

## JOHANNA G. ZELMAN

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### **Johanna Zelman is the office managing partner for FordHarrison's Hartford, Connecticut office.**

Johanna's unique background results in highly competent, in-depth, and knowledgeable advice and representation for her clients. While she has represented a wide variety of employers from various industries on matters ranging from general advice on daily human resource related to matters, to highly fact specific investigations, to wage and hour class and collective actions, Johanna has a specific strength public sector and public school and university employment issues. Johanna counsels and represents local governments and school boards in a wide array of matters, including, conducting investigations and appeal proceedings based on employee, student, and parent complaints, Title IX investigations, serving as a Title IX decisionmaker, special education, teacher terminations, administrative proceedings, and litigation.

Johanna's litigation experience is extensive. She has litigated and successfully defended her clients before a multitude of state and federal appellate and trial courts, including the United States Court of Appeals for the Second and Ninth Circuits, the United States District Courts for the District of Connecticut, the Northern, Southern, and Eastern Districts of New York, the District of Massachusetts, and the District of Maine, the Connecticut Supreme, Appellate, and Superior Courts, and the New York Supreme Court, Appellate Division, and Court of Appeals. She has also represented employers and school districts before various state and federal administrative agencies, including the Equal Employment Opportunities Commission, the United States Department of Labor, the United States Department of Education Office of Civil Rights, the United States Department of Justice Office of Civil Rights, the Connecticut Commission on Human Rights and Opportunities, the Connecticut State Department of Education, the Connecticut Freedom of Information Commission, the Connecticut Workers' Compensation Commission, the Connecticut and New York Departments of Labor, and the New York State and New York City Divisions of Human Rights.

### **Representative Experience**

### **EDUCATION**

- » University of Connecticut School of Law (J.D., 2005)
- » Connecticut College (B.A., *summa cum laude*, 1999)

### **BAR ADMISSIONS**

- » Connecticut
- » New York
- » Maine

### **COURT ADMISSIONS**

- » U.S. Supreme Court
- » U.S. Court of Appeals for the Second Circuit
- » U.S. Court of Appeals for the Ninth Circuit
- » U.S. District Court for the District of Connecticut
- » U.S. District Court for the Eastern District of New York
- » U.S. District Court for the Northern District of New York
- » U.S. District Court for the Southern District of New York
- » U.S. District Court for the Western District of New York
- » U.S. Court for the District of Maine
- » Connecticut State Courts
- » New York State Courts
- » Maine State Courts

- » Obtained defense verdict after jury trial. The plaintiff, a former police officer reassigned to a civilian desk duty position after engaging in misconduct that resulted in his decertification by the Police Officer Standards and Training Council, asserted his assignment constituted race discrimination, harassment, and retaliation.
- » Ninth Circuit affirmed dismissal of claims by members of the Union that compelled dues payment and contribution to a security fund after he withdrew from his union violated the First Amendment under *Janus v. AFSME*.
- » In Connecticut Supreme Court, challenged constitutionality of statute that prohibits an employer from relaying on collateral estoppel based on a grievance decision reached in accordance with a collective bargaining agreement.
- » Obtained dismissal of claim by former police officer that he was discriminated against based on age because he was subject to a mandatory retirement age. The court held that the mandatory retirement fell within an exception to the Age Discrimination in Employment Act permitting mandatory retirement when pursuant to a bona fide retirement plan that is not a subterfuge for intentional discrimination.
- » Second Circuit affirmed dismissal of class action claims against state boards of education and public school districts nationwide alleging that emergency closure of schools in March 2020 due to the COVID-19 pandemic unlawfully deprived them of a free and appropriate education in violation of the Individuals with Disabilities in Education Act.
- » Second Circuit affirmed summary judgment on claim pending against public school system that it failed to accommodate a first grade teacher in violation of the Americans with Disabilities and Connecticut Fair Employment Practices Act. Teacher used a prosthetic leg as a result of a previous above the knee amputation. The court held that although the school did not provide the accommodation that the plaintiff wanted, he was only entitled to a reasonable accommodation which had been provided to him.
- » Completed extensive review and audit of municipal civil service rules and hiring procedures and advised as to deficiencies during recent hiring process.
- » Conducted multiple employee and student investigations, including under Title IX and Title VI, and served as Title IX decisionmaker.
- » Successfully defended protective order filed to block employer from performing a mental fitness for duty

