

**Overview:** Getting to 100% on the Viewpoint Diversity Score Business Index may seem daunting. But any business can promote viewpoint diversity. If you follow the guidelines below, you will earn 100% on the Business Index. More importantly, you will be positively promoting religious and ideological diversity in the market, workplace, and public square. This will enable your company to better serve its diverse customers, vendors, employees, shareholders, and communities, ultimately contributing to a public culture that supports freedom and open markets.

#### **Main Recommendations:**

- The first step to a better score is completing the survey portion of the Business Index. You must fill out the survey to get full points on certain factors. The factors that require a survey response are noted below with an asterisk (\*).
- Remove harmful terms from your terms of service. See our resources <u>here</u>, <u>here</u>, and <u>here</u>;
- Adopt our Third-Party Workforce Freedom Policy;
- Adopt our <u>Donation Policy for Religious Charities (Employee)</u>;
- Recognize a faith-based employee resource group; and
- Adopt our <u>Pledge to Respect Freedom of Expression and Belief through Corporate Advocacy and Political Engagement</u>.

# **Market Score**

# Respecting Customers' and Vendors' Freedom of Expression and Belief

\*Market Factor 1 - Terms of Use or Service Avoid Unclear or Imprecise Terms: Make publicly available all policies used to restrict or deny accounts or services and remove vague or subjective terms that encourage or enable viewpoint discrimination. This includes policies relying on "hate speech," "misinformation," and similar terms. See our Market Resource for additional problematic terms and further clarification.

\*Market Factor 2 - Harmful Conduct Policies Apply Equally: Make publicly available any harassment or bullying policies and ensure that they apply equally to everyone regardless of personal traits or identifiers, and that they do not restrict speech based on whether someone might it offensive, hurtful, misguided, or otherwise objectionable.

\*Market Factor 3 - Terms of Use or Service Avoid Content and Viewpoint Discrimination: Remove terms that apply based on specific content or the views of the speaker. This includes restricting speech because it covers certain political or religious topics, expresses a view that is controversial, or because content is deemed unscientific or factually debatable. This does not affect your ability to restrict content that is obscene, a direct threat, harassing, or legally fraudulent.



Market Factor 4 - Public Anti-Viewpoint Discrimination Policy: Enact a public policy affirmatively prohibiting discrimination against customers or users for their religious beliefs and ideological or political views, even if some may find those views offensive, hurtful, or otherwise objectionable. For more guidance, see our model <a href="Product or Service Anti-Viewpoint Discrimination Policy">Product or Service Anti-Viewpoint Discrimination Policy</a>.

Market Factor 5 - Notice of Content or Service Restrictions: Make a public policy requiring the company to provide specific notices to users within 24 hours after restricting their access to services or censoring their content or, where a contract exists, 30 days prior to restricting access or censoring content. This includes telling the user what is restricted, why it is restricted, and how long it will be restricted.

Market Factor 6 - CSR/ESG Reporting Includes Freedom of Expression and Belief: If the company makes public reports on corporate social responsibility or environmental, social, and governance practices, include at least three references to free speech or free exercise of religion. Only the most recent reporting will be scored.

### Respecting Vendors' Freedom of Expression and Belief

- \*Market Factor 7 Respect Vendor Freedom in Hiring and Employment: Adopt a policy that respects the freedom of vendors, suppliers, and contractors to make determinations about their own hiring and employment policies consistent with their mission, values, and applicable laws. For more, see our model <a href="https://doi.org/10.1001/jhird-Party-Workforce-Freedom-Policy">https://doi.org/10.1001/jhird-Party-Workforce-Freedom-Policy</a>.
- \*Market Factor 8 Respect Vendor Freedom Concerning DEI Practices: Eliminate any requirements that require vendors, suppliers, or contractors to affirm diversity, equity, and inclusion training, quotas, policies, programming, or disclosures to do business with you.
- \*Market Factor 9 Prohibits Viewpoint Discrimination Against Vendors: Adopt a policy that prohibits discriminating against vendors, suppliers, and contractors based on religion or ideology or affirms free speech and free exercise of religion.

