

Report on Risks of State Policies Restricting Reproductive Health Care

WHEREAS:

Companies must navigate a patchwork of state laws with respect to the provision of reproductive health care. Since 2011, states have passed more than 600 laws restricting abortion access, and twelve states now ban most abortions. Other states have enacted legislation that protects these rights.

Lowe's Companies, Inc. ("Lowe's") has 2,200 stores nationwide, employing about 117,000 female employees, with significant operations in states where reproductive rights are severely limited. These employees may face challenges accessing reproductive healthcare, including abortion services, for themselves or family members. Lowe's may find it more difficult to recruit employees in states that have outlawed abortion (bit.ly/3Ctj3ZI).

Employers, as well as employees, bear the cost of restricted access to reproductive health care. Women who cannot access abortion are three times more likely to leave the workforce than women who are able to access abortion when needed, and four times as likely to slip into poverty (bit.ly/37qrmMw). The Institute for Women's Policy Research estimates that state-level abortion restrictions may annually keep more than 500,000 women aged 15 to 44 out of the workforce. This may harm Lowe's ability to meet diversity goals, with negative consequences to performance, brand and reputation.

According to a 2022 survey commissioned by Lean In, strong majorities of women under 40, regardless of political affiliation, would prefer to work for a company that supports abortion access (Forbes, 8.2.22). In addition, a 2022 Harris Poll found that in the wake of the *Dobbs* decision, 69 percent of employees aged 18 to 34 want more clarity and transparency about their organization's policies and benefits for reproductive healthcare (<https://bit.ly/3OqENNL>).

Surveys have consistently shown that a majority of Americans wanted to keep the *Roe v. Wade* framework intact. In a 2021 survey of U.S. consumers, 64 percent said employers should ensure that employees have access to reproductive health care and 42 percent would be more likely to buy from a brand that publicly supports reproductive health care (bit.ly/3nmzd2U).

RESOLVED:

Shareholders request that the Board of Directors issue a public report prior to December 31, 2023, omitting confidential information and at reasonable expense, detailing any known and potential risks or costs to the company caused by enacted or proposed state policies severely restricting reproductive rights, and detailing any strategies beyond litigation and legal compliance that the company may deploy to minimize or mitigate these risks.

Shareholder Proposal for Lowe's 2023 Shareholder Meeting
Filed by The Educational Foundation of America

SUPPORTING STATEMENT:

Shareholders recommend that the report evaluate any risks and costs to the company associated with new laws and legislation severely restricting reproductive rights, and similar restrictive laws proposed or enacted in other states. In its discretion, the Board's analysis may include any effects on employee hiring, retention, and productivity, and decisions regarding closure or expansion of operations in states proposing or enacting restrictive laws and strategies such as any public policy advocacy by the company, related political contributions policies, and human resources or educational strategies.