, the individual must complete a minimum of five hundred (500) hours of additional training in a licensed salon under an adequate level of supervision of a Master Beauty Operator. Confirmation of the training hours is required with the application for the retake of the examination. A maximum of three (3) retake examinations will be permitted.

The maximum period of time permitted for the successful completion of the practical examination process is three (3) years from the date of the Licensed Beauty Operator I certification. Due to special circumstances of the applicant (i.e. illness, family, etc) the Executive Director or President of the Council may extend this maximum period of time.

Master Beauty Operator

Individuals, who have completed a minimum of one thousand (1000) hours training in a licensed salon under the general supervision of a Master Beauty Operator as a Licensed Beauty Operator II, may apply to the Association for a Master Beauty Operator Status. Upon the Association receiving confirmation of hours required, and the applicant paying fees as required, the applicant will be issued a certificate and license of a Master Beauty Operator.

The maximum period of time permitted for the successful completion of the Licensed Beauty Operator II training period is three (3) years from the date of the Licensed Beauty Operator II certification. Due to special circumstances of the applicant (i.e. illness, family, etc) the Executive

Director or President of the Council may extend this maximum period of time.

Retired Master Beauty Operator

An individual who has obtained a minimum of fifteen (15) years as a Master Beauty Operator and who has been a member in good standing with the Association for a minimum of ten (10) years and who has retired from providing hairdressing services may apply to the Association for Retired Master Beauty Operator status. The Association shall issue a license as a Retired Master Beauty Operator. The benefits and conditions of this class of membership shall as determined from time to time by Council.

Salon Proprietor

Salon proprietors, who are not a licensed hairdresser, to a maximum of one per salon, are granted all the privileges, responsibilities and benefit of membership in the Association.

10:02 The maximum number of Licensed Beauty Operator I a Master Beauty Operator may provide direct supervision for during the same time period is two (2).

10:03 The maximum number of Licensed Beauty Operator II a Master Beauty Operator may provide general supervision for during the same time period is five (5).

10:04 The maximum number of Licensed Beauty Operator I and Licensed Beauty Operator II a Master Beauty Operator may provide supervision for is one (1) Licensed Beauty Operator I and a maximum of three (3) licensed Beauty Operator II.

10:05 Master Beauty Operators may;

- a) For reasons of health, maternity, or family may apply to the Association for a stay of their license for a maximum of three (3) year period. During the approved period Association fees will be waived. During this period the Master Beauty Operator is not permitted to perform hairdressing services. If the Master Beauty Operator provides hairdressing services during any part of the approved stayed license period than the Association may withdraw the approval for the stayed license and fees become payable from the beginning of the stayed

period. Master Beauty Operator may, prior to the end of the approved stayed period, apply for an extension to a maximum of one (1) year. Upon acceptance of a stayed license request the Association shall issue a Master Beauty Operator License “ Stayed Status”. Benefits and conditions of such license shall be as determined by Council;

- b) Master Beauty Operators who have not been providing hairdressing services for a period up to four (4) years shall be transferred to a dormant membership status with the Association. Master Beauty Operators whose period of dormancy does not exceed four (4) years may apply to the Association to re-activate their license by paying three years fees during this inactive period. Upon the member obtaining a current membership, the Association shall issue a license to the Master Beauty Operator.

Master Beauty Operators whose period of dormancy is greater than four (4) years and no greater than ten (10) years may apply to the Association to re-activate their license. Upon payment of the previous three (3) years fees the Association may issue a license under a work permit status. Upon completion of the required work permit period and successful completion of the practical examination, as specified by the Council, a Master Beauty Operator license shall be issued. Master Beauty Operators whose period of dormancy is greater than ten (10) years may apply to the Association to re-activate their license by applying for a Licensed Beauty Operator II status. Upon obtaining five hundred (500) hours training in a licensed salon and successfully completing a practical examination, within one (1) year of the end of the training period, the Association shall issue a license as a Master Beauty Operator.