## FIRM LEADERSHIP

- » Hartford Office Managing Partner
- » Management Group
- » Diversity Advisory Board

## LANGUAGES

- » Spanish (fluent)

examination on an employee exhibiting performance and behavioral concerns that lead to concerns about workplace safety.

- » Obtained summary judgment on claim by a unionized tenured public school teacher who claimed that his employer violated the Substantive and Procedural Due Process clauses when he was suspended for 20 days after multiple students reported to administration that the teacher used profanity and threatened them.
- » Obtained dismissal of claim against public school system by tenured teacher alleging race discrimination pursuant to the Equal Protection Clause and was denied Due Process of law. Sanctions awarded under Rule 11 because Due Process claim was frivolous given the teacher was provided with a 13 day hearing before being terminated.

## Honors & Awards

- » AV® Preeminent™ Peer Review Rated by Martindale-Hubbell
- » Selected for inclusion in *Best Lawyers in America* publication for Employment Law - Management, Labor Law - Management, and Labor and Employment Litigation (2018 - 2025)
- » *Profiles in Diversity*, 2024 Women Worth Watching in Leadership
- » *The Legal 500 United States*, Recommended attorney in Labor & Employment - Labor and Employment Disputes (2021)
- » Selected for inclusion in "Connecticut Super Lawyers" publication in Employment Litigation, *Super Lawyers* magazine (2013 – 2015, 2019 – 2020, 2024 – 2025).
- » Selected for inclusion in "Connecticut Rising Stars" publication in Employment Litigation, *Super Lawyers* magazine (2012).
- » \*Johanna was selected to the *Super Lawyers* and *Rising Stars* lists issued by Thomson Reuters. The selection methodology is found [here](#). Additionally, Johanna was selected to the *Best Lawyers in America* list issued by *Best Lawyers*. The selection methodology is described [here](#).

## Memberships

- » American Bar Association
- » Connecticut Bar Association
- » New York Bar Association

- » Leadership Council on Legal Diversity's Success in Law School Mentoring Program
- » Connecticut Institute - Instructor
- » Jewish Community Relations Council (JCRC) Board - Jewish Federation of Greater Hartford

## News & Insights

- » SourceBook - Editor, FordHarrison's Labor & Employment Law Sourcebook, The Americans with Disabilities Act and Other Disability Discrimination Laws
- » July 01, 2025 - Supreme Court Limits the District Courts' Ability to Issue Universal Injunctions Against Executive Orders and Agency Action
- » June 24, 2025 - Supreme Court: Retirees Who Cannot Work are not "Qualified Individuals" Entitled to Protection Under Title I of the Americans with Disabilities Act
- » June 09, 2025 - Texas Federal Court Vacates Portions of EEOC's 2024 Title VII Guidance on Gender Identity
- » April 28, 2025 - Federal Courts Temporarily Block Enforcement of U.S. Department of Education "Dear Colleague Letter" Barring "Illegal DEI" in Education and Certification Requirements

## Events

- » April 16, 2025 - Crackdown on Antisemitism in Education is Not Just Limited to Students - Complimentary Webinar
- » September 19, 2024 - 2024 Employers' Election Guide: Voting Leave, Political Speech in the Workplace, NLRA's Protections and More - Complimentary Webinar
- » November 30, 2023 - Standing Up to Antisemitism in the Workplace – The Florida Holocaust Museum's Lawyers of Conscience
- » June 21, 2023 - Panel Discussion - Taking A Stand Against Antisemitism - Complimentary Webinar
- » February 16, 2023 - Taking A Stand Against Antisemitism - What Can Employers Do? - Complimentary Webinar

## Offices

- » *Hartford:*  
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