

May 7, 2025

Ms. Elizabeth Locke
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Re: *Consumers' Research/Nationwide Insurance*

Dear Ms. Locke:

Consumers' Research, the nation's oldest consumer protection organization, has retained my firm to respond to your recent communication to them. I understand that several weeks ago you called Mr. Will Hild, the Executive Director of Consumers' Research, after he appeared on two television news segments—one on Fox News,¹ and another on Fox Business Network.²

During those segments, Mr. Hild explained that certain companies who have publicly said they're abandoning their diversity, equity, and inclusion initiatives are instead merely rebranding those efforts as "belonging" initiatives. Nationwide Insurance was mentioned during those segments as one company rebranding its DEI efforts as "belonging" ones. As I understand it, your main objection to the segment was a combination of Nationwide's logo being displayed on the screen while Mr. Hild said that companies "like these" were rebranding their DEI departments in order to continue their programs of discrimination under a new name.

I also understand that you contacted not only Consumers' Research but also Fox Network itself on behalf of Nationwide. In doing so, you sought from both Consumers' Research and Fox, through the heavily implied threat of litigation, some sort of retraction or clarification related to those segments and statements.

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https://grabien.com/file/getmedia?id=2894858&key=18855da77bfa4311c5ded0c41761c824&user_id=17147.

²

https://grabien.com/file/getmedia?id=2891516&key=1450b5244a7e6c6dc7129400dfe54446&user_id=17147.

Consumers' Research emphatically declines your request. Mr. Hild correctly maintains that he was speaking about the general phenomenon of companies rebranding their DEI departments as "belonging" and that any reasonable viewer would have interpreted his statements as such. But this is irrelevant, because even if Mr. Hild was speaking about Nationwide specifically, a cursory search of the company's public actions and statements make it obvious that Nationwide has indeed engaged in discrimination, and has now rebranded those efforts.

Nationwide has repeatedly reaffirmed that DEI is in its DNA and its actions. In fact, Nationwide has engrafted DEI initiatives or goals throughout its business—in hiring, partnerships, supplier relationships, and charitable giving, just to name a few. And no evidence suggests that Nationwide's scattered public changes to those practices do anything but change their labels. Consider just a few examples.

DEI in Nationwide's Hiring Practices.

Just last year, Nationwide reaffirmed that a "diverse, equitable and inclusive workforce and workplace is critical to Nationwide's success."³ Nationwide emphasized that "[w]e're committed to *maintaining an associate base that reflects America's diversity*. That's why we take an integrated approach to attracting, developing and retaining talented associates across all levels of the company—from high school and college interns through our most senior leadership positions."⁴ Those statements reiterate what Nationwide touted in its 2022 Corporate Sustainability Report: "We are committed to advancing a culture of inclusion and *maintaining an associate base that reflects our customers, our partners, and the community*."⁵

To further those race-conscious hiring priorities, Nationwide "helped create" an organization called the Financial Alliance for Racial Equity ("FARE").⁶ "FARE's mission is to close the wealth gap by *increasing racial diversity*, driving greater equity and fostering inclusion within the financial services industry and the communities they serve."⁷ Nationwide emphasized: "If the financial services industry is serious about helping Black consumers reach their financial goals, *there needs to be more Black financial professionals in client-facing roles as financial*

³ <https://web.archive.org/web/20240224161330/https://www.nationwide.com/cps/corporate-sustainability/diversity-equity-and-inclusion/culture.html>.

⁴ *Id.* (emphasis added).

⁵ Nurturing Our Roots for a Brighter Future: 2022 Corporate Sustainability Report, at 15, https://www.responsibilityreports.com/HostedData/ResponsibilityReportArchive/n/nationwide-financial-services-inc_2022.pdf (emphasis added).

⁶ Building Financial Bridges with Black Consumers, at <https://nationwidefinancial.com/media/pdf/NFM-21699AO.pdf>

⁷ *Id.* (emphasis added).

