

Walmart Shareholder Meeting
Statement in Support of Proposal 8
Scott Shepard, Free Enterprise Project Director
National Center for Public Policy Research, June 1, 2022

In its statement opposing our proposal, the company speaks out of both sides of its corporate mouth, and along the way establishes exactly why a nondiscrimination audit remains vital.

Kudos to the company for recognizing, at least nominally, that it is illegal and wrong for “equity”-based programs to discriminate against any employees, whether honored with the label diverse or not. But “equity” means current discrimination now to make up for other discrimination against other people by other people in the past. And it also means dividing national wealth and power by a racial spoils system, with each racial and other identity-based group getting a proportional share, in disregard of individual accomplishment.

In its support of equity, the company expressly contradicts its recognition that all employees not only have civil rights, but have the *same* civil rights as all other employees. The opposition statement says that “[f]or Walmart, equity is when ... diverse identity is no longer a determining factor in shaping an individual’s life outcome.” If that meant equality of *opportunity* and before the law, then three cheers. But instead Walmart calls for equality of *outcome* – a spoils system based on forbidden categories of discrimination, which of course means massive levels of current discrimination on those grounds. This is all that can be meant by the development, for instance, of a financial “shared-values network” built with “embedded and intentional efforts to advance racial equity.” And the racism inherent in a “Center for Racial Equity” is built right into the name.

It may be good business and a kind act to help poor and deserving associates or others who could benefit from extra opportunities they have lacked. It is illegal, racist and immoral to limit that assistance on racial grounds, or to devote shareholder funds in racist ways to create artificial equalities of outcome.

Walmart’s racial discrimination is further demonstrated by company training programs that have told employees that whites are inherently racist while non-whites are not, and that whites must forever apologize for their skin color and imaginary feelings of supremacy. That sort of employee training is naked discrimination by race. It creates a hostile work environment on racial grounds. It fairly dares employees to sue, and to win those suits. It creates massive reputational, legal and – increasingly – legislative risks.

Walmart's embrace of "equity" theory leads it to use shareholder money to fund frankly absurd actions, such as "assessing alternative justice programs that help retailers minimize or eliminate negative individual interactions with law enforcement." Walmart executives have a duty to minimize the theft of shareholder property, not to spend shareholder money to keep crooks from standing before the law.

This is all very simple. Equity, on its own terms, means active discrimination, on racial and other forbidden axes. In its opposition statement Walmart pays lip service to the legal fact that all employees have the same civil rights as others, but then cheers itself about its embrace of equity-based discrimination in myriad ways.

Walmart doesn't get it yet. This audit is vital, to save the company and the executives themselves from the massive risks that do *and should* follow from this new equity-based discrimination.

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