10:06 Retired Master Beauty Operators may;

- a) where the period of retirement does not exceed five (5) years, apply in writing to the Association to re-activate their license. Upon payment of current years’ fees the Association shall issue a license as a Master Beauty Operator;

- b) where the period of time exceeds five (5) years apply in writing to the Association to re-activate their license. Upon successfully completing a practical examination as specified by the Association and upon payment of current years' fees the Association shall issue a license as a Master Beauty Operator.

10:07 Individuals who are licensed as beauty operators outside of Prince Edward Island but within a Canadian jurisdiction and who wish to reside within Prince Edward Island may apply to the Association for a license at an equivalent level as their license from another Province or Territory within Canada. Where the license of the individual is no greater than three (3) years old from the date of application and upon the payment of fees the Association shall issue a license of equivalent level.

Where the license of the applicant is greater than three (3) years old from the date of application, the applicant must;

- a) apply for a work permit at the level of their license and within one hundred and eighty (180) days complete a practical examination as specified by the Association, or
- b) if they have three (3) years or more current work experience and provide written confirmation of their work experience, apply for a work permit. Following the completion of five hundred (500) hours, and upon providing a letter of recommendation from their current salon proprietor apply for their license.

Upon successful completion of the (a) or (b) above and the payment of fees, the Association shall issue a license of equivalent level.

Individuals who are licensed as beauty operators outside a Province or Territory of Canada and who wish to reside within Prince Edward Island may apply to the Association for a license at an equivalent level. For accepted applications for which fees are paid a work permit will be issued and within one year the individual must complete a practical examination and a theory examination if the Council or its designated body so determines. Upon the successful completion of the examination requirements and the payment of fees, the Association shall issue a license of the equivalent level

10:08 Individuals who are licensed under the Red Seal program of any Province or Territory within Canada may apply for a Master Beauty Operator license within P.E.I. and upon payment of fees, the Association shall issue a license as a Master Beauty Operator.

10:09 References used for licensing levels, within bylaws prior to these bylaws coming into force, have been revised as follows:

Previous reference	Revised reference
Apprentice Beauty Operator	Licensed Beauty Operator I
Junior Beauty Operator	Licensed Beauty Operator II
Licensed Beauty Operator	Master Beauty Operator

Licenses issued under the previous reference shall be valid until new licenses are issued.

10:10 Upon these bylaws coming into force;

- a) Individuals who are licensed as APPRENTICE shall be grandfathered into the Licensed Beauty Operator I class and the new requirements shall apply. Hours accumulated in excess of the minimum requirements as stated in section 10.01 shall be credited to hours required for a Licensed Beauty Operator II class;
- b) Individuals who are licensed as JUNIOR shall be grandfathered into the Licensed Beauty Operator II class and the new requirements shall apply.

Part XI

Salons

Sanitation/Premises and Personnel

11:01 Every salon providing hairdressing services must be registered with the Association and must obtain a permit for operations.

11:02 Every salon shall be located in a room adequately lighted, ventilated and separate from any room used for living, dining, or sleeping purposes or for the preparation or storage of food.

11:03 Every salon shall be entirely separate from any restaurant or other business handling food that is unwrapped.

11:04 The floors, walls, and ceiling of all rooms used for hairstyling shall be of such material as to be readily cleaned and shall be kept in clean condition. Hair shall not be permitted to accumulate on the floor and shall be deposited in a suitable covered container.

11:05 Any person establishing a salon for the purpose of providing hairdressing services in their place of residence must obtain a permit for operations. This salon must be separate from all living quarters. There shall be;

- a) an entrance to the salon which does not require entrance into the living quarters;
- b) where reasonable a washroom and toilet maintained during salon business hours for the exclusive use of the salon clientele only, as opposed to members of the household.

11:06 Salons located in a mall complex must have access to washroom facilities within the complex that contains two (2) or more toilets.

11:07 Salons providing hairdressing services from a mobile or non-fixed location must be registered with the Association and obtain a permit for operations. Salons of this type must comply with the provisions for the operation of a salon as stipulated in the Act or these bylaws.

