

Arizona Marriage Plaintiff: Why I Feared for my Job the Day I Filed a Marriage Lawsuit

Note: *This piece was written by Joe Connolly, who joined with his husband and several other plaintiff couples in filing a legal case in 2014 seeking the freedom to marry. His story underlines that even though the freedom to marry is now settled law across the country, basic non-discrimination protections still are not in reach for millions of LGBT Americans, including those in Arizona. Read his story:*



January 6, 2014 will be a day my husband Terry Pochert and I will remember for the rest of our lives.

That morning, I accepted a new job. In seven days I would move from contractor status to full time status at an aerospace firm based in Chandler, Arizona. For more than six months, I had been working hard in my contractor role, seeking an eventual full-time job offer, and at last, the company had extended me the opportunity.

Just hours later – on the afternoon of January 6 – our friend, fellow congregation member, and attorney Shawn Aiken filed a legal case seeking the freedom to marry in Arizona. The case challenged the State of Arizona on our behalf, naming us as the lead plaintiffs – *Connolly v. Roche*.

Within minutes, a reporter from the ABC affiliate in Phoenix was on the phone asking us for an interview – an interview for that very evening. “Can we come out to your home and interview you for the 10pm news?” the reporter asked.

By 5:30pm, with the news crew already en route, I began to fear that the job offer I had just accepted that morning would be rescinded – the job I worked so hard to get. You see, in Arizona, non-discrimination laws don’t protect people from discrimination based on sexual orientation or gender identity. Legally, I realized, there are no state laws prohibiting gay, lesbian, bisexual, and transgender individuals from being denied housing, turned away from public services, or, of course, fired.



If my company didn't approve of my love for my husband – which I had never disclosed but that I knew would quickly become very public due to the marriage lawsuit – I feared that my job offer could be revoked and that I could be immediately released as a contractor, with no legal recourse or protections.

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All this fear caused major panic for Terry and me as I thought through the ramifications of the interview with ABC15 in Phoenix. I knew my co-workers would see me on the news, and in the newspapers. Our decision to file the first lawsuit seeking the freedom to marry in Arizona was a big step for us, and we were proud to do it – but I don't think we realized just how big of a step it was, or what the potential long-term consequences of the decision might be.



My husband and I are private people. We don't believe our private lives are the business of any employer. I didn't want to share my sexuality, especially to a new boss, at a new job, not knowing who my allies might or might not be. It was the most stressful week of my entire adult life and professional life.

The panic I felt the evening of January 6, 2014 – and for the following week – was real. I truly felt a job opportunity I had worked so hard to get would slip from my grasp simply because I was gay. Our future depended on this job, and I've always believed that people should be judged on the merit of their work – nothing less, nothing more. And that fear lasted nearly a week when I learned my future employer had “sexual orientation” in their non-discrimination policy. And under current Arizona law, my new employer would be within their right to rescind the offer.

I decided to address everything with my employer that week, coming out to my manager as a gay man. He told me that my job was safe, that everything was fine, and that if I ever didn't feel safe at work, I should let him know immediately. In my thirty years of full time employment, no manager has ever said anything like that to me. His words brought tears to my eyes, a first in my entire professional career. It was part relief from the stress of the week and part relief knowing I would not lose the job for being who I am and fighting for something I believed in.



Sadly, my story is not everyone's story. And I know that. I learned through this experience that my employer covered "sexual orientation" explicitly in its non-discrimination policy – but statewide in Arizona, thousands of LGBTQ people are not protected from this discrimination because Arizona has not updated its non-discrimination laws to include LGBTQ people. Despite 17 states, 200+ cities, and hundreds of employers updating their laws and policies to protect LGBTQ Americans, the federal government, Arizona, and many other states have not.

I wasn't fired for being gay in Arizona – but I felt the fear that legally, I could have been, and that fear showed me so much about why non-discrimination laws matter. I don't want *anyone* to ever experience the fear I felt, let alone the agony of being fired, simply because they are LGBTQ.

I support Freedom for All Americans and the effort to bring anti-discrimination laws to Arizona, the other states, and at the federal level. It's time. All Americans should be equal under the law – let's fight to make that dream a reality for all.