

Public Policy Focus: Nail Salons

AAUW Green Valley, AZ

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Overview

The Public Policy Interest Group of the Green Valley, AZ Branch of AAUW has recently been learning about nail salons and the existence of many issues in this industry which negatively impact workers and customers, both of whom are mainly women. The identified issues include potential economic human trafficking; inconsistent training; lack of licensing enforcement; and, probable health hazards.

The topic came to our attention when one of our members described a case of probable economic human trafficking involving a foreign born nail salon worker who was working at a local Green Valley establishment. The worker was apparently being abused by her manager and had been given fraudulent promises as to the position's benefits. She was financially indebted to the manager and was essentially an indentured servant.

Our group was amazed to discover that such activities may be occurring right here in our sleepy small town. Further research has uncovered a broad range of issues. We have decided to make this industry a focus for this year.

We do not intend this paper to be an indictment of all nail salons or nail technicians as there are many reputable ones. However, our awareness has been raised by researching the issues and we hope to raise your awareness also.

The Issues

Our first step is to educate ourselves and others on the issues. At our November, 2015 meeting, one of our members reviewed several articles that had appeared in the New York Times. (see bibliography below) The NYT articles were so illuminating and influential that New York City as well as New York State have begun taking legal steps to remedy some of the problems. We believe that bringing the issues to our community's attention may result in some positive changes.

The first issue highlighted in the NYT articles involves the exploitation of nail salon technicians, many of whom come to the U.S. from other countries. In our area, the workers are primarily Vietnamese and Hispanic. Some have been fraudulently lured into coming to this country by such promises as citizenship and home ownership after a set number of years of work. Many must pay their employers a "training" fee before they are given jobs and they receive little or no pay until their training period is completed.

Even after completion of training, wage theft by employers is common. In many salons, nail salon technicians work long hours for less than minimum wage, and sometimes tips, especially those generated by credit cards, never reach the worker. The rent for their employer provided housing, which is generally sub-standard and overcrowded, is deducted from wages.

Some nail salon workers are abused, verbally, physically and even sexually, by their employers. Some of the workers are undocumented and most do not speak English. The NYT articles describes how workers are kept under constant employer surveillance and are actively discouraged from learning the language so that they remain dependent on their employers. Many have poor health due to occupational hazards. There is no recourse for these women—without language skills and a support system, they cannot easily leave their situations.

Another issue is training and licensing. Many of the immigrant nail salon workers have had no official training and are unlicensed. Some salons apparently dodge the licensing requirements by having one or two trained and licensed workers at the salon and the displayed license is moved around as needed to the nail stations. The NYT articles pointed out that forged licenses are not uncommon.

State oversight in most states appears to be lax. In Arizona, there is a 500 hour educational requirement before being eligible to take the licensing exam. On-line courses are available, but costly. The exam is in English, so it is extremely unlikely that non-English speakers could pass this exam. Given these requirements for licensing, we question how much licensing monitoring can actually be occurring in the state of Arizona.

The safety of the products and procedures that are used in nail salons is another major issue. Many polishes, polish removers, shellacs, acrylics, and glues produce toxic fumes and dust that are hazardous to the health of both employees and customers. Increased rates of certain lung diseases and miscarriages have been found among nail salon workers, and standard nail salon products contain known carcinogens. Surgical masks, sometimes worn by workers, offer little protection and most salons are lacking adequate ventilation. Less toxic alternative products are available but are not commonly used.

Although the Arizona State Board of Cosmetology lists rules and regulations regarding sanitation, ventilation, and other safety standards for nail salons, it is unclear if Arizona monitors conditions or enforces the regulations. The lack of training and official oversight raises our concerns for the health and safety of both workers and customers.

Action Plan

The Public Policy Group will focus our efforts as follows:

- Obtain more information on the monitoring of nail salon establishments in Arizona in terms of licensing and health and safety requirements. We plan to work with our local public elected officials to obtain that information.

- Research safer and less toxic alternative products and procedures. Several of our members have their personal nail files stored at the facility they use. Another member takes her own organic products to the salon for her use. Are there other practices that are being used?
- Explore the issue of economic human trafficking, including contacting organizations offering human trafficking information and resources.
- Prepare and disseminate information to educate AAUW members at the branch, state, and national levels.

Questions for our Readers

- To what extent can you change one thing in your nail care?
- What is your advice on tackling the issues described in this article?
- If you were a nail technician in one of these situations, what would you need from your customer?
- If you have your nails done, how willing are you to discuss these issues with the tech?

Attached is a bibliography of the articles that started our conversation. If you have input or would like to join us, please contact Polly Daly at wsuffield@sbcglobal.net

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