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# **The Acceptability of Layoffs and Pay Cuts: Comparing North America with Germany**

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**Abstract:** Substantial evidence shows that North Americans are generally more accepting of the market than Europeans and attribute market outcomes to a larger degree to effort or skill. Thus, we expect North Americans to be more accepting of layoffs and pay cuts than Germans and that Germans will be more sensitive to the procedures and conditions under which pay cuts and layoffs occur. The empirical results from our quasi-experimental study are largely in line with our hypotheses. These results may help explain and be explained by the different labour market institutions in the different regions.

**Keywords:** Fairness, employment contract, layoffs, wage cuts, Germany, Canada, United States, comparative labour markets.

**JEL Codes:** M51, M52, J63, J31, J33, P52

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## **Introduction**

This paper addresses the question: *Do community standards of fairness in the employment relationship differ in different countries?* We build on past studies finding that although North Americans are generally more accepting of the market and attribute more market outcomes to effort or skill than do most Europeans, fairness perceptions are important for employment relations in both regions. We then discuss several labour market institutions that might affect notions of fairness differently in the two regions. In view of the comparatively stronger market orientation in North America and the more encompassing regulation and institutional protection of the German labour market and German employees, we expect that notions of fairness are much stronger in Germany than in North America. The main contribution of this paper is an empirical comparison of fairness perceptions for several layoff and wage-cut scenarios in Germany with the results of Charness and Levine (2000, 2002) for North America, using a quasi-experimental survey design. We find support for most of our hypotheses.

While we hypothesize that Germans' lower acceptance of layoffs and pay cuts may be partly due to institutional differences, the lower acceptance can (in turn) help explain and maintain some of the institutional differences. Thus, our results shed light on the persistent differences in labour market policies and employer behaviour in the two regions.

### **The fairness of market outcomes: Transatlantic differences**

Recent research shows that U.S. citizens are much more accepting of the market and market results than continental Europeans, including Germans (Corneo 2000; Alesina and Angeletos 2005; Alesina et al. 2005). The belief that income is determined by individual effort is more pervasive on the American side of the Atlantic. Corneo (2000) uses data from the International Social Survey Programme (1992 Social Inequality II Module) to show that a substantially higher percentage of Americans (88.1%) respond "essential or very important" to the question, "How important is hard work for getting ahead in life?" than western Germans (52.3%) or eastern Germans (71.2%) in the reunited Germany. Likewise, only 38.3% of Americans agree or strongly agree with the statement, "It is the responsibility of the government to reduce the

differences in income between people with high incomes and those with low incomes,” whereas 65.5% of west Germans and 89.2% of east Germans agree.

Alesina and Angeletos (2003) argue that differences in support for redistribution can be explained in part by “a difference in social perceptions regarding the fairness of market outcomes and the underlying sources of income inequality.” Americans seem to believe that poverty is the result of bad choices or lack of effort, while for Europeans poverty is mainly due to bad luck or social injustice. Interestingly, Alesina and Angeletos (2003) attribute these transatlantic differences to historical antecedents. For long periods in Europe, class differences shaped opportunities for economic success more pervasively than ability and effort. In America, without a legacy of rigid class divisions, the social perception prevailed that success in the labour market and the economy was due to effort and ability.

In addition, comparing the roots of labour market institutions in the United States and Sweden, Agell (2002) argues that unions, collective bargaining, job protection, and egalitarian pay structures originally emerged as defensive reactions to the menace of unemployment and income insecurity. They arose in response to the need for social insurance for otherwise uninsurable risks and are not primarily and exclusively the outcome of rent-seeking by unions and insiders. The development of labour market institutions was, however, very different in the United States on the one hand and in Sweden and many other European countries on the other hand. Agell (2002), citing Keyssar (1986), suggests that massive foreign immigration to the United States played a role in the different evolution of labour market institutions there. In an environment with multiple ethnic groups it was much more difficult to establish durable and encompassing labour market institutions than in the more homogeneous European labour markets.

Apparently, a nation’s norms and values and specific historical paths influence its labour market institutions and laws. Thus, German laws hindering layoffs in many cases (as described below) suggest that Germans place more value on employment security and fairness at work. In addition, in many cases people become accustomed to what they see and consider it to be fair. Again, the presence of laws hindering layoffs should suggest that Germans find layoffs less fair than North Americans. Thus, we hypothesize that Americans are more willing than Germans to (temporarily) assess negative labour market outcomes (layoffs and pay cuts) as fair.

## **Fairness matters: Transatlantic commonalities**

In both North America and Germany *psychological contracts* are one important source of fairness perceptions in the employment relationship (Anderson/Schalk 1998; Herriot et al. 1997; Hiltrop 1995; Millward/Brewerton 2000; Rousseau 1995; Rousseau/Schalk 2000). These psychological contracts are often implicit agreements between employers and employees. Trust in these implicit obligations relies on the assumption that both parties will fulfill their obligations (reciprocity). A one-sided violation of the contract implies erosion of trust and induces changes in behaviour.