11:08 Salons must have a Master Beauty Operator on the premises at all times during business hours.

11:09 All utensils, equipment and supplies which are, or may be used on more than one (1) customer, and which comes in direct contact with the person of the customer, shall be thoroughly cleaned after each use and shall be maintained in a sanitary condition at all times.

11:10 All hairstyling instruments after final use on a client shall be rinsed immediately and subjected to a bactericidal treatment by immersion for at least one (1) minute in an approved bactericidal or ultra violet treatment.

11:11 All utensils, instruments and equipment shall be of a design which permits cleaning and sanitation.

- 11:12** A separate and clean towel shall be used for each customer. After use, towels shall be placed in a suitable container entirely separate from clean towels. Clean towels shall be kept in a place and manner, which will protect them from dust and other contamination.
- 11:13** Curling irons must be kept clean and free from dust, grease and dirt.
- 11:14** Neck protection devices shall be used on each client.
- 11:15** Every plumbing fixture or apparatus used in a hairstyling establishment shall be adequately designed for the purpose intended. It shall be served with hot and cold water and installed in accordance with the Prince Edward Island Plumbing Regulations.
- 11:16** Salon owners must ensure valid permits are obtained from Provincial, Urban, or Municipal authorities for the operation of their salon.
- 11:17** Every person providing hairdressing services shall wash his/her hands thoroughly before serving a client. He/she shall wear a clean garment of washable material.
- 11:18** The permit for the operation of a salon must be prominently displayed, within public view, in the front of the salon.
- 11:19** Salons must ensure all providers of hairdressing services, within their salon are licensed in current standing with the Association and their license is prominently displayed in public view in their respective work area.
- 11:20** Each location of a salon must registered with the Association and obtain a permit for operation.
- 11:21** Every salon in its respective location shall display on the outside or inside of its location, in full view of the street or public walkways, a sign containing the name and nature of its business in at least three (3) inch bold display type lettering.

Part XII

Inspections

12:01 Salons, registered with the Association, will be inspected by the Association at a minimum of once every five (5) year period.

12:02 Salons will be inspected in accordance to the requirements, Part XI of these bylaws, for the operation of a salon and shall focus on four (4) key areas: licensing, premises, sanitation and general appearance.

12:03 The key areas of inspection and their identified sub-sets shall be assigned a value and the sum of these values shall determine the inspection-rating category. The categories are as follows:

<u>Category</u>	<u>Minimum percentage total value required</u>
Commendable	90%
Acceptable	80%
Unacceptable	70%

12:04 Identified irregularities in licensing of employees or salon, shall determine an inspection-rating category of **UNACCEPTABLE**.

12:05 Salons who have achieved an inspection-rating category of **COMMENDABLE** shall be issued an inspection certificate for a five (5) year period and upon renewal will be issued their permit for a five (5) year period.

12:06 Salons who have achieved an inspection-rating category of **ACCEPTABLE** shall be issued an inspection certificate for an one (1) year period.

12:07 Salons who have received an inspection rating of **UNACCEPTABLE** due to operational irregularities other than licensing shall be:

- a) issued an operating inspection certificate that shall be valid for a period of ninety (90) days. During this ninety (90) day period improvements necessary to achieve an inspection rating of **ACCEPTABLE** must be implemented. Upon receiving a written request from the salon proprietor, detailing improvements to be implemented and time frames, the Executive Director or Council may extend the ninety (90) day operating permit period;

- b) at the end of the operating permit period the salon shall be re-inspected. If in the opinion of the inspector sufficient progress has been made to a acceptable or commendable rating, than a certificate shall be issued accordingly.
- c) If at the end of the operating permit period the salon receives an unacceptable inspection rating, the Executive Director or Council will direct the salon to close operations and report the salon to the Province of Prince Edward Island regulatory bodies.