*professionals and representatives.”*⁸ Then in October 2022, “Nationwide partnered with HBCU Connect” and FARE “for an event that brought together students from HBCUs and young professionals” in which “[p]articipants were able to interview for internships and full-time positions with Nationwide and other FARE firms.”⁹

A separate white paper by the Nationwide Retirement Institute urges “[e]nsuring adequate diversity among professional staff” to try to “make a firm substantially more approachable to minorities.”¹⁰ It states that “[f]inancial professionals can help their firms better serve Hispanic clients by *championing hiring strategies that ensure sufficient diversity, accompanied with the appropriate career development and retention.*”¹¹

Nationwide’s discriminatory DEI practices extend to employee advancement as well. They’ve apparently created “19 Associate Resource Groups” that are explicitly “centered on *specific demographics* and interests, as well as methods of accountability that emphasize performance, diversity and engagement.”¹² In the same article Nationwide also brags about the operation of “*development programs for women* with high potential for executive roles.”¹³ Nationwide credits these programs with helping increase “the number of women in senior positions – vice president, senior vice president or associate vice president – from 29.1 to 33.9 percent and doubled the number of women of color who are vice presidents, from 2.8 to 6.9 percent.”¹⁴

DEI in Nationwide’s Partnerships.

Nationwide boasts of “strategic partnerships” with 17 organizations or entities committed to DEI purposes.¹⁵ For example, Nationwide partners with the Hispanic Association on Corporate Responsibility, which produces every year the HACR Corporate Inclusion Index—a “corporate accountability survey that assesses companies’ Hispanic inclusion efforts and outcomes,” with “a focus on Employment, Procurement, Philanthropy, and Governance.”¹⁶ “The survey

⁸ *Id.* (emphasis added).

⁹ <https://web.archive.org/web/20240224161330/https://www.nationwide.com/cps/corporate-sustainability/diversity-equity-and-inclusion/culture.html>.

¹⁰ Nationwide Retirement Inst., The Growth Opportunity with Hispanic Clients, at 4, <https://nationwidefinancial.com/media/pdf/NFM-21403AO.pdf>.

¹¹ *Id.* (emphasis added).

¹² <https://www.bizjournals.com/columbus/news/2018/01/29/how-nationwide-doubled-the-number-of-women-of-colo.html>

¹³ *Id.* (emphasis added).

¹⁴ *Id.* (emphasis added).

¹⁵ <https://www.nationwide.com/personal/about-us/belonging-respect-fairness/>.

¹⁶ <https://hacr.org/cii/>.

results allow companies to identify opportunities for growth in their Hispanic DE&I practices and the HACR team is happy to work with participants to adjust their inclusion strategy based on the results.”¹⁷ Nationwide also partners with Black Enterprise, which earlier this year published an article urging policymakers not to “reduc[e] funding or eliminat[e]” DEI “initiatives,” but to “focus on improving transparency, accountability, and efficiency” so that DEI programs become “better aligned with their intended outcomes, ensuring that resources are directed to those who need them most, including Black-owned businesses that continue to face systemic barriers.”¹⁸ And Nationwide partners with Catalyst, an organization offering an “intersectional approach” that “ensures workplaces accelerate gender equity at every level and foster sustainable business.”¹⁹ Catalyst highlights how it “enable[s] organizations to attract, retain, and advance women across every level by cultivating strong, resilient, and inclusive talent pipelines.”²⁰ Similar examples of express race- or gender-conscious goals could be cited for the other partners Nationwide lists on its website.

DEI in Nationwide's Suppliers.