Accordingly, psychologists (e.g., Rousseau 1995), sociologists (Barnard 1938; Blau 1964) and more recently economists (e.g., Milgrom/Roberts 1992; Williamson et al. 1975; Baker et al. 1988; Simon 1991) have hypothesized that an employee's productivity depends on her or his perception of the underlying social contract with the employer, as well as on narrow economic concerns. A worker who is dissatisfied may deliberately restrict output or even resort to sabotage. Conversely, an employee who feels fairly treated is more likely to perform above any minimum requirements (Farh et al. 1990; Konovsky/Douglas 1994; Moorman 1991).

Recent evidence supports the view that non-pecuniary considerations affect productivity. Levine (1993) shows that compensation executives make simulated compensation decisions as if they believe fairness matters. Rabin (1993) surveyed the literature more broadly and suggests that reciprocity is an important norm in determining fairness: people do not usually believe it is fair when a person responds to gentle actions with harsh actions. Experimental evidence also supports the hypothesis that (even in an environment where their reputation does not matter) pay that is high and above the market level often leads to greater effort (e.g., Charness 1998; Fehr et al. 1993; and Fehr et al. 1998).

The commonalities and differences summarised above lead us to expect that fairness perceptions are important in the employment relationship in North America and in Germany, though to a lesser degree in North America.

## Country-specific institutional differences

Schlicht (1998) argues that country-specific laws and institutions establish explicit and implicit rights, which manifest themselves in social norms and habits. Similarly, psychological contracts may vary in content and level in different countries. For the topic investigated in this paper the relevant question is whether certain institutions establish norms in favour of rigid pay and stable employment. We will discuss protections against dismissals and the fallback position of laid-off workers as well as wage determination systems.

We begin with *protection against dismissals*. A comparison of relevant OECD indicators (OECD 2004) shows that in this respect the U.S. labour market is less regulated than the Canadian one, which in turn is subject to less regulation than the German labour market. We briefly describe the main features of protection against dismissal in the three countries under consideration:

- In Germany the Protection against Dismissal Act applies to all employees in companies whose regular workforce exceeds 10 employees and who have been employed in a company for at least 6 months. If a works council exists, it has to be fully informed and consulted in all cases of dismissal. In 2000, 45.8 percent of Germans in the private sector worked in establishments with a works council (Addison et al. 2003). During the first six months of employment the legal period of notice is only 2 weeks, but it rises to 7 months of notice for employees with 20 years of service. During large-scale layoffs a company has to consider social issues such as the duration of service in the company, age of employees, obligations to pay unemployment benefits, and chances of re-employment. Employees sue their employers in labour court relatively often. In most cases, however, the dismissed are more concerned with the amount of their severance payment than with re-employment.
- In the United States, employment can be terminated by either party with or without cause at any time; co-determination rights do not exist. A certain protection against dismissal exists, however, for the relatively small proportion of employees who are members of trade unions because most collective agreements allow dismissals only for just cause. Furthermore, antidiscrimination legislation provides some protection against dismissal for selected groups of employees. As in Germany, evidence of deliberate discrimination can result in high compensatory payments or fines.

- In Canada there has to be a good and sufficient cause for dismissals, and the required period of notice is 2 weeks for employees who have worked at least 3 months in the company. Severance pay is regulated by law: After one year's employment, dismissed employees receive two days' pay for every year of service with the minimum compensation of five days' pay. In lawsuits, courts rarely rule that an employee should be rehired, but usually award compensatory payments.

The *fallback position* of laid-off workers is determined in particular by the level and structure of unemployment, but also by factors such as the amount and duration of unemployment compensation. At the time of our surveys (described in detail below) the *unemployment rate* in the United States was significantly lower than in Canada and Germany; the unemployment rate in eastern Germany was twice as high as in western Germany. On the one hand, employees may perceive dismissals or wage cuts as less fair in times of high unemployment than during less precarious labour market periods: in other words, the higher the regional unemployment rate the more difficult it is to find a new job with similar employment conditions. On the other hand, individuals may consider dismissals and wage cuts to be normal when unemployment has remained at a high level over a long period of time.

Moreover, the *structure of unemployment* can affect fairness considerations. At the time of our surveys about half of the unemployed in Germany had been unemployed for longer than one year, compared to only 10% in the United States. This difference might imply that even in times of high unemployment the groups of employees that are predominantly affected by unemployment (mainly older and unskilled workers) consider layoffs and wage cuts as most unfair.

*The duration and size of unemployment benefits* also differs among the countries. In the United States benefits are lower and the period of eligibility for benefits is shorter than in Germany.<sup>1</sup>

In addition to other factors, the evaluation of wage cuts can be influenced by *wage-setting institutions*. The system of industrial relations can implement explicit protections against wage cuts. In Germany, for example, about 85% of employees work in companies covered by collective wage agreements, while less than 20% of employees are covered by these contracts in the United States. However, there are noteworthy differences between the eastern and western parts of Germany: in eastern Germany many local contracts allow companies to reduce employees' wages below the collectively negotiated wage. Accordingly, we presume that wage

cuts are more likely to be accepted in the United States than in Germany and that wage cuts within Germany might be more readily accepted in eastern Germany.

Finally, the *importance of internal labour markets* differs between the United States and Germany. Hall (1982) estimated that an American makes 10 job changes during his working career while male Germans hold an average of four jobs over a lifetime (Winkelmann 1994). The U.S. labour market rewards mobility and job matching, whereas in the German labour market human capital and relative job stability are rewarded. Therefore we presume that the relatively low mobility and comparatively high internal employment stability in Germany will have the effect that dismissals, in particular of workers with firm-specific qualifications, are perceived as less fair in Germany than in the United States.

