



Equal Rights Advocates

SINCE 1974, LEADING THE FIGHT FOR WOMEN'S EQUALITY

ANNUAL REPORT 2008

TO PROTECT AND
SECURE ECONOMIC
EQUAL OPPORTUNITIES
RIGHTS AND FOR WOMEN ADVOCACY
AND GIRLS EDUCATION
THROUGH AND LITIGATION



A Message from Executive Director Arcelia Hurtado



Dear Friends,

As the new Executive Director of Equal Rights Advocates, I am proud to share with you our 2008 Annual Report. It reflects the hard work of our staff and departing Executive Director, Irma D. Herrera, who dedicated nearly fourteen years to ERA. We bid her farewell and wish her all the best.

From casino workers to high school athletes, ERA represents a broad spectrum of women. Our clients are confronted by harsh economic realities: unemployment, lack of access to legal services, a need for social services, and balancing the demands at work with family responsibilities.

In our legal programs and services, we work on behalf of our clients against large private law firms, face seemingly insurmountable odds, and support clients who are discouraged or face intimidation.

Through it all, ERA maintains a commitment to equality for women and girls nationwide.

A number of significant events took place in 2008. Staff attorneys attended oral arguments in *AT&T v. Hulteen* at the U.S. Supreme Court. Based on a case originally filed by ERA in 2001, ERA and co-counsel represented female employees of the telecommunications giant in a pregnancy discrimination case.

A district court granted a motion for certification as a class action suit in *Brust v. Regents of the University of California*. As a result, ERA and co-counsel were able to represent all current and former women students at UC Davis who sought to participate or were deterred from participating in intercollegiate athletics.

ERA joined the California Women's Law Center to file a *writ petition* with the California Supreme Court asking it to invalidate Proposition 8 because of its potentially disastrous implications for women and other groups that face discrimination.

Our Advice and Counseling hotline receives hundreds of calls each year. In recent years, the complexity and urgency of these requests has intensified. Determined law clerks and experienced staff attorneys help callers maneuver the legal system by identifying their rights, referring them to organizations and lawyers, and serving as their counsel in both administrative hearings as well as lawsuits.

In this report, we highlight how ERA serves as the voice for disenfranchised women in the workplace and girls in schools. This is why your support is more vital than ever. Women and girls continue to face discrimination, whether it is harassment, pay inequity, verbal abuse, dangerous working conditions or in the most egregious situations, violence in the workplace.

I am inspired by the dedication of ERA's Board and the talented staff who maximize limited resources. The cases ERA takes are multifaceted and often last a long time. Your contributions help us to do that which seems impossible.

Please continue to support ERA, join our Facebook Cause, and sign up to receive our monthly e-newsletter. I thank you for your support, and look forward to our continued success.

Sincerely,

2008 in Review

ERA's mission is to protect and secure equal rights and economic opportunities for women and girls through impact litigation, policy advocacy and public education.

Blanc-Brodie v. West Sonoma County Union High School District

In 2008, ERA joined Siegel & LeWitter as co-counsel for Dominique Blanc-Brodie in a suit challenging the defendant's failure to protect her from egregious sexual harassment and discriminatory treatment by her high school wrestling coach and fellow team members. ERA's primary role was crafting injunctive relief and educating the community about harassment and discrimination in high schools. The case successfully resolved in a settlement that includes the development of a girls' wrestling program and measures to ensure an educational environment free of discrimination and harassment.

Brust v. Regents of the University of California

In October 2008, the U.S. District Court certified a class of female students at the University of California, Davis. This case challenges the university's failure to provide women with equal athletic opportunities, a violation of Title IX. The Court appointed ERA, the Sturdevant Law Firm and Equity Legal as class counsel.

Decades after the passage of Title IX, more women than men enroll in college, but women continue to face unequal treatment in athletics and other academic programs and activities. Plaintiffs are club sport athletes interested in participating at the intercollegiate varsity level in rugby, field hockey, and wrestling. Like many other female students, they were deprived not only of opportunities to compete at the varsity level but of additional benefits such as athletic scholarships.

