

(She/Her)

Principal, San Francisco

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## Practices

- Advice and Counsel
- Healthcare
- Labor Relations
- Litigation
- Workplace Training
- Corporate Counsel Conference  
2023 Audio Guide
- Privacy Litigation

## Education

- University of Michigan Law School, J.D. 1995
- Yale University, B.A. 1989

## Admitted to Practice

- 9th Circuit Court of Appeals 1999
- California - N.D. Cal. 1999
- California 1999
- California - E.D. Cal. 2016

Gina M. Roccanova is a principal in the San Francisco, California, office of Jackson Lewis P.C. With nearly 30 years of experience in both the public and private sectors, Gina brings a practical, problem-solving orientation to her work in negotiations, counseling, investigations, litigation, arbitration, and training.

Gina's approach to advice and counseling is pragmatic and people-centered. She aims not only to keep her clients out of trouble, but to help them enhance their operations, increase employee engagement, and live out their organizational values.

Gina has negotiated labor agreements with for a variety of public sector, nonprofit, and private sector clients. She regularly represents clients in health care, public protection, transit, building management, education, and other settings in discipline, contract interpretation, and interest arbitration, as well as unfair labor practice charges and fact-finding proceedings.

As a litigator, Gina has prevailed in high-profile matters, including a constitutional challenge to an Education Code provision, winning summary judgment in a disparate impact challenge to a promotional exam, and successfully defending high-level executives and general counsels. Her litigation experience informs her work as an advisor and counselor on discrimination, accommodation, leave of absence, wage and hour, concerted activity and other issues covered by federal, state, and local laws for both unionized and non-union employers. She has also conducted workplace investigations for clients in a variety of industries and settings. Her experience as an employment litigator, counselor, and manager inform her investigative approach, which emphasizes objectivity, an understanding of context, and approachability, and strives to balance thoroughness and speed.

Gina has deep roots in the public sector. Since her decade of service in the San Francisco City Attorney's Office, she has represented cities, counties, special districts, and educational institutions throughout California in a variety of settings, including collective bargaining, arbitrations, and advice and counsel to elected and appointed officials.

Gina also served as a commissioner on the San Francisco Civil Service Commission, which oversees all aspects of City employment and serves both a policy-making and adjudicatory function. The five-member Commission handles resolution of discrimination complaints, eligibility and hiring, promotion, qualifications, and job classification. Her experience as an advocate, Civil Service Commissioner, and hearing officer informs both her strategy in litigation/arbitration and her advice to clients. She is also a California State Bar certified mediator.

Gina presents education and training programs on a wide range of legal and regulatory topics, including leave management, harassment and bullying prevention, unconscious bias,

discrimination, retaliation, discipline, disability law, workplace violence, internal investigations, marijuana in the workplace, and the responsibilities of executive board members in responding to staff complaints.

## Published Works

- "Drug Policies in the Age of Legal Marijuana." *Daily Journal* (July 2019) [Author]
- "Will Arbitration Bill Fare Better Under the Newsom Administration?," *Daily Journal* (June 2019) [Author]
- "State Issues Largest-Ever Wage Theft Citation," *Daily Journal* (February 2019) [Quoted in article]
- "California Anti-Harassment Laws Prompt Employee Handbook Updates," *Society for Human Resource Management* (February 2019) [Quoted in article]
- "Arbitration: Is It Still Worth It?," *The Recorder* (January 2019) [Author]
- "2018 in Labor Law is a Tale of Two Court Systems," *Daily Journal* (December 2018) [Quoted in article]
- "Attorneys: Client Companies Becoming More Proactive in Addressing Harassment," *Daily Journal* (December 2018) [Quoted in article]
- "It's legal in California, right? Yes, Elon, but Pot Can Still Get You Fired," *San Francisco Chronicle* (September 2018) [Quoted in article]
- "Bill to Maintain More Harassment Records Passes Legislature," *Daily Journal* (August 2018) [Quoted in article]
- "Worker Seat Case Settles on Trial's Eve," *Daily Journal* (August 2018) [Quoted in article]
- "Employee Presumption Bill for Janitors Passes Legislature," *Daily Journal* (August 2018) [Quoted in article]
- "Appellate Court Clarifies 'Dynamex' ABC Test Doesn't Apply to Joint Employment Arrangements," *The Recorder* (July 2018) [Author]
- " 'Reliance' Argument May Be Focus in Wave of Post-Janus Suits," *Daily Journal* (July 2018) [Quoted in article]
- "Patchwork of Minimum Wage Ordinances Could Legally Expose Small, Medium Businesses," *Daily Journal* (July 2018) [Quoted in article]
- "State Marijuana Labor Regulation May Be Federally Preempted," *Daily Journal* (June 2018) [Quoted in article]
- "Unanswered Questions After Employee Classification Ruling in Dynamex," *Daily Journal* (May 2018) [Author]
- "State High Court: In Misclassification Disputes, Assume They are Employees," *Daily Journal* (May 2018) [Quoted in article]
- "After #MeToo, Employees Need to Ask #IsItOK?," *Employee Benefit News* (April 2018) [Author]
- "Keeping the Peace: As Unions Spread Within the Cannabis Industry, Business Owners Can Take Steps to Address "Peace Agreements" That Can Lead to Unionization," *Marijuana Business Magazine* (April 2018) [Quoted in article]
- "Google Suit Alleging Prior Salary is Inherently Discriminatory Moves Forward," *Daily Journal* (March 2018) [Quoted in article]

## Speeches

- "Shhhhhhh!: Employee Confidentiality," HR West Annual Conference (Oakland, CA, March 2019) (presenter)
- "Discipline that Sticks – How to Create Your Best Record for Arbitration," California

Public Employers Labor Relations Association (CALPELRA) (Monterey, CA, December 2018) (presenter)

- “How to Do Effective Discipline with a Difficult Employee,” California Public Employers Labor Relations Association (CALPELRA) (Monterey, CA, December 2018) (presenter)
- “Is It OK? A New Approach to Harassment Prevention Training,” California Public Employers Labor Relations Association (CALPELRA) (Monterey, CA, December 2018) (presenter)
- Live Q&A Radio Program, “Selected Issues in Government Employment Law,” Your Legal Rights Program (KALW Local Public Radio, CA, October 2018) (panelist)
- “Effective and Legal Discipline of High Risk Employees,” HR West (Oakland, CA, March 2018) (presenter)
- “California’s New Marijuana Laws: Impact on Employers,” Webinar, January 2018 (presenter)
- “How to Conduct Workplace Investigations that Stand Up in Court and Arbitration,” California Public Employers Labor Relations Association (CALPELRA) (Monterey, CA, December 2017) (presenter)
- “Legalized Recreational Marijuana: Do’s and Don’ts for Employers,” Webinar, January 2017 (presenter)
- “Advanced Topics in Leaves of Absence,” Webinar, October 2016 (presenter)
- “The Paid Sick Leave Law (AB 1522) – Are You Ready?” Southern California Public Labor Relations Council, June 2015 (presenter)