Summing up, in light of these institutions and regulations of the labour market we expect workers in different countries to perceive the fairness of layoffs and dismissals differently. Due to less protection against dismissals as well as higher probabilities of re-employment and labour market mobility in the United States (and at least partly so in Canada) we expect dismissals and wage cuts in these countries to be perceived as fairer than in Germany. The less generous unemployment compensation in North America probably makes layoffs less fair, but the lower levels of insurance themselves probably result from more favourable perceptions of the fairness of layoffs. We expect this difference to be reinforced by German's lower overall perceptions of market fairness and market outcomes.

Charness and Levine (2000, 2002), however, detected very few country-specific differences in the perception of dismissals and wage cuts in their comparison of Silicon Valley with Canada. Taking into account this result and the preceding considerations, we formulate the main hypothesis:

- *The general acceptance of dismissals and wage cuts is lower in Germany than in the United States.*

### **What affects perceptions of fairness concerning layoffs and pay cuts?**

Several hypotheses concerning the source of shocks, company responses, and the characteristics of employees and their impact on perceptions of fairness are discussed in detail by Charness and

Levine (2000). The authors have already tested these hypotheses for North America using a quasi-experimental design that is based on a scenario technique. A brief review of the composition of these scenarios, which also laid the groundwork for our German survey, and the related basic assumptions of fairness perceptions are presented.

*What shocks justify layoffs?* The scenarios examine three different shocks that reduce the employer's demand for labor:

- Product market shock: A company faces lower product demand due to shifts in the market; the viability of the employer is threatened.
- New technology: “A company has higher productivity due to the introduction of some new technology.”
- Employees’ suggestions: “A company has higher productivity due to the employees' suggestions.”

In general, previous research suggests that people consider it fairer to react to an exogenous shock than to take the initiative and cause harm (Rabin 1993). Along these lines, both Kahneman et al. (1986) and Brockner (1992) found that external circumstances (e.g., a threat to the existence of the firm) led many people to consider pay cuts and layoffs as more fair.

New technology is less exogenous to the employer than lower product demand. Thus, respondents should rate layoffs due to lower product demand as fairer than layoffs due to technology shock. Moreover, new technology that raises productivity increases an employer's ability to pay. To the extent that perceptions of fairness involve the sharing of rents and quasi-rents, layoffs due to the introduction of new technology should be perceived as less fair than layoffs due to lower product demand.

Like new technology, employees' suggestions increase employers' ability to pay. Layoffs due to employees' suggestions have yet another reason to be perceived of as unfair: they violate the norm of reciprocity. The norm of reciprocity suggests that employers should respond to employee suggestions with bonuses, not with layoffs. For respondents who share this view, layoffs for this reason should be perceived as even less fair than those due to new technology.

*How important is the mode of implementation of a layoff?* Our scenarios consider two possible responses to a reduction in labour demand.

- Gentle layoff: The company is laying off some employees. Before the layoff, the employer has given each employee four paid weeks to find another job elsewhere in the company. Those who cannot find a new position receive severance pay based on age and years of service. The company provided out-placement assistance, including counselling and résumé-writing workshops. Employees knew layoffs were likely in this circumstance.
- Harsh layoff: The company is laying off employees with two weeks' notice. These are the first layoffs in the company's history.

The “gentle” layoffs scenario is substantially more generous than the harsh layoff scenario. Brockner (1992) notes that layoffs are perceived as more fair when the employer provides tangible support services to soften the blow. Moreover, the gentle layoffs scenario includes advance notice; a form of respect that Brockner et al. (1994) argue predicts high perceptions of procedural justice.

In addition, the literature on new employment contracts (Levine et al. 2002) predicts that gentle layoffs will generally be perceived as fair even when the employer has high autonomy. Unlike with harsh layoffs, respondents will not consider these gentler layoffs as violating norms of reciprocity, even when employees have submitted productivity-enhancing ideas. For example, the severance pay may be interpreted as indicating that the employer is sharing some gains of higher productivity. This reasoning leads to a complementary hypothesis, that the type of shock makes little difference in how fairly respondents rate gentle layoffs.

*Do skill specificity and the occupation of laid-off workers affect fairness perceptions? We compare the following occupations and skill specificity (holding constant the tenure for laid-off workers):*

- Engineers: The company is laying off some high-technology engineers who have an average of ten years' tenure with the company.
- Production workers: The company is laying off some production workers with ten years' company tenure.
- Employees with firm-specific skills: The company is laying off workers who are specialists in this company's unusual technology and who have ten years' tenure.

- Employees with general skills: The affected engineers [production workers] specialise in widely used hardware, making their skills transferable to another job, and have an average of ten years' tenure with this employer.

Employees' costs of layoffs are higher when employees have employer-specific skills than when they have skills that are widely useful (Becker 1975). Consequently, a further hypothesis is that layoffs are fairer when the employees' skills are useful in another job than when they are specialists in the company's unusual technology.