Charles v. DOE Electrical Contractor

After defeating the defendant's summary judgment motion, ERA settled this suit in April 2008 on behalf of six journey-women electricians. Plaintiffs claimed that they were laid off on the basis of gender. In addition to a monetary settlement, the company agreed to train its managers to address issues of gender discrimination and sex harassment.

Former ERA attorney Judith Kurtz and The Women's Employment Rights Clinic of Golden Gate University School of Law were co-counsel.

Dukes v. Wal-Mart Stores

This historic case was inactive in 2008 as the parties awaited the Ninth Circuit's ruling on Wal-Mart's second motion for *en banc* review of the trial court's class certification decision. The key issue is whether the district court abused its discretion in 2004 in certifying the largest civil rights action ever against a private employer. The Ninth Circuit has upheld the decision twice, most recently in December 2007.

The class includes more than two million women who have worked at Wal-Mart since 1996, making this the largest employment discrimination lawsuit in U.S. history. Plaintiffs filed suit in June 2001, alleging that Wal-Mart's systemic discrimination denied promotions, training, and equal pay to women.

Along with ERA, the legal team for the plaintiffs includes the Impact Fund, Cohen Milstein Sellers & Toll, the Bennett Firm, Davis, Cowell & Bowe; the Public Justice Center and the Tinkler Law Firm.

Maher v. City of Fresno Fire Department

ERA and co-counsel, Siegel & Yee, represent a former female recruit of the City of Fresno Fire Academy who allegedly was harassed, discriminated against and ultimately forced out of the Academy because of her sex and status as a single mother. The Plaintiff brought suit against the City of Fresno under state anti-discrimination law and Title IX, which prohibits sex-based and primary caregiver-based discrimination and harassment in federally-funded education programs and activities. This case presents a vehicle for clarifying that a fire academy is subject to liability under Title IX, ultimately leading to increased opportunities for women in the protective services. It also seeks to enforce the rarely-litigated primary caregiver protection under Title IX.

Corinn Medina v. Station Casinos

Indian gaming is a growing employment sector in California and throughout the country. When casino workers encounter mistreatment, they are often surprised to learn that they are not protected by federal or state laws because of tribal sovereign immunity. After years of contentious litigation, the parties successfully settled this case on behalf of both a sexual harassment class and a wage and hour class. The court preliminarily approved the settlement in July 2008. The final approval hearing is set for January 21, 2009. Our co-counsel in this landmark case includes The Farris Law Firm, Kazan, McClain, Lyons, Greenwood & Harley; and Lynch, Gilardi & Grummer.

HULTEEN V. AT&T



ERA Managing Attorney Noreen Farrell and Senior Staff Attorney Debra Smith attend oral argument at the U.S. Supreme Court. Also in attendance were plaintiffs in the case and our co-counsel.

On December 10, 2008, the United States Supreme Court heard oral arguments in *AT&T v. Hulteen*, a class action filed in 2001. Plaintiffs alleged—and the Ninth Circuit agreed—that AT&T violated Title VII by calculating service credit time to determine retirement benefits in a manner that excluded pregnancy leaves taken before 1979. In ruling in favor of the Plaintiffs, the Ninth Circuit reaffirmed the law established in *Pallas v. Pacific Bell*, a case successfully litigated by ERA that held the practice of providing employees

with service credit for all temporary disability leave except for pregnancy, when calculating retirement benefits, violated Title VII.

We extend special thanks to our co-counsel in this case: Communications Workers of America, AFL-CIO, Erickson, Beasley & Hewitt; Judith Kurtz, and Weinberg, Roger & Rosenberg. Our thanks also to Howe & Russell and the Stanford Law School Supreme Court Litigation Clinic, who joined us on appeal.

