

# Making the Case: A Practical Resource for Advancing Fair Workplaces

PolicyLink and FSG

Prioritizing diversity, equity, and inclusion is not just about values—it is about strategy, compliance, and competitive advantage. Business leaders are being asked to make the case for fair workplaces in boardrooms and C-suites where skepticism has grown louder. **But the facts remain clear:** advancing diversity, equity, and inclusion is lawful, strengthens meritocracy, and drives measurable business results—from innovation to risk reduction to market growth.

**This resource equips you with the latest data, proof points, and leadership voices to cut through misinformation, dispel doubt, and demonstrate why advancing fair workplaces is not only defensible, but indispensable to long-term success.**



# The Facts: Advancing diversity, equity, and inclusion is lawful and essential.

- Civil rights statutes and non-discrimination laws have not changed, and continue to protect inclusion efforts.<sup>1</sup>
- Practices grounded in fair opportunities for all remain legally sound despite anti-DEI narratives and hostile rhetoric.<sup>2</sup>
- Inclusive policies help employers proactively reduce discrimination risks and address inequities that laws alone haven't fully resolved.<sup>1</sup>
- Diversity, equity, and inclusion support merit-based employment by 1) expanding the talent pool without lowering standards, 2) ensuring decisions are grounded in objective qualifications, and 3) countering hidden biases or subjective norms that undermine true merit.<sup>3</sup>

## The Sell: Fair workplaces support the bottom line.

- Companies that prioritize DEI can outperform peers by up to 400%.<sup>4</sup>
- 76% of employees are more likely to stay when DEI is supported, reducing costly turnover.<sup>5</sup>
- 84% of the C-suite sees DEI as key for attracting talent.<sup>5</sup>
- 88% of legal leaders say that maintaining DEI practices is essential for mitigating risk.<sup>5</sup>
- Companies that maintained their commitments to DEI saw reputation scores rise<sup>6</sup>, and net buzz<sup>7</sup> for brands sticking with DEI is up 3.2 points overall and 5.2 points among Republicans.
- More high earners are considering purchasing from companies with DEI commitments.<sup>7</sup>
- Brands that support DEI are increasingly viewed as having a positive community impact.<sup>7</sup>

<sup>1</sup> [The Legal DEI Project](#), Loyola Law School

<sup>2</sup> [Despite Attacks, Civil Rights Protections Endure](#), Democracy Forward

<sup>3</sup> [Employer DEI Amicus Brief](#), Davis Wright Tremaine

<sup>4</sup> [How to Prepare Your Company For a Recession](#), Great Place To Work® Institute

<sup>5</sup> [Risks of Retreat: The Enduring Inclusion Imperative](#), Catalyst

<sup>6</sup> [Companies That Kept DEI Commitments Saw Higher Reputation Scores in 2025](#), Axios

<sup>7</sup> [The Brand Impact of Sticking with DEI](#), Morning Consult

# Making the Case Matters

- **Hidden Majority:** According to a [recent study](#), 82% of Americans support pro-diversity statements, yet people assume only 55% do—revealing widespread but underestimated support for inclusion.
- **Impact of Awareness:** Knowing support for these policies and programs is widespread makes individuals more likely to talk about diversity and stand up to discrimination.
- **Leadership Opportunity:** Businesses don't just react to public opinion, they also shape it. The more businesses lean into this awareness gap and share their support, the more support they are likely to find.

## In Their Own Words

"Our strength has always come from hiring the very best people and then providing a culture of collaboration, one where people with diverse backgrounds and perspectives come together to innovate and create something magical for our users time and time again."

[Tim Cook, Apple](#)

"If ever there were a critical time for the business case for diversity and inclusion in the workplace, it is now... Our innovation has come from our commitment to Diversity and Inclusion (D&I), and our future innovation depends on D&I."

[Lindsay-Rae McIntyre, Microsoft](#)

"The key differentiator at Delta is our people... Thoughtful action combined with a focus on championing diversity, equity and inclusion in the workplace and within our personal lives will play a healing role to help us keep climbing. The Delta family will use whatever means we have to move the world toward a better, more just tomorrow."

[Peter Carter, Delta Air Lines](#)

"Diversity, Equity & Inclusion is not only a responsibility, it is a business driver and a key enabler for our success in the coming years. Strengthening inclusion increases the sense of belonging and our competitive advantage."

[Lapo Civiletti, Ferrero Group](#)

"In a time when our public lands and values like diversity, equity and inclusion are under threat, I want you to hear from me that REI believes these are essential to our business."

[Mary Beth Laughton, REI Co-op](#)

"I think that the biggest sham is that we have somehow identified these types of [DEI] goals with not being meritocratic. Those of us who've been out here building multibillion-dollar companies with an eye towards have diversity, equity, and inclusion were hiring for greatness. That never stopped."

[Alexis Ohanian Sr., Reddit](#)



"Our success at Costco Wholesale has been built on service to our critical stakeholders: employees, members, and suppliers. Our efforts around diversity, equity, and inclusion follow our code of ethics. These efforts remind and reinforce with everyone at our company the importance of creating opportunities for all."

[Costco Wholesale](#)

"We Stand for Equity and Inclusion: We are committed to rewarding and providing opportunities for colleagues equitably, based solely on merit, and we believe in having a workplace where everyone feels included and valued."

[American Express](#)





# Guidance for Action

- **Demonstrate Action:** Showcase defensible, high-impact practices—such as barrier analysis, pay equity audits, broad recruitment outreach—that advance fairness and compliance.
- **Frame the Business Case:** Use this resource and others to anchor diversity, equity, and inclusion efforts in business strategy and value creation. Businesses that build fair and inclusive workplaces see greater innovation, stronger retention, and faster market growth than competitors.
- **Speak to Core Values:** To find common ground among ideologically divided groups, address core values and needs—especially those elevated by research like [fairness](#) and [equal opportunity](#).
- **Anticipate Pushback:** Counter myths with facts—DEI strengthens meritocracy by expanding the pool of qualified candidates, not lowering standards.
- **Leverage Proof Points:** Point to peer companies, investors, and coalitions that reinforce diversity, equity, and inclusion as a business and compliance expectation.

Find up-to-date tools to help you make the case, news that enables you to keep a finger on the pulse, and information to stay abreast of updated guidance at the [Just and Fair Business Resource Hub](#).

# Additional Resources to Make the Case

- [Advancing DEI Initiative](#), a project of the Meltzer Center for Diversity, Inclusion, and Belonging at NYU School of Law, curates resources at the intersection of law and diversity, equity, and inclusion to strengthen equitable practices and institutions.
- [American Pride Rises](#), an initiative committed to protecting pathways to the American Dream, provides tools to help individuals and organizations understand and defend diversity, equity, and inclusion.
- [Open to All](#), a coalition of civil rights organizations, consumers, elected officials, and businesses, empowers leaders to stand against discrimination and advance belonging across differences.
- [Just and Fair Business Resource Hub](#), developed by the CRE Alliance, brings together timely news, practical tools, research, and legal updates to help business leaders keep a finger on the pulse of the evolving landscape.



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