Although recent data suggest that layoff rates are converging, production employees in the United States are still more likely to be laid off than are professional employees (Farber 1996). Similarly, in Germany the risk of unemployment decreases with education (Reinberg and Hummel 2005). In societies in which individual achievements justify differences in status, we would expect this difference to be evaluated as fair. Moreover, professionals typically have a higher trust relationship with the employer, have higher commitment to the employer, and work with less supervision than production workers. In exchange, so goes the reasoning of the traditional employment contract, the employer is supposed to provide stable employment to this type of employee. Hence layoffs are perceived as more fair when they affect production workers rather than engineers.

*Does the payment of a bonus to the CEO affect fairness notions when a company lays off employees?* The following scenarios are considered:

- There is no mention of a CEO bonus.
- A record CEO bonus: The CEO received a record bonus for his success in cutting costs.
- CEO refused bonus: The CEO turned down his bonus this year because of the unexpected need for layoffs.

Theories of distributive justice often imply that lower-paid employees look to the fate of their higher-paid colleagues for fairness comparisons. In some cases, these comparisons rise to the highest ranks of the organization (Cowherd/Levine 1992). Executive pay may be particularly salient during downsizing (Brockner 1992).

Theories of procedural justice reinforce distributive concerns over relative outcomes (Bies et al. 1993). People are more likely to consider a decision fair, even if it harms them, if the decision-

maker did not profit from it. Conversely, if a decision-maker profits from a decision that harms employees, the employees have reason to doubt the objective basis for the decision (Leventhal 1976).

Finally, what evidence exists concerning community standards of fairness regarding pay cuts? In the mid-1980s, Kahneman et al. (1986) conducted a series of quasi-experiments in Vancouver and Toronto to investigate perceptions of fair treatment. They found that wage reductions for current employees due to slack labour markets were considered unfair much more frequently than equally large wage reductions for new employees. Furthermore, Kahneman et al. (1986) showed that economic shocks that reduce profits justify new wages, but that increases in market power do not. In a follow-up study Charness and Levine (2002) showed that respondents in the Silicon Valley were only slightly more accepting of pay cuts than Canadian interviewees. In our comparison of respondents from North America and Germany, we expected stronger differences in the perceptions of pay cuts. The reason is again that North Americans are more accepting of market outcomes and that labour market institutions, specifically collective wage contracts, specify wages in Germany, which are perceived as fair.

## **Data and Method**

The North American survey (Charness/Levine 2000, 2002) was carried out in Vancouver and Toronto between March and September 1997 and in Silicon Valley between October 1997 and March 1998. There were approximately 1,000 Canadian and Silicon Valley respondents each. The German survey of approximately 3,000 respondents was conducted in the summer of 2004. In translating the scenarios from English to German and designing the questionnaires we tried to ensure as much comparability as possible.

We asked each respondent several questions about the fairness of layoffs and pay cuts in different scenarios. The questions concerning layoffs examined variations of a model case (Charness/Levine 2000):

A company faced lower product demand due to shifts in the market; the viability of the employer is threatened. In response, the company laid off some high-technology engineers. These workers are specialists in this company's unusual technology, with an

average of ten years' tenure at this employer. The company is laying off employees with two weeks' warning. These are the first layoffs in the company's history.

Respondents were then asked if the layoff was completely fair, somewhat fair, unfair, or very unfair (coded as 3 = completely fair, 2 = somewhat fair, 1 = unfair, 0 = very unfair). This model case was varied along several dimensions in order to analyse how changes in the sources of the shocks to the employer, the reactions of the employer, the skills and occupations of the employees affected, and other factors had an impact on the respondents' perceptions of fairness.

The questions on pay cuts replicated some scenarios introduced by Kahneman et al. (1986). Following Charness and Levine (2002), only the categories *fair* (completely fair or somewhat fair) and *unfair* (unfair or very unfair) were distinguished (coded as 1 = fair, 0 = unfair).

Note that comparison questions (that is, questions that matched all but one aspect) were asked of different respondents. This between-subjects design minimises respondents' inclination and ability to answer based on their attempts to guess the researchers' hypotheses. For each scenario, approximately 130 ratings are available for the United States and for Canada and approximately 300 observations for Germany.

The comparison across countries is conducted by means of a regression analysis. We present effects of treatments for a baseline scenario and for different variations. We take the United States as the reference country and include Canadian and German interactions for all variables. For instance, in the layoff scenarios, our baseline scenario is the one cited above. The test statistic on the German interaction with the constant reveals whether perceptions of the baseline scenario differ between the United States and Germany. The variable "gentle layoff" shows for the reference country if fairness perceptions vary with the mode of implementation in the United States. The coefficient of the German interaction with "gentle layoff" is the "double difference," indicating whether the mode of implementation matters more or less in Germany than in the United States. Our tables show the results of ordinary least squares (OLS) estimates (which are easy to interpret) as well as of ordered probit (which takes account of the categorical nature of the dependent variable).<sup>2</sup> Additionally, the tables display F-tests of the joint significance of the Canadian and the German interactions, which indicate whether there is a significant joint difference from U.S. responses.

We distinguish between U.S. and Canadian citizens because we find significant differences between the two groups of North Americans. However, we do not find significant differences between western and eastern Germany. This is somewhat surprising because the regions of Germany were separated for more than 40 years. Eastern Germany had a communist economic system for several decades until east-west reunification in 1990. To test whether the respondents in the two regions were similar because younger workers were not influenced by the former regime, we replicated the comparison for workers born before 1970. Again the analysis revealed no significant differences. Therefore the following analysis does not distinguish between the regions of Germany.

