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## Practices

- Employment Litigation
- Retail

## Education

- University of California College of the Law, San Francisco, J.D. 1997
- San Francisco State University, B.A. 1993

## Admitted to Practice

- 9th Circuit Court of Appeals 1998
- California - C.D. Cal. 2005
- California - E.D. Cal. 1999
- California - N.D. Cal. 1997
- California 1997

Carolyn G. Burnette is office managing principal of the Sacramento, California, office of Jackson Lewis P.C. and the co-leader of the firm's Employment Litigation practice group. In addition to more than 20 years of litigation experience, Carolyn also brings to the firm a significant workplace investigation background. Her litigation and investigation cases have involved a spectrum of high-level employment law issues, including conduct alleged against executives, elected officials, attorneys and other senior personnel. Carolyn also has a robust advice and counsel practice, advising clients on complex issues such as disability/reasonable accommodation, leaves of absence, sexual harassment and whistleblower matters.

Before receiving her law degree, Carolyn gained over 10 years of business and contract negotiations experience. She managed large organizations for a global corporation that utilized both contract and regular employees. Her duties encompassed all aspects of employee relations including hiring, training, policy enforcement, discipline, termination, and compliance with employment laws. While practicing in Palo Alto, she litigated and provided advice and counsel to technology and start-up companies during the fast-paced "dot com boom." She has authored several published articles dealing with a variety of employment issues.

While attending law school, Carolyn was assistant copy editor of *Hastings Law News* and a teaching assistant in criminal law. She received the American Jurisprudence Award in both Negotiations/Settlement and Trial Advocacy, the Moot Court Oral Argument Recognition Award, and was a nominee for Best Brief in the Appellate Advocacy/Moot Court Program. Carolyn also externed at the United States District Court, Northern District of California, for the Honorable Magistrate Judge Bernard Zimmerman.

## ADR

Carolyn is an esteemed employment and commercial law arbitration panelist with the American Arbitration Association (AAA). She also conducts private mediations. In 2015, Carolyn was selected by AAA to be a Leon Higginbotham Fellow – a program that looks to ensure the future excellence of alternative dispute resolution (ADR). Fellows are chosen for their exceptional work and commitment to becoming mediation and arbitration leaders.

Carolyn has a stellar record of facilitating cases to prompt and reasonable resolution through ADR. She serves as a settlement attorney for the El Dorado County Superior Court ADR Program. She also served as a mediator for the U.S. District Court, Eastern District of California's Dispute Resolution Program (2016 – 2020). She also serves as a Judge Pro Tem for Sacramento County Superior Court.

Carolyn has resolved a variety of employment-related disputes through mediation and arbitration. She has extensive experience working with EPLI carriers and coverage counsel in ADR settings. Her goal as a neutral is to bring a fresh perspective to the expanding group

of diverse litigants, and to practice with respect for both sides of the bar. Carolyn's 10+ years of businesses experience as a manager and separately as a union member helped formulate a "common sense" approach to workplace issues.

Carolyn's commercial arbitration practice has stemmed from years of advising businesses of every size. She has represented many industries, such as retail, agriculture, technology, hospitality, manufacturing, logistics, medical, restaurants, construction, government and banking/financial services. Carolyn has advised on a variety of business-related issues such as contract disputes, insurance, indemnity, trade secrets/non-competes, acquisitions and privacy. Before practicing law Carolyn was responsible for securing and administering contracts and services valued at up to \$32 million annually, including for commercial construction projects. Carolyn gained a first-hand understanding of business challenges from these experiences.

Carolyn has had extensive training in ADR, including the AAA Essential Mediation Skills Program (40 hours), the AAA Higginbotham Fellowship Mediation/Arbitration Program (40 hours), AAA Arbitration Fundamentals and Best Practices Program (16 hours), the AAA Award Writing and Clarity in Award Writing Courses, and the U.S. District Court – Eastern District of California Voluntary Dispute Resolution Program Training. She has a proven track record on diversity-based issues through dedicated commitment as a law office Diversity Committee Chair, and as a Sacramento County Bar Association Diversity Fellowship Program committee member.

### Honors and Recognitions

- *The Best Lawyers in America*®, "Lawyer of the Year: Employment Law – Management" (2023)
- *The Best Lawyers in America*®, "Employment Law – Management" (2021-present), "Labor Law – Management" (2023-present) and "Litigation – Labor and Employment" (2023-present)
- *Sacramento Magazine*, "Top Lawyers in Sacramento" (2021)

### Published Works

- "Chipping Away at the Enforceability of Class Waivers Requiring Arbitration of Employment Claims," *American Bar Association Section of Litigation ADR Newsletter*, Summer 2016, Vol. 20, No. 4 (August 22, 2016) [Author]
- "Future Wages May Be Recovered By Employees Who Detrimentially Rely on Pre-Employment Promises," *The Daily Recorder* (June 1, 2005) [Co-Author]
- "U.S. Supreme Court Reins in ADA Disability Claims," *The Daily Recorder* 92.39 (February 27, 2002) [Co-Author]
- "Wage Hour Questions Not Answered in the Labor Code," *The Daily Recorder* 92.11 (January 16, 2002) [Co-Author]
- "Title VII Protections Expand to Include Gender Discrimination," *The Daily Recorder* 91.241 (December 12, 2001) [Co-Author]
- "Employment Law Cases Pending Before the California Supreme Court," *The Daily Recorder* 91.182 (September 19, 2001) [Co-Author]
- "State Has New Ways to Forfeit Exemptions from Overtime," *The Daily Recorder* 91.118 (June 20, 2001) [Co-Author]
- "Employment Arbitration Agreements: Making Them Stick," *Legal Resources* (Wilson, Sonsini Goodrich & Rosati, 1999) [Co-Author]
- "Affirmative Action Programs: OFCCP Enforcement Agenda Update (Part 2)," *ALI-ABA*

*Course Materials Journal*/22.6 (December 1998) [Co-Author]

- “Affirmative Action Programs: OFCCP Enforcement Agenda Update (Part 1),” *ALI-ABA Course Materials Journal*/22.5 (October 1998) [Co-Author]