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DOMESTIC WORKERS MORE VULNERABLE TO EXPLOITATION

By Bob Egelko
Chronicle Staff Writer



*Vilma Serralta, a housekeeper and nanny, cleans the home where she works in Burlingame
All photos by Liz Hafalia/ The Chronicle*

Vilma Serralta worked 14 hours a day for four years as the live-in housekeeper at an Atherton couple's estate, cleaning their six-bathroom home, preparing their food and tending to their young daughter. She took occasional five-minute breaks and got Saturday and part of Sunday off every other week.

She was paid \$1,000 to \$1,300 a month, she said, and had no idea of her rights to minimum wages and overtime until she was fired in September 2006 for leaving chicken bones in the garbage overnight. She went job-hunting at San Mateo County Family Services, where she explained how she had been treated and was promptly referred to a lawyer.

Her complaint was not uncommon. Though live-in domestic workers in California are entitled to the state's minimum wage of \$8 an hour, and to overtime after nine hours in a workday or five days in a week, advocates say their rights are often hard to enforce.

Domestics "are typically some of our most vulnerable workers," said one of Serralta's lawyers, Christopher Ho of the Employment Law Center at San Francisco's Legal Aid Society. "They work in households where they're isolated, with very few witnesses and no access to other employees."

Serralta, a naturalized citizen from El Salvador who speaks limited English, had few witnesses and little documentation.

Her employers, Sakhawat Khan - an inventor, entrepreneur and former president of Agate Semiconductor Inc. - and his wife, Roomy Khan, partner in their financial planning business, denied violating state or federal wage laws.



Serralta hugs her lawyer Hillary Ronen, who helped her reach a settlement with her former employers.

Fabricated document

The case turned around abruptly after the Khans produced a document in March that seemed to undermine Serralta's claims: a 2002 agreement bearing her signature that limited her work hours and entitlement to wages.

Serralta said she'd never seen it before. Her lawyers hired an expert witness who challenged the document's authenticity. In August, on the eve of trial, U.S. District Judge Claudia Wilken said she would instruct the jury that the paper was an apparent fabrication.

Negotiations resumed, and Serralta has now settled her suit for a confidential but substantial amount of money, Ho said.

Serralta had been seeking \$259,000 in unpaid wages, overtime, penalties and interest - more than five times her total salary for four years - plus \$700,000 in legal fees and costs.

Other domestic workers are scheduled to join her today at the Women's Building in San Francisco to celebrate the settlement and discuss a nationwide organizing convention of domestics scheduled next month in Oakland.

'Sends a message'

The case "sends a message to domestic workers not to let their employers squeeze them like an orange," Serralta, 71, said through an interpreter Monday, slowly curling her fingers into a fist. She spoke at a home in Burlingame where her new employer treats her much better, she said.

The Khans had no comment on the settlement, said their lawyer, Damien Pamilla.

Serralta, a mother of six, left war-torn El Salvador for the United States in 1977, gained legal residency a decade later under a federal amnesty law and became a U.S. citizen in 1992. She has held many jobs as a domestic and a janitor, but few as physically and mentally taxing as her four years with the Khans, she said.

She said she worked virtually nonstop mopping, dusting and vacuuming the 9,300-square-foot home.

She washed windows, did the laundry, made the beds, cooked meals, hand-washed the couple's china and took care of the Khans' daughter, who was 3 when Serralta came to the home.



Vilma Serralta worked 14 hours a day for four years as the live-in housekeeper at an Atherton couple's estate. She recently reached a settlement with them.

Rare, short breaks

"Once in a while, I'd sit down for five or 10 minutes, but it was hard," she said. "Mr. Khan was always following me and making sure I was working."

She stayed at the job, she said, because "I needed to work, and I loved the child very much."

After filing suit in March 2008, Serralta led other domestic workers on a march through downtown Atherton that ended in a rally outside the Khans' 1.8-acre estate.

The property was then listed for sale with an asking price of \$17.9 million. Ho said a trust recently bought it for \$9 million.