### **Results for the layoff scenarios**

Summary statistics are in the Appendix. Table 1 presents a regression analysis of impact factors on fairness perceptions of layoffs.

First, how important is the kind of shock that causes the layoffs? The theoretical prediction was that layoffs are perceived as most fair when product demand has been reduced, as less fair when layoffs stem from the introduction of a new technology, and as least fair when layoffs are the result of employee suggestions that increased the company's productivity. The empirical results show that layoffs following employees' suggestions are in fact considered the most unfair scenario in the United States, and no significant difference was found between the two other types of shock. Significantly different perceptions by Canadians or Germans are detected only for layoffs due to the introduction of a new technology; specifically, U.S. respondents perceived such layoffs as significantly less unfair. This result is consistent with the general perception that the on-going process of technological change is more accepted in the United States, particularly in Silicon Valley (the host of much technological change).

Second, the response of the company to the shock seems to be most crucial for the fairness perception of layoffs. Harsh layoffs are judged as rather unfair for all kinds of shocks and in all three countries under consideration. Generally, gentle layoffs are found to be significantly fairer (by about 1.1 points on a 0 to 4 scale in the United States, 1.4 in Canada, but only 0.6 in Germany). In addition to the preceding explanation, higher unemployment benefits as well as

stronger protection against dismissal in Germany might explain the lower importance of employer response in Germany.

Third, does it make a difference which occupation and which skill specificity characterises laid-off workers? Regarding occupation, fairness ratings do not differ significantly between engineers and production workers for all three countries. Turning to skill specificity (which was not considered in the Canadian survey), in the United States fairness ratings do not vary much between laid-off workers with general or specific skills. Conversely, in Germany layoffs of workers with specific skills are rated as more than .2 points more unfair than dismissals of workers with general skills.

Fourth, the role of CEO bonuses is compared for the United States and Germany. (These scenarios were not presented in the Canadian survey.) In both countries dismissals are perceived as more fair when the CEO refused to accept a bonus for successful cost-cutting. However, the refusal of the bonus payment improves fairness ratings twice as much in the United States (0.4 points) as in Germany (less than 0.2). Furthermore the reference scenario is evaluated as significantly more fair than a situation where the CEO obtains an extra bonus for cost-cutting; the size of the effect does not differ significantly between the United States and Germany.

### **Empirical results for the pay-cut scenarios**

Table 2 compares scenarios describing wage cuts in a situation with high regional unemployment. In the reference scenario, where the company makes a profit, fairness ratings are rather low (less than 37% rated the action as “fair” in all nations). No significant difference between fairness perceptions in the United States and Germany is found; Canadians, however, rate wage cuts as significantly more unfair in this situation.

In all three countries pay cuts are perceived as fairer if the company loses money than if the company makes money (replicating Kahneman et al. 1986). Kahneman and his co-authors’ interpretation of this result is that a firm is allowed to protect itself against losses at an employee’s expense. Acting at someone else’s expense is, however, not accepted by respondents when a company has positive profits. Still, the results indicate that wage cuts are perceived as more unfair (although only significant at the 10 percent level) in Germany than in North America if the company loses money. In addition to the more widespread market scepticism in Germany,

collective contracts set wages that are generally rated as fair and that generate both nominal and real wage rigidity (Pfeiffer 2003).

Table 3 compares pay cuts for current workers with the payment of lower starting wages to newly hired workers. Wage cuts are generally not perceived as very fair in the reference scenario, where wages are cut for a current worker, and they are rated as significantly more unfair in Germany than in North America. Furthermore, the payment of lower wages to a newly hired (replacement) worker is generally much more acceptable than wage cuts for incumbents. Kahneman et al. (1986) interpret this result to mean that an entitlement to a reference wage does not carry over to a new transaction. Entitlements for new hires, however, seem to be much less pronounced in North America than in Germany. This might again be a hint that institutional wage-setting arrangements in Germany have an impact on fairness perceptions.

Finally, the framing of the wage cut is investigated in Table 4. The reference scenario, where wages are reduced, is rated as rather unfair in all three countries, with no significant differences between them. However, in North America as well as in Germany, it is perceived as much fairer if an employee's bonus is eliminated than if the wage is reduced by an equal amount (as in Kahneman et al. 1986). In Germany the framing as cutting a bonus seems to be even more decisive for fairness ratings than in North America. One reason might be that bonus payments play a more important role in wage-setting in the United States and Canada and that the fairness perceptions induced by the German wage-setting system do not carry over to bonus payments.

## **Conclusions**

A main finding of our comparisons is that dismissals are perceived as less fair in the vast majority of scenarios in Germany than in the United States and Canada. In our opinion this finding can be explained by differences in the social perception of the market and market outcomes and by differences in specific institutional labour market arrangements that establish explicit and implicit rights and express themselves, as has been argued by Schlicht (1998), in country-specific social norms and habits. The scenarios show in detail:

- Harsh layoffs are perceived as rather unfair in Germany as well as in North America. Gentle layoffs, however, exert a much stronger impact on fairness perceptions in North America than

in Germany. This might be due in part to lower benefits and fewer social protections during unemployment in North America.