Before April 2025, Nationwide’s website described a “Supplier Diversity” program whose “goal is to foster the promotion, growth and development of minority, women, LGBT, and veteran owned enterprises.”²¹ “Nationwide’s Office of Supplier Diversity focuses on *contracting with*, educating, investing in and mentoring diverse suppliers.”²² In 2024, Nationwide reported that its supplier diversity program “resulted in Nationwide’s suppliers spending over \$43 million on diverse suppliers in a 12-month period.”²³

And in response to the California Department of Insurance Supplier 2015 Insurer Supplier Diversity Survey, Nationwide answered “YES” to whether Nationwide sets “internal targets or goals in regards to its supplier diversity statement and/or program” and explained it did so “[a]s part of the *performance metrics* and *bonus goals* of our entire procurement organizations in an *expected diverse supplier*

¹⁷ *Id.*

¹⁸ Editors, Making the Case for a Thoughtful Approach to DEI: Addressing Misconception and Reality (Jan. 21, 2025), <https://www.blackenterprise.com/making-the-case-for-dei-reform/>.

¹⁹ <https://www.catalyst.org/about>.

²⁰ *Id.*

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<https://web.archive.org/web/20230606221713/https://www.nationwide.com/personal/about-us/procurement/supplier-diversity/>.

²² *Id.* (emphasis added).

²³ <https://web.archive.org/web/20240224161330/https://www.nationwide.com/cps/corporate-sustainability/diversity-equity-and-inclusion/culture.html>.

inclusion metrics in all of our RFP's.”²⁴ Later in the survey, when asked what “updates, progress or best practices” that Nationwide has established since the last survey, Nationwide states it has “significantly improved our tracking and reporting capabilities to include *more specific demographical information*.”²⁵

Nationwide and Leadership Council on Legal Diversity.

Nationwide’s diversity preferences in contracting made it even to Nationwide’s legal department. Nationwide actively participates in the Leadership Council on Legal Diversity, “an organization of more than 400 corporate chief legal officers and law firm managing partners” whose “ultimate goal” is “building a diverse and inclusive legal profession.”²⁶ In 2019, Nationwide hosted a training of LCLD “Pathfinders” to “provide insight into their business strategies as well as how partnerships between inside and outside counsel are most successful.”²⁷ Nationwide’s chief legal officer said the company “has benefitted greatly from its participation in the Leadership Council on Legal Diversity” and that its “leaders continue to gain critical skills, valuable insights, and broader perspective through their involvement with LCLD, which we then witness them applying directly to their jobs here at Nationwide.”²⁸ Then in 2024, Nationwide hosted a meeting of the LCLD’s Midwest Sustainable Partnership Program, giving the 25-member cohort “a glimpse into” Nationwide’s “inner workings” and a panel presentation on “invaluable tips and strategies for building a successfully book of business in today’s competitive market.”²⁹ LCLD lawyers participating at that meeting got to practice business pitches in small groups, with “constructive feedback” about “how to improve their pitch,” and got to hear from Nationwide’s chief legal officer about his role “in the DEI landscape along with some of the challenges facing the industry.”³⁰

²⁴ <https://www.insurance.ca.gov/diversity/10-isds/30-2015/upload/ISD-2015-Nationwide-Group-140.pdf> (emphasis added).

²⁵ *Id.* (emphasis added).

²⁶ <https://www.lclld.com/about/>.

²⁷ Leadership Council on Legal Diversity Announces Record-Setting Class of Pathfinders (May 15, 2019),

https://www.prweb.com/releases/Leadership_Council_on_Legal_Diversity_Announces_Record_Setting_Class_of_Pathfinders/prweb16310498.htm#:~:text=,Pathfinders%20in%20Columbus%20this%20November.

²⁸ *Id.*

²⁹ The Midwest Wraps Up the Sustainable Partnership Program at Nationwide,

<https://www.lclld.com/news/midwest-sustainable-partnership-program/#:~:text=Mark%20Howard%2C%20Executive%20Vice%20President,the%20challenges%20facing%20the%20industry.>

³⁰ *Id.*

Nationwide Insurance’s law department has explicitly tied outside counsel engagement to diversity commitments.³¹ Nationwide’s outside counsel policy notes that Nationwide’s Chief Legal Officer is a signatory to the ACC “Call to Action” (a pledge by GCs to advance law firm diversity) and “*requires outside counsel to participate in the Vault/MCCA Annual Law Firm Diversity Survey*” as part of its program.³² This policy was shared publicly as a best-practice document through the Association of Corporate Counsel, underscoring Nationwide’s role in pushing DEI on outside firms.³³

DEI in Nationwide’s Charitable Giving.