12:08 Salons who have received an inspection rating of UNACCEPTABLE due to licensing irregularities shall be provided a maximum of ninety days (90) to resolve the licensing irregularities. Upon resolution of the licensing irregularities the Executive Director shall issued an inspection certificate at a rating as determined by the inspection. Salons who do not resolve the licensing requirements within the specified period shall be directed to close operations and be reported to the Province of Prince Edward Island regulatory bodies.

12:09 For the protection of the general public and the hairdressing profession, Council shall exercise all the powers of the Act against salons who do not accept the direction as stipulated in Sections 12:07 and 12:08.

12:10 Council may direct that a percentage of salons that have achieved a commendable inspection rating be “spot-inspected” during their permit period to ensure acceptable operational requirements are being maintained.

12:11 Council may revoke any permit or inspection certificate issued by the Association for the non-payment of fees by the salon proprietor or for a salon “spot-inspection” being rated as UNACCEPTABLE.

12:12 The normal period for conducting inspections shall be April 15th to July 15th.

Part XIII

Registration of Students

13:01 Students who are enrolled in a training program offered by a training school pursuant to Section 12 (2) (a) (i, ii, and iv) of the Act must apply for registration with the Association within thirty (30) days from commencement of study period.

13:02 The application for registration must be in a form and contain such information that is acceptable to the Association.

13:03 Upon the Association receiving the registration form and the applicant paying fees as required, the Association will issue a student registration card.

13:04 Council shall determine the privileges and benefits of Student Association registration.

Part XIV

Amendments

14:01 In this section any notice to amend, enact, replace and repeal bylaws of the Association is known as a “proposal”.

14:02 Any member may submit a proposal by forwarding a written notice to the Council at least one hundred and twenty (120) days prior to the anniversary date of the previous annual meeting of members.

14:03 Council may submit a proposal by motion of approval of Council at least thirty (30) days prior to the anniversary date of the previous annual meeting of members.

14:04 Any member submitting a proposal, as provided for in Section 14.02, must include with the written notice specific details of the proposal and a statement of not more than two hundred (200) words in support of the proposal as well as the name and address of the member.

14:05 At the request of the member who submitted the proposal, the Council shall send the proposal, with the notice of meeting at which the proposal is to be presented, or shall make the proposal available to all members entitled to attend and vote at the meeting.

14:06 The Council is not required to comply with Section 14.05 where;

- a) the proposal was not submitted within the notice period as stated in Section 14.02;
- b) in the opinion of Council, the proposal is submitted by the member primarily for the purpose of:
 - i) enforcing a personal claim or redressing a personal grievance against the Association, Council, Officers, Employees, Service Providers or Members;
 - ii) promoting general economic, political, racial, religious, social or similar causes;
 - iii) the Association, at the member's request, included a proposal in a notice of meeting of members held in the three (3) years preceding the receipt of the proposal submitted pursuant to Section 14.02, and the member failed to present the proposal at the meeting; or
 - iv) substantially the same proposal was submitted to members in the notice of meeting of members held in the three (3) years preceding the receipt of the member's request and the proposal was defeated.

14:06 Where the Council refuses to include a proposal in the notice of meeting, the Council shall, within sixty (60) days after receiving the proposal;

- a) notify the member submitting the proposal of its intention to omit the proposal from the notice of meeting; and
- b) send to the member a statement of the reasons for the refusal.

14:07 A minimum of fourteen (14) days notice is to be provided to the members of any proposal being presented at a meeting of members. The manner of notification shall be at the discretion of the Council.

14:08 All proposals require a two-thirds (2/3) majority vote of the members present and entitled to vote at a meeting of members where the proposal is being considered.

Part XV

Coming into Force

These bylaws or subsequent amendments come into force upon the approval of members at a meeting of members where they are being proposed.

Such meeting was held on the 12th day of March, 2007 at Charlottetown, Prince Edward Island and amendments to these bylaws were approved at a meeting held on the 22nd day of September, 2013 at Summerside, Prince Edward Island.

We, hereby, certify this is a true copy of the bylaws presented and approved at the above stated meetings.

President

Secretary