- Which occupational group is affected by a dismissal--production workers or engineers--barely influences the fairness perceptions in all three countries. Laying off workers with general skills is perceived as more fair than dismissing workers with specific skills in Germany, but not in North America. An explanation might be that internal labour markets in Germany are connected with reduced chances of reemployment in other firms and with risks of long-term unemployment for workers with firm-specific human capital.
- In all regions fairness ratings of layoffs are very low when the CEO receives a bonus for cost-cutting. Acceptance, however, increases, when the bonus is refused, and this effect is even stronger in the United States than in Germany.

The wage-cutting scenarios show that wage cuts tend to be perceived as less unfair in North America than in Germany. We would like to highlight the following results:

- In all three countries, respondents view wage cuts as fairer when the company incurs losses and is not profitable. This reinforces the finding from the literature that the cause of a wage cut is important to its assessment.
- In all three countries respondents find it more acceptable for a firm to pay newly hired workers a lower wage than to cut wages of incumbents. However, both procedures appear to be less accepted in Germany than in North America. This implies that the employment relationship constitutes stronger entitlements and psychological contracts in Germany.
- Finally, in all three countries the elimination of an employee's bonus is perceived as fairer than an equal wage cut. Cancelling a bonus is more acceptable in Germany; perhaps because bonus payments are less widespread than in North America and apparently are not covered by the norms of the German wage-setting system.

Summing up, our results show a number of significant differences in fairness ratings among the United States, Canada, and Germany. These differences can be traced to fundamental and differing social perceptions concerning the acceptability of the market and market outcomes and go hand in hand with differences in institutional labour market arrangements that affect the evolution of social norms and psychological contracts within countries.

These results are important for understanding the evolution of labour market institutions and outcomes across regions. Many authors have posited that German labour market institutions such as apprenticeship were important factors in explaining Germany's rapid growth in the generation prior to 1973. Many authors (sometimes overlapping the first group) posited that German labour market institutions such as widespread coverage by collective bargaining were important factors in explaining Germany's relative slow job growth in the generation after 1973. To the extent that both labour market outcomes and institutions shape citizens' beliefs in the fairness of certain employment contracts, this history can affect the ability of the economic system to adopt new employment institutions (Alesina and Angeletos 2005). For example, Germans' lower average acceptance of pay cuts during slack labour markets for new hires as well as for incumbents (Table 3) may partly be the result of collective bargaining. At the same time, once such norms are established they can reduce the effects of legal or bargaining changes that might increase wage flexibility in other settings. As such, our results may shed light on why German labour market policies have persistently given less play to market forces and why German employers are more accepting of regulations that limit pay cuts and layoffs.

A single cross-sectional study cannot determine the complex interplay of institutions, laws, beliefs, and labour market outcomes. Future studies can build on this by examining the interplay of these forces in more nations over longer periods of time.

## References

- Addison, J., Bellmann, L., Schnabel, C., Wagner, J. (2003). German Works Councils Old and New: Incidence, Coverage and Determinants. *Schmollers Jahrbuch* 123, 339–358.
- Agell, J. (2002). On the Determinants of Labour Market Institutions: Rent Seeking vs. Social Insurance. *German Economic Review* 3, 107–135.
- Alesina, J., Glaeser, E., Sacerdote, B. (2005). Work and Leisure in the U.S. and Europe: Why So different? NBER Working Paper 11278. Cambridge, Mass.
- Alesina, A., Angeletos, G.-M. (2005). Fairness and Redistribution *American Economic Review*, 94, 4, 960-980.
- Anderson, N., Schalk, R. (1998). Editorial: The Psychological Contract in Retrospect and Prospect. *Journal of Organizational Behavior* 19 (Special Issue), 637–647.
- Baker, G., Jensen, M. and Murphy, K. (1988). Compensation and Incentives: Theory versus Practice. *Journal of Finance*, 593–616.