#### **Transparent Screening and Enforcement Practices**

- \*Market Factor 10 Criteria for Restricting Service or Content Disclosed: Make publicly available all policies, guidelines, or standards that involve denying or terminating or restricting service, restricting digital accounts, or censoring content.
- \*Market Factor 11 Corporate Blacklist(s) Disclosed: Make publicly available any internal lists or databases used to deny or restrict service, restrict digital accounts, or censor content. Be sure to include the process for putting persons on these lists or databases.
- \*Market Factor 12 NGO Requests to Censor or Restrict Service Disclosed: Make publicly available any requests from non-government organizations to deny or terminate service, restrict digital accounts, or censor content and disclose who made the request, what they requested, why they requested it, and your response.



\*Market Factor 13 - Government Requests to Censor or Restrict Service Disclosed: Make publicly available any requests from government organizations to deny or terminate service, restrict digital accounts, or censor content and disclose who made the request, what they requested, why they requested, and your response to the request.

# **Workplace**

# **Religious and Ideological Diversity in the Workplace**

**Workplace Benchmark 1 - Policy Promotes Respect for Diverse Beliefs at Work:** Publicly disclose a commitment to viewpoint diversity in the workplace. The policy should state that you value religious and ideological diversity, encourage mutual understanding and respect across ideological and religious lines, and that you recognize the business value of viewpoint diversity. We supply a model <u>Viewpoint Diversity Policy</u> that meets all these criteria.

Workplace Benchmark 2 - Career Webpage(s) Affirm(s) Viewpoint Diversity: The company should have three or more references to viewpoint diversity or synonymous terms on its public webpages or blogs for DEI, workplace culture, or careers.

**Workplace Benchmark 3 - DEI Reports Include Viewpoint Diversity:** If you publicly report your diversity, equity, and inclusion efforts, include viewpoint diversity or synonymous term(s) three or more times in those reports.

**Workplace Benchmark 4 - Workplace Policy Prohibits Religious Discrimination:** Have a publicly accessible workplace non-discrimination or equal employment opportunity or non-discrimination policy that includes religion as a protected category.

#### **Respecting Civil Rights and Promoting Diversity**

\*Workplace Benchmark 5 - Policy Respects Exercise of Civil Rights Outside Work: Adopt a policy for employees that states you respect the freedom of all employees to exercise their First Amendment rights to free speech, free exercise of religion, free association, and peaceable assembly and protest outside of work. For more guidance, see our model Off-Duty Civil Rights Policy.

\*Workplace Benchmark 6 - No Undue Restrictions on Expressive Activity Outside Work:

Do not impose significant restrictions on the religious or political activity of employees outside of work unless that activity materially interferes or conflicts with the company's interests or is another acceptable reason listed in our model Off-Duty Civil Rights Policy.

\*Workplace Benchmark 7 - Firm-Wide Diversity Council Promotes Viewpoint Diversity: If you have a workforce diversity council, include a commitment to viewpoint and religious diversity in the council's mission statement.



- \*Workplace Benchmark 8 Talent Acquisition Prioritizes Viewpoint Diversity: Create at least one specific recruitment initiative or event to attract employees with diverse religious or ideological views. Only initiatives done in the last 12 months are scored.
- \*Workplace Benchmark 9 DEI Training Promotes Respect for Different Viewpoints: If you offer diversity, equity, and inclusion training, include material on the importance of religious and ideological diversity.
- \*Workplace Benchmark 10 Workforce Training Avoids Divisive Concepts: Do not train employees on divisive concepts that denigrate certain people because of their religion, race, or sex, whether through unconscious bias, privilege, microaggressions, labeling employees as oppressed or oppressors, or otherwise.

#### Respecting Religious Diversity at Work

- \*Workplace Benchmark 11 Clear Process for Forming Employee Resource Groups: Enact a written policy or process for employees to request and form employee resource groups.
- \*Workplace Benchmark 12 At Least One Faith-specific ERG recognized: Recognize at least one employee resource group specific to a religious faith. If you do not have such a group but are willing to recognize one, you can respond to the Survey accordingly.
- \*Workplace Benchmark 13 Each Religious ERG has Executive Sponsor or Champion: Ensure that all religious employee resource groups have an executive sponsor.
- \*Workplace Benchmark 14 All Active ERGs Displayed on Company Website: Maintain a public list of all active employee resource groups on your website.
- \*Workplace Benchmark 15 Equal Access and Opportunity for Religious ERGs: Ensure that religious employee resource groups have the same access to company resources and opportunities as nonreligious groups.
- \*Workplace Benchmark 16 Written Religious Accommodation Policy and Process: Enact a written policy for employees to request religious accommodations in the workplace. The policy must include a commitment to religious diversity in the workplace, a definition of undue hardship, specific considerations to determine what is an undue hardship, examples or general types of religious accommodations, and a process for requesting religious accommodations.
- \*Workplace Benchmark 17 New Hire Training Covers Religious Discrimination: Require new hires to attend training that states that religion is protected by the workplace non-discrimination policy, includes specific guidelines or examples for avoiding religious discrimination, and covers the company's religious accommodation processes.
- \*Workplace Benchmark 18 Supervisor Training Covers Religious Discrimination: Require supervisors to attend training that states that religion is protected by the workplace non-discrimination policy, includes specific guidelines or examples for avoiding religious discrimination and covers the company's religious accommodation processes.



## **Respecting Employee Charitable Choice**

\*Workplace Benchmark 19 - No Charity Excluded Based on Religious Status or Practice: If you provide an employee matching contribution program for charitable giving, remove any language that excludes or threatens to exclude nonprofits based on their religious status, use of funds for religious purposes, or determination of employment policies based on religious beliefs. For more guidance, see our model <u>Donation Policy for Religious Charities</u>.

\*Workplace Benchmark 20 - No Charity Excluded Based on Religious Advocacy: If you provide an employee matching contribution program for charitable giving, remove any language that excludes or threatens to exclude nonprofits based on their advocacy for faith-based perspectives on matters of public concern.

# **Public Square**

### **Political Spending and Advocacy Respects Diverse Views**

**Public Square Benchmark 1 - Less Than 45% of Political Spending Undermined Free Speech:** This includes political contributions to any U.S. Congress members who do not support free speech or religious liberty. A list of these Congress members and the harmful legislation they have supported is available at Appendices B1 and C1 of our 2024 Index Report.

**Public Square Benchmark 2 - At Least 30% of Spending Supported Free Speech:** This includes political contributions to U.S. Congress members who support free speech or religious liberty. A list of these Congress members and the helpful legislation they have supported is available at Appendices B2 and C2 of our 2024 Index Report.

**Public Square Benchmark 3 - No Support for Laws Harmful to Speech or Religion:** This includes both supporting adverse legislation and opposing helpful legislation. A list of this legislation is available at Appendix C of our 2024 Index Report.

**Public Square Benchmark 4 - No Support for Litigation Harmful to Speech or Religion:** This includes any litigation efforts that undermine legal protections for free speech and free exercise of religion. A list of this litigation is available at Appendix D of our 2024 Index Report.

#### **Respecting Shareholder Support for Viewpoint Diversity**

**Public Square Benchmark 5 - No Opposition to Shareholder Action for Viewpoint Diversity:** This includes opposing any shareholder action to promote viewpoint diversity, free speech, or religious liberty.



# **Respect Diverse Views in Charity and Society**

- \* Public Square Benchmark 6 Publicly Support Freedom of Speech or Religion: Support at least one campaign, initiative, research project, media piece, or make a donation (\$1,000 or more) that helps free speech or free exercise of religion.
- \*Public Square Benchmark 7 No Support for Non-Profits Hostile to Free Speech: Do not partner with or give money to groups that seek to undermine free speech or religious freedom. A list of these organizations is available at Appendix E of our 2024 Index Report.
- \* Public Square Benchmark 8 No Charity Excluded Based on Religious Status or Practice: If your company makes charitable donations or offers non-profit discounts, remove any language that excludes or threatens to exclude nonprofits based on their religious status, use of funds for religious purposes, or determination of employment policies based on religious beliefs.
- \* Public Square Benchmark 9 No Charity Excluded Based on Religious Advocacy: If your company makes charitable donations or offers non-profit discounts, remove any language that excludes or threatens to exclude nonprofits because they advocate for faith-based perspectives on matters of public concern.

## **Transparency and Disclosures Respect Viewpoint Diversity**

**Viewpoint Diversity Score Business Index Survey Disclosures:** Fully respond to the survey.