In 2022, the Nationwide Foundation “matched dollar for dollar” more than \$60,000 that its associates contributed for the benefit of “local and national social justice organizations” during Nationwide’s “Social Justice campaign.”³⁴ That same year, “the Nationwide Foundation made a program-related investment in Adelphi Bank, an Ohio state-chartered bank” that has been “[d]esignated as a Minority Depository Institution.”³⁵ Nationwide also “donated [its] booth space” at the 2022 U.S. Hispanic Chamber of Commerce National Conference “to over a dozen Hispanic-owned businesses to increase awareness and support their sales.”³⁶

DEI at Nationwide Under a Different Name.

Some of these Nationwide DEI initiatives could raise serious and troubling questions. Efforts or statements by Nationwide suggesting it gives preference to members of a particular race or gender in hiring could violate state and federal prohibitions on factoring race and gender into hiring, mentorship, training, or career-advancement decisions and opportunities. Examples of such statements could include Nationwide’s commitments to make its workforce “reflective of the community” – a statement that could be read as a hiring quota, or a proxy for hiring a quota of employees to match racial or gender percentages in the population. By the same token, any statements suggesting that Nationwide discriminates against “non-diverse” employees when it comes to hiring, career advancement, or retention opportunities could also violate state or federal employment discrimination laws. Beyond that, race-based preferences in supplier

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https://www.acc.com/sites/default/files/resources/advocacy/valuechallenge/toolkit/1049987_1.pdf#:~:text=%21%20Commitment%20to%20Diversity%3A%20includes.informing%20outside%20counsel%20that%20the

³² *Id.*

³³ *Id.*

³⁴ <https://web.archive.org/web/20240224161330/https://www.nationwide.com/cps/corporate-sustainability/diversity-equity-and-inclusion/culture.html>.

³⁵ *Id.*

³⁶ *Id.*

or other contracting could violate 42 U.S.C. §1981. And charitable giving with race-conscious purposes could implicate important questions under §501(c)(3) of the Internal Revenue Code.

That might help to explain why Nationwide has recently changed the label it affixes to its DEI efforts. After the 2024 general election, Nationwide deleted references to DEI from its website and replaced those terms with new ones: “belonging, respect and fairness.” As of December 2024, Nationwide’s “Corporate Sustainability” page touted four “key pillars” of the company, including DEI:³⁷



The language has now been replaced with Belonging, Respect and Fairness:³⁸

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<https://web.archive.org/web/20241223223214/https://www.nationwide.com/personal/about-us/corporate-sustainability/>.

³⁸


<https://web.archive.org/web/20250408091349/https://www.nationwide.com/personal/about-us/corporate-sustainability/>.

We focus on 4 key pillars

			
<p><u>Communities and Giving</u></p> <p>Supporting local and national charities, volunteering our time, and sponsoring programs and organizations that create positive change within our communities</p>	<p><u>Environmental Sustainability</u></p> <p>Reducing harmful actions to our environment through recycling, reducing waste and water use, and investing in sustainable farming and renewable energy</p>	<p><u>Belonging, Respect and Fairness</u></p> <p>Advocating for the success of each associate in an environment where everyone is appreciated, engaged and respected</p>	<p><u>Ethics and Governance</u></p> <p>Leading with our values to deal fairly with each other and our customers, suppliers and competitors, and governing with the highest of standards</p>

Now consider Nationwide's new page on Belonging, Respect and Fairness:

Belonging, respect and fairness



Walking the talk

When Nationwide was founded in 1926, it was all about doing the right thing for people and it's the same today. From the beginning, we've known that a caring culture is one of our competitive advantages. We succeed when we make decisions based on our mission of extraordinary care, our vision of protection and our number one value: people, which centers around our customers, our partners, our communities and each other. This requires that each associate feels appreciated. A critical way this value is upheld is through our unwavering commitment to belonging, respect and fairness.

