

Carolyn L. Gemma

Partner



Walnut Creek Office and Sacramento Office
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Overview

Carolyn Gemma, AWI-CH, is a Partner in Lozano Smith's Walnut Creek and Sacramento offices. Ms. Gemma regularly advises educational institutions throughout the state on all matters affecting employment, students, and board governance. Her practice focuses on the following topics:

- general compliance with state and federal laws as it relates to employees, students, and governing boards;
- employer response to complaints from staff, students, parents, and community members;
- employer response to grievances and unfair labor practice charges;
- employer response to CRD, EEOC, and OCR charges;
- employee discipline up through termination;
- reasonable accommodations afforded to employees;
- employee free speech;
- employee leaves;
- fingerprinting requirements;
- drafting, negotiating, and revising board policies, administrative regulations, employee handbooks, settlement agreements, and contracts;
- trainings regarding effective legal documentation, Title IX, Sexual Harassment, Workplace Investigations, and Mandated Reporter Obligations; and
- responding to Public Records Act requests.

Specific Expertise - Workplace and Title IX Investigations

As an Association of Workplace Investigators Certificate Holder (AWI-CH), Ms. Gemma brings specialized training to conducting and advising clients on workplace investigations. She also holds certificates of completion from ATIXA (Level 1 and Level 3 ATIXA Civil Rights Investigator Training) and T9 Mastered (Trauma Informed Approach to Workplace Investigations). Ms. Gemma has conducted hundreds of investigations for K-12 school districts, higher education institutions, municipal entities, and private employers, including but not limited to allegations of sexual harassment, sexual misconduct, harassment, discrimination, abusive conduct, and retaliation.

Ms. Gemma takes a trauma informed approach to all investigations, whether it be advising clients on conducting internal investigations or conducting an independent, thorough investigation herself. She understands the complexity and stress that complainants, respondents, and educational institutions face when dealing with complaints, including but not limited to complaints involving allegations of sexual harassment and/or sexual misconduct. Ms. Gemma is well versed in the Title IX arena, including assisting clients navigate nuanced changes in the law; interplay between federal law and state law; the role of a Title IX Coordinator, and the informal resolution process.

Practices

Labor & Employment
Student
Community Colleges
Title IX
Investigative Services

Education

J.D., University of the Pacific, McGeorge School
of Law
B.A. (cum laude), University of San Diego

Admissions

California

Education

Ms. Gemma earned a law degree from the University of the Pacific, McGeorge School of Law. During law school, she served as member of the McGeorge Law Review and as a Judicial Extern for the Honorable John A. Mendez of the United States District Court, Eastern District of California. Ms. Gemma earned a Bachelor of Arts degree from the University of San Diego, where she majored in Political Science, minored in Italian Studies, and graduated cum laude.