ADVOCACY, EDUCATION & OUTREACH

In December, ERA along with nearly 40 other national organizations submitted a letter to President-elect Obama calling for the appointment of women to the Cabinet and other executive positions.

Led by the National Partnership for Women and Families, ERA joined more than 60 other organizations, urging President-elect Obama to invest in programs that support working families.

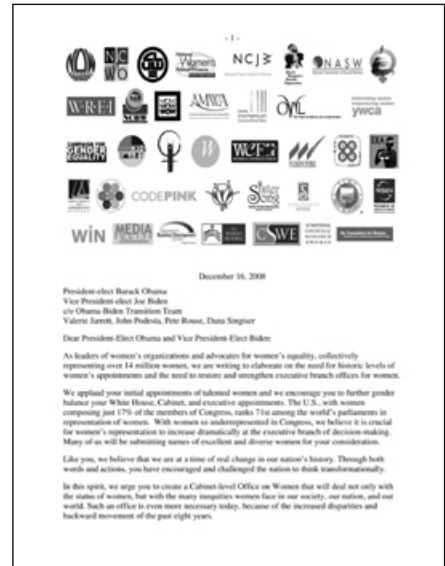
Work & Family

ERA remains active in the Paid Family Leave Collaborative and the California Work and Family Coalition. Assemblywoman Fiona Ma (D-San Francisco) proposed a bill to require all California employers to provide paid time off for workers to care for themselves or family members. The bill passed the state Assembly in May. ERA strongly supported the bill which would afford the same benefit as provided to San Francisco workers. In addition to our participation in coalitions, ERA sends letters to policy makers and provides comments and testimony on bills. As part of the Collaborative, ERA leads trainings to community groups and unions on paid family leave.

In June Managing Attorney Noreen Farrell and intern Genevieve Guertin authored an article in the *Hastings Law Journal* on legislative efforts to address employment discrimination based on family caregiver status. Noreen was also a presenter at the Law Journal's Symposium on Family Responsibilities Discrimination.

Tradeswomen

Senior Staff Attorney Debra Smith and Ruth Chance Law Fellow Angie Perone presented at the annual Tradeswomen, Inc. Conference *Women Building California* in May. Attended by more than 300 journey women and apprentices from across the state representing fifteen trades, the goal of the conference was to develop skills and strategies to recruit, retain and promote leadership of women on the jobsite and in their unions. ERA and the law firm of Boxer & Gerson, LLP provided legal advice and counseling to participants of a roundtable discussion.



NO ON PROP 8

In November, ERA joined thousands of individuals and organization to speak out against Proposition 8. ERA and the California Women's Law Center filed a writ petition with the California Supreme Court asking it to invalidate Proposition 8 because of its potentially disastrous implications for women and other groups that face discrimination.

The measure added a section to the state constitution stating only marriage between a man and a woman is valid or recognized.

Opponents argued that Prop 8 drastically alters equal protection, and cannot be left to the public to determine. ERA addressed of the need for the state constitution to protect instead of remove the rights of women and minorities.



The Year in Photos

SCREENING OF *NORTH COUNTRY*



Tradeswomen, Inc. Board Member Molly Martin, Lois Jensen and ERA Senior Staff Attorney Debra Smith

SCREENING OF *ENGAGE HER*



Panelists at the Engage Her screening included Filmmaker Mable Yee, Irma D. Herrera, and Elmy Bermejo, Chair of the Women's Foundation California

ANNUAL LUNCHEON



Luncheon speaker Susan Estrich



Emcee Pam Moore of KRON-4 & Cheryl Feiner

BENEFIT CONCERT



Performers Katrina Krinsky, Barbara Higbie & Vicki Randle join former Board Chair Marci Rubin



Grace Hum, Julia Veit, John Shim and Doris Ng



Luncheon photos courtesy of Chuck Revell www.revellray.com



Staff Attorney Lisa Leebove, Lois Corrin, Senior Staff Attorney Debra Smith, and former Board Chair Suzanne Lampert were among the attendees.

RUTH CHANCE LAW FELLOWS BRUNCH



Past and present Ruth Chance Law Fellows gather for a brunch at the home of Executive Director Irma D. Herrera

Back row: Betsy L. Cotton (1992-93), Kelli M. Evans (1994-95), Irma D. Herrera, and Farrah Wilder (2002-04)

Front row: Doris Ng (1993-94), Luz Rebecca Mayberg (2008-10), Darci E. Burrell (1995-96), and Angela Perone (2007-08)

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Amy Garant	Stacey Karp	Kathleen W. Mikkelson	Lucy Rudolph
Emily Garcia	Ilene and Gary Katz	Heather Mills	Tara Runyan
Veronica H. Garcia	Paula R. Katz	Debra Mipos	Nancy Russell
Christian Garcia-Jeuss	Pamela Kaufmann	Lisa Mitnick and Seth Barsky	Ghada Saliba-Malouf
Mateo Garcia-Jeuss	Barbara Kemp	Patricia Motkin	Marta and Alfred Samulon
Chris Garrett	Jesse Kenny	Hazel Mottershead	Bernice Sandler
Nira Geevargis	Evelyn Kim	Bea Moulton	Troy Sauro
Mary Gillespie	Tiajuana Kim	Marlene & Bruce Moyer	Stacey D. Schesser
Leslie J. Gold	Lisa Kirven	Patricia Ellen Moyes	Kristen Schlenger
Alice Goldstein and Donald M. Oman	Debra and Peter Kloosterman	Brenda Munoz	Frances Schreiber
Sonia Gonzales	Deborah Koch	Diana Murdock	Miriam Serxner
Vera Julia Gordon	Susan Kostal Rondoni	Julie Murray	Amy Shelf
Melanie Gross	Judith Kramer	Paulina Nassar	Mani Shelk
Mary Anne Gularte	Pam Kramer	Steve Ngo	Cara Sherman
Adrianna E. Guzman	Anna Krieger	Jennifer Nickel	Toby Sherwood
Judith A. Hanks	Jane W. Kulesa	Constance E. Norton	Dodie Shoemaker
Noel Harlow Fields	Anne Kuykendall	Sarah O'Farrell	Judith Shrager
		Mae Ola Smith	Ilyce Shugall

Bianca M. Sierra
 Joy E. Silver
 Elizabeth Leonie Simpson
 Adam Sirkus
 Sandy Sohcot
 Jillian Somers
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 Moira Stagliano
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 Gail Stassinis

Loren G. Stewart
 Lisa Stockholm
 Samantha Stonework
 Carol A. Sughrue
 Jennifer Sung
 Kristen Techel
 Marilyn Tham
 Jordana Thispen
 Jeffrey Thomas
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Deborah E. Townsend
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 Jaqueline Tully
 Arlene R. Ustin
 Andrew Vallejos
 Shayna van Hoften
 Robynn Van Patten
 Jean Veit
 Akshay Verma
 Lora Versola

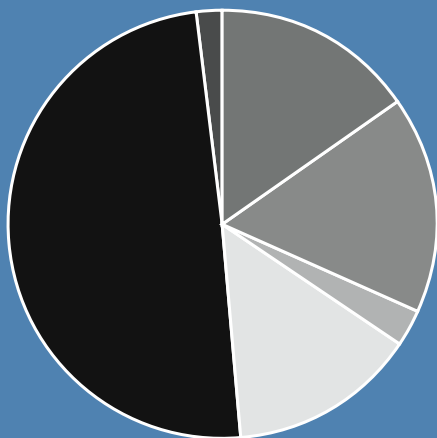
Rosalind Walker
 Garner Weng
 Cathy Widener
 Gail Wilkinson
 Julie Wilkinson
 Sara Wimberger
 Marion J. Wolsey
 Lisa Wood Kirvin
 Caroline Wu Padre
 Anna J. Zichterman