- Barnard, C. (1938). *The Functions of the Executive*. Cambridge, MA: Harvard University Press.
- Becker, G. S. (1975), *Human Capital*. University of Chicago Press.
- Bies, Robert J., Tripp, T., and Neale, M. (1993). Procedural Fairness and Profit-Seeking: The Perceived Legitimacy of Market Exploitation. *Journal of Behavioral Decision Making* 6 (4), 243–256.
- Blau, P. M. (1964). *Exchange and Power in Social Life*. New York: J. Wiley.
- Brockner, J. (1992). Managing the Effects of Layoffs on Survivors. *California Management Review* 34, 9–28.
- Brockner, J., et al. (1994). Interactive Effects of Procedural Justice and Outcome Negativity on Victims and Survivors of Job Loss. *Academy of Management Journal* 37, 397–409.
- Charness, G. B. (1998). Attribution and Reciprocity in a Simulated Labor Market: An Experimental Investigation. Universitat Pompeu Fabra Working Paper 283.
- Charness, G., and Levine, D. I. (2000). When Are Layoffs Acceptable? *Industrial and Labor Relations Review* 53, 381–400.
- Charness, G., and Levine, D. I. (2002). Changes in the Employment Contract? Evidence from a Quasi-Experiment. *Journal of Economic Behavior & Organization* 47, 391–405.
- Charness, G. B., and Rabin, M. (1999). Social Preferences: Some Simple Tests and a Model. Mimeo.
- Corneo, G. (2000). Inequality and the State: Comparing U.S. and German Preferences. CESifo Working Paper 398.
- Cowherd, D., and Levine, D. I. (1992). Product Quality and Pay Equity Between Low-Level Employees and Top Management: An Investigation of Distributive Justice Theory. *Administrative Science Quarterly* 37, 302–320.
- Farber, H. (1996). The Changing Face of Job Loss in the United States 1981–1993. NBER Working Paper 5596. Cambridge, MA.
- Farh, J., Podsakoff, P. M., and Organ, D. W. (1990). Accounting for Organizational Citizenship Behavior: Leader Fairness and Task Scope Versus Satisfaction. *Journal of Management* 16, 705–721.
- Fehr, E., Kirchler, E., Weichbold, A., and Gächter, S. (1998). When Social Forces Overpower Competition: Gift-Exchange in Experimental Labor Markets. *Journal of Labor Economics* 16, 437–459.
- Fehr, E., and Schmidt, K. (1997). A Theory of Fairness, Competition, and Cooperation. Mimeo.
- Fehr, E., Kirchsteiger, G., and Riedl, A. (1993). Does Fairness Prevent Market Clearing? An Experimental Investigation. *Quarterly Journal of Economics* 108, 437–459.
- Hall, R. (1982). The Importance of Lifetime Jobs in the U.S. Economy. *American Economic Review* 72, 716–724.
- Herriot, P., Maning, W. E. G., and Kidd, J. M. (1997). The Content of the Psychological Contract, *British Journal of Management* 8, 151–62.
- Hiltrop, J.-M. (1995). The Changing Psychological Contract: The Human Resource Challenge of the 1990s, *European Management Journal* 13, 286–294.
- Kahneman, D., Knetsch, J., and Thaler, R. (1986). Fairness as a Constraint on Profit-Seeking: Entitlements in the Market, *American Economic Review* 76, 728–741.
- Keyssar, A. (1986). *Out of Work: The First Century of Unemployment in Massachusetts*. Cambridge: Cambridge University Press.

- Konovsky, M. A., and Douglas, P. S. (1994). Citizenship Behavior and Social Exchange. *Academy of Management Journal* 37, 656–669.
- Leventhal, G. S. (1976). The Distribution of Rewards and Resources in Groups and Organizations. In Berkowitz, L., and Walster, E. (eds.), *Advances in Experimental Social Psychology* 9, 91–131. New York: Academic Press.
- Levine, D. I. (1993). Fairness, Markets and Ability to Pay. *American Economic Review* 83, 1241–1259.
- Levine, D. I., Belman, D., Charness, G., Groshen, E. L., and O’Shaughnessy, K. C. (2002). *How New Is the New Employment Contract? Evidence from North American Pay Practice*. Kalamazoo, MI: Upjohn Institute for Employment Research.
- Milgrom, P., and Roberts, J. (1992). *Economics, Organization and Management*. Englewood Cliffs, NJ: Prentice-Hall.
- Millward, L., and Brewerton, P. (2000). Psychological Contracts: Employee Relations for the Twentyfirst Century? *International Review of Industrial and Organizational Psychology* 15, 1–62.
- Moorman, R. H. (1991). Relationship Between Organizational Justice and Organizational Citizenship Behaviors: Do Fairness Perceptions Influence Employee Citizenship? *Journal of Applied Psychology* 76, 845–855.
- OECD (2004). *Employment Outlook*. Paris.
- Pfeiffer, F. (2003). *Lohnrigiditäten im gemischten Lohnbildungssystem*. Baden-Baden: Nomos.
- Rabin, M. (1993). Incorporating Fairness into Game Theory and Economics. *American Economic Review* 83, 1281–1302.
- Reinberg, A., and Hummel, M. (2005). *Vertrauter Befund: Höhere Bildung schützt auch in der Krise vor Arbeitslosigkeit*. Nürnberg: IAB-Kurzbericht 09/2005.
- Rousseau, D. M. (1995). *Psychological Contracts in Organizations. Understanding Written and Unwritten Agreements*. London/New Delhi: Thousand Oaks.
- Rousseau, D. M., and Schalk, R. (2000). *Psychological Contracts in Employment. Cross National Perspectives*. London/New Delhi: Thousand Oaks.
- Schlicht, E. (1998). *On Custom in the Economy*. Oxford: Clarendon Press.
- Simon, H. A. (1991). Organizations and Markets. *Journal of Economic Perspectives*, 25–44.
- Williamson, O. E., Wachter, M. L., and Harris, J. E. (1975). Understanding the Employment Relation: Analysis of Idiosyncratic Exchange. *Bell Journal of Economics* 6, 250–280.
- Winkelmann, R. (1994). Training, Earnings, and Mobility in Germany. CEPR Discussion Paper 982.