"Our culture helps us sustain our strong values and makes our company great."

— Kirt Walker, Chief Executive Officer, Nationwide


(April 2025)³⁹

And compare it to Nationwide's prior page (from January 2025) about DEI:

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<https://web.archive.org/web/20250421153620/https://www.nationwide.com/personal/about-us/belonging-respect-fairness/>.

Diversity, equity and inclusion



Walking the talk

When Nationwide was founded in 1926, it was all about doing the right thing for people and it's the same today. From the beginning, we've known that a caring, inclusive culture is one of our competitive advantages. We succeed when we make decisions based on our mission of extraordinary care, our vision of protection and our number one value: people, which centers around our customers, our partners, our communities and each other. This requires that each associate feels included, valued and respected. A critical way this value is upheld is through our unwavering commitment to diversity, equity and inclusion.

“Our diversity helps us sustain our strong values and makes our company great.”

— Kirt Walker, Chief Executive Officer, Nationwide

(January 2025)⁴⁰

The pages are nearly identical, with only minor tweaks to words and phrases.

Asked about those changes, a Nationwide spokesman confirmed them, while emphasizing “that inclusivity is ‘integrated into Nationwide’s beliefs and values.’”⁴¹ In fact, Nationwide’s spokesman further confirmed that “[i]nclusion work *has been combined with talent acquisition for several years now*,” and that “[t]he same team of employee is also responsible for all of the company’s culture initiatives.”⁴²

Nationwide’s public admissions bear repeating: Nationwide has, “for several years now,” combined “inclusion” with “talent acquisition” and given that “same team of employees” responsibility “for all of the company’s culture initiatives.” Given those admissions, absent public evidence to the contrary, there is every reason to think that Nationwide’s website merely affixes new labels to the same

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<https://web.archive.org/web/20250112061012/https://www.nationwide.com/personal/about-us/diversity-equity-inclusion/>.

⁴¹ Max Filby, Nationwide Removes DEI from its Website Amid Attacks by Trump Administration, Columbus Dispatch (Feb. 7, 2025),

<https://www.dispatch.com/story/news/2025/02/04/ohio-nationwide-insurance-removes-dei-website-trump-attacks/78209965007/>.

⁴² *Id.* (emphasis added).

old substantive DEI content—just as Mr. Hild said during his Fox television segments.

Conclusion

For all these reasons, Consumers' Research will not retract or correct its statements about Nationwide. Put simply, there is nothing to correct. Instead, given the overwhelming and undisputed evidence supporting the truth of Mr. Hild's statements, Consumers' Research issues its own demand: Nationwide and its agents must immediately stop contacting any news organization (including all Fox television networks) to make any statement or request suggesting or implying that Consumers' Research has misstated or misrepresented efforts by Nationwide to rebrand its DEI initiatives as "belonging" initiatives. Consumers' Research's word is its bond. It prizes its reputation as a trustworthy source of newsworthy information. Thus statements or suggestions by Nationwide or its agents tending to impugn Consumers' Research reputation in the eyes of news organizations carry potential tort consequences for anyone who makes them. Consumers' Research reserves and will zealously pursue its rights against anyone who does.

Finally, having been given good reason to examine in detail Nationwide's history of discriminatory practices, a small sampling of which is summarized in this letter, it would be a waste of Consumers' Research precious efforts against such noxious activities to miss the opportunity to alert the proper officials to their findings. As such, copies of this letter have been sent to a number of state and federal officials who are tasked with enforcing laws against exactly the type of hiring and promotion discrimination about which Nationwide has so publicly boasted now for over a decade. We suspect they will be shocked to see the brazen manner in which Nationwide has bragged about their DEI efforts and consider scrutinizing the company to make sure anyone harmed by these activities receives justice.

Very truly yours,

s/ Tyler R. Green

Tyler R. Green

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