STATEMENT OF REVENUE & EXPENSES

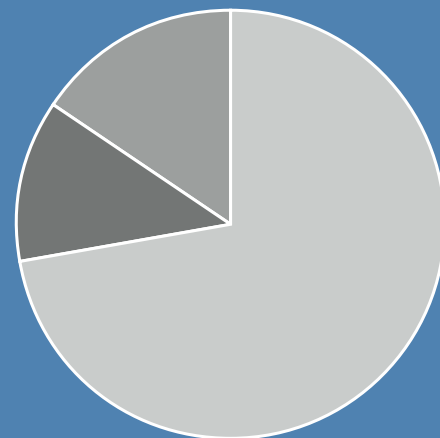
ERA's fiscal year begins April 1 and ends March 31 of following year.

REVENUE	FY 2008
Individual Contributions	\$264,733
Foundation Grants	\$285,000
In-Kind Contributions	\$48,291
Events (net)	\$241,611
Attorneys' Fees	\$853,712
Misc. Income	\$33,371
Investments	(\$127,791)
TOTAL REVENUE	\$1,598,927

EXPENSES	FY 2008
Programs/Litigation	\$1,101,778
General and Administrative	\$185,150
Other	\$235,946
TOTAL EXPENSES	\$1,522,874



- ATTORNEYS' FEES
- MISC. INCOME
- INDIVIDUAL CONTRIBUTIONS
- FOUNDATION GRANTS
- IN-KIND CONTRIBUTIONS
- EVENTS (NET)



- PROGRAMS/LITIGATION
- GENERAL AND ADMINISTRATION
- FUNDRAISING

Equal Rights Advocates

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ERA is governed by a committed and talented Board of Directors elected to staggered three-year terms. The following individuals served during 2008. ERA is grateful for their leadership and service.

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Lisa Barrow <i>Kaiser Foundation Health Plan, Inc.</i>	Cheryl L. Feiner <i>Attorney General's Office</i>	Rhonda L. Nelson <i>Severson & Werson</i>	Roberta Steele <i>Goldstein, Demchak, Baller, Borgen & Dardarian</i>
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STAFF

The following individuals worked at ERA during 2008.

Irma D. Herrera <i>Executive Director</i>	Kris Gleason <i>Office Manager/Network Support Coordinator</i>	Lisa J. Leebove <i>Staff Attorney</i>	Shira Moyer <i>Development Officer</i>
Carlos A. Cabrera <i>Executive Assistant</i>	Deborah James <i>Legal Secretary (2007-2008)</i>	Raquel Magsino <i>Paralegal</i>	Angela Perone <i>Ruth Chance Law Fellow (2007-2008)</i>
Jessica Cothran <i>Development Manager (2004-2008)</i>	Jennifer Jameson <i>Paralegal (2007-2008)</i>	Luz Rebecca Mayberg <i>Ruth Chance Law Fellow (2008-2010)</i>	Marisa Phillips <i>Legal Secretary</i>
Noreen Farrell <i>Managing Attorney</i>	Raquel Jimenez <i>Finance Manager</i>	Jessmaya Morales <i>Administrator</i>	Debra A. Smith <i>Senior Staff Attorney</i>
Goldie Heidi Gider <i>Director of Development</i>			

LAW CLERKS

The following law students clerked at ERA during 2008.

Wen Cai <i>Northeastern University School of Law</i>	Katherine Joseph <i>UC Hastings College of the Law</i>	Rachel K. Leff-Kich <i>Santa Clara University School of Law</i>	Angie O'Donnell <i>Golden Gate University School of Law</i>
Marco A. Garzon <i>Golden Gate University School of Law</i>	Elizabeth Kennedy <i>USF School of Law</i>	Monica Moukalif <i>UC Hastings College of the Law</i>	Mary Panzu <i>Texas Southern University Thurgood Marshall School of Law</i>
	Erika Kinzer <i>University of Miami School of Law</i>		

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