



For Immediate Release
The Legal Aid Society–Employment Law Center

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EMPLOYMENT LAW CENTER

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**LIVE-IN DOMESTIC WORKER WINS SETTLEMENT IN FEDERAL LAWSUIT
AGAINST WEALTHY PENINSULA COUPLE**

San Francisco, Calif. – October 14, 2009. For four years Vilma Serralta, a 71-year old immigrant from El Salvador, worked more than 80 hours a week as a live-in housekeeper and nanny in the nearly 10,000-square foot Atherton home of Silicon Valley entrepreneur Sakhawat Khan and his wife Roomy, a private investor. Yet they paid Ms. Serralta a monthly salary equivalent to between \$3 and \$4 per hour—far below the minimum wage at the time of \$6.75 per hour. Ms. Serralta, who was regularly required to work 14 hours a day, six days a week, received no overtime pay.

When the Khans abruptly fired Ms. Serralta in 2006, she sought legal assistance from La Raza Centro Legal, Inc. and the Legal Aid Society–Employment Law Center (LAS-ELC). The two San Francisco-based workers' rights organizations filed suit in U.S. District Court on Ms. Serralta's behalf, claiming that the Khans had violated a host of state and federal worker protection laws.

On the eve of trial, after Ms. Serralta's lawyers presented the court with evidence that the Khans had forged key evidence in an attempt to mount a defense, U.S. District Judge Claudia Wilken ordered that the jury would be instructed to take those acts of fabrication as an indication that the Khans were guilty of the violations of which they had been accused. The Khans settled.

"I worked very hard for the family and cared for their daughter like she was my own," said Ms. Serralta, who stated that she was delighted with the settlement that was reached.

"I didn't do this for revenge, I simply wanted justice. I do not want anyone else to go through what I did."

The lawsuit sought unpaid minimum and overtime wages, penalties, and double damages. The amount of the settlement is confidential.

Estimates place 1.5 million domestic workers in the U.S. Many have limited English skills and, like Ms. Serralta, aren't aware of laws designed to protect them. Like many domestic workers, Ms. Serralta lived in her employer's home.

"This case is an unmistakable warning to all employers—not only those who hire domestic workers to clean their homes and keep their households running, but to employers of every type around the country. The laws protecting workers are powerful and employers who violate them do so at their own grave peril," said Christopher Ho, an LAS-ELC senior staff attorney who was one of Ms. Serralta's counsel.

The complaint against the Khans cited a host of labor law violations, including the Khans' failure to provide Ms. Serralta with legally mandated meal and rest breaks, and failure to keep accurate records of her working hours while she was employed at their 9,700 square-foot home, which at the time the suit was filed was valued at more than \$17 million.

The Khans admitted that they failed to keep any records of Ms. Serralta's working hours and yet fought her lawsuit at every turn, refusing to produce relevant documents that the court ultimately ordered them to disclose. As the litigation went on, key defense witnesses suddenly became unavailable, and two law firms consecutively hired by the Khans sought the court's permission to withdraw from the case.

"The long work hours and demanding household and childcare duties come with the territory," said co-counsel Hillary Ronen, co-coordinator of the Workers' Rights Unit at La Raza Centro Legal, Inc., a legal rights and immigrant advocacy organization in San Francisco's Mission District, who was also one of Ms. Serralta's attorneys in the case.

"Typical of the live-in domestic worker industry, Ms. Serralta's relative isolation and lack of familiarity with her legal rights, made her particularly vulnerable to employer abuse," Ronen noted.

In order to combat widespread violation of worker rights in the industry, domestic workers around the country have formed a national alliance to organize and develop creative strategies to improve workplace conditions. Ms. Serralta will be a featured speaker at the West Coast National Domestic Worker Alliance Congress in Oakland the weekend of November 13, 2009, where she will share her story to inspire other women to come forward and report workplace abuse.

"Ms. Serralta's case is both a symbol of the struggles domestic workers face on the job and an inspiration to other immigrant workers to come out of the shadows and stand up

for their rights," said Guillermina Catellanos, an organizer at the Women's Collective of La Raza Centro Legal, and a member of the National Domestic Worker Alliance.

According to a 2007 report, "Behind Closed Doors: Working Conditions of California Household Workers" published by the Mujeres Unidas y Activas, Day Labor Program Women's Collective of La Raza Centro Legal ([http://datacenter.org/reports/behind closed doors.pdf](http://datacenter.org/reports/behind%20closed%20doors.pdf)), 90 percent of Bay Area respondents reported they worked overtime but did not receive overtime pay.

The Legal Aid Society–Employment Law Center of San Francisco is a nonprofit, public interest law firm serving California's low-income working families for more than 90 years through litigation, direct client services, and legislative advocacy. www.las-elc.org

La Raza Centro Legal, Inc. is a community-based legal organization dedicated to empowering Latino, immigrant, and low-income communities of San Francisco to advocate for their civil and human rights, combining legal services, organizing, advocacy, and social services to build grassroots power and alliances towards creating a movement for a just society. www.lrcl.org

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