## Tables

**Table 1**      **Fairness perceptions of layoffs**  
 0 = very unfair, 1 = unfair, 2 = somewhat fair, 3 = fair  
 (Probability values from two-sided t-tests in parentheses)

	Ordinary Least Squares			Ordered Probit <sup>#</sup>		
		Canadian	German		Canadian	German
	<i>Interactions</i>			<i>Interactions</i>		
Constant	1,036 ** (0,00)	-0,027 (0,73)	0,094 (0,12)	-	-0,028 (0,79)	0,108 (0,17)
New technology	0,087 (0,09)	-0,231 * (0,01)	-0,306 ** (0,00)	0,114 (0,09)	-0,331 ** (0,01)	-0,399 ** (0,00)
Employees' suggestions	-0,180 ** (0,01)	-0,180 (0,07)	-0,054 (0,50)	-0,260 ** (0,00)	-0,252 (0,06)	-0,039 (0,71)
Gentle layoff	1,074 ** (0,00)	0,373 ** (0,00)	-0,503 ** (0,00)	1,384 ** (0,00)	0,524 ** (0,00)	-0,667 ** (0,00)
Production worker	0,091 (0,17)	-0,033 (0,78)	-0,067 (0,41)	0,113 (0,20)	-0,053 (0,73)	-0,084 (0,42)
General skills	0,077 (0,25)	-	0,206 * (0,01)	0,090 (0,30)	-	0,260 * (0,01)
CEO refused bonus	0,397 ** (0,00)	-	-0,223 ** (0,01)	0,489 ** (0,00)	-	-0,265 * (0,01)
CEO record bonus	-0,176 ** (0,01)	-	-0,096 (0,23)	-0,256 ** (0,00)	-	-0,113 (0,29)
Adjusted R <sup>2</sup> / Pseudo R <sup>2</sup>	0,211			0,091		
F-Test on joint significance (probability value)	0,000			0,000		
Observations	1715	853	3918	1715	853	3918
Sum of observations	6486			6486		

\*) p<sub>t</sub> = 0,05, \*\*) p<sub>t</sub> = 0,01.

#) Estimated thresholds are not displayed.

Reference scenario: U.S. respondents, product market shock, engineers, 10 years' tenure, firm-specific skills, harsh layoff.

**Table 2: Wage cuts for companies making versus losing money**  
 Probability values from two-sided t-tests in parentheses)  
 0 = unfair, 1 = fair

	<b>Ordinary Least Squares</b>			<b>Probit</b>		
	<i>Canadian</i>	<i>German</i>	<i>Interactions</i>	<i>Canadian</i>	<i>German</i>	<i>Interactions</i>
Constant	0.368 (0.00)	-0.125** (0.03)	-0.055 (0.26)	-0.338 (0.00)	-0.358 (0.02)	-0.150 (0.26)
Company loses money (not makes profit)	0.359 (0.00)	0.062 (0.45)	-0.121 (0.08)	0.941 (0.00)	0.179 (0.43)	-0.326 (0.09)
Adjusted R <sup>2</sup> / Pseudo R <sup>2</sup>	0.108			0.083		
F-Test on joint significance of difference from U.S. responses (probability value)	0.049			0.042		
Observations	280	209	619	280	209	619
Sum of observations	1155			1155		

\*)  $p_t < 0.05$ , \*\*)  $p_t < 0.01$ .

Reference scenario: U.S. respondents, small company, substantial unemployment, company makes profit, wages reduced by 5 percent

**Table 3: Wage cuts for current employees versus new hires**  
 (Probability values from two-sided t-tests in parentheses)  
 0 = unfair, 1 = fair

	Ordinary Least Squares			Probit		
	Canadian	German	Interactions	Canadian	German	Interactions
Constant	0.333 ** (0.00)	0.036 (0.50)	-0.177 ** (0.00)	-0.431 ** (0.00)	0.098 (0.54)	-0.579 ** (0.00)
Wage reduced for new hires (not current employees)	0.338 ** (0.00)	0.054 (0.49)	-0.206 ** (0.00)	0.874 ** (0.00)	0.171 (0.47)	-0.423 * (0.03)
Adjusted R <sup>2</sup> / Pseudo R <sup>2</sup>	0.175			0.138		
F-Test on joint significance of difference from U.S. responses (probability value)	0.218			0.247		
Observations	284	224	588	284	224	588
Sum of observations	1096			1096		

\*)  $p_t < 0.05$ , \*\*)  $p_t < 0.01$ .

Reference scenario: U.S. respondents, small company, business satisfactory, unemployment increased, wages reduced for current worker.

**Table 4: Cutting base pay versus cutting a bonus**  
 (Probability values from two-sided t-tests in parentheses)

0 = unfair, 1 = fair

	<b>Ordinary Least Squares</b>			<b>Probit</b>		
		<i>Canadian</i>	<i>German</i>	<i>Canadian</i>	<i>German</i>	
	<i>Interactions</i>			<i>Interactions</i>		
Constant	0.392 ** (0.00)	-0.108 (0.07)	-0.071 (0.14)	-0.274 ** (0.01)	-0.296 (0.07)	-0.190 (0.14)
10 percent bonus eliminated	0.198 ** (0.00)	0.077 (0.38)	0.138 * (0.05)	0.503 ** (0.00)	0.218 (0.35)	0.368 * (0.05)
Adjusted R2 / Pseudo R2	0.087			0.067		
F-Test on joint significance of difference from U.S. responses (probability value)	0.177    0.136			0.175    0.137		
Observations	275	266	614	275	266	614
Sum of observations	1108			1108		

\*)  $p_t < 0.05$ , \*\*)  $p_t < 0.01$

Reference scenario: U.S. respondents, small company, business has not increased as before, wages reduced by 10 percent.

## Appendix

**Table A.1: Scenario means for the layoff scenarios**  
 0 = very unfair, 1 = unfair, 2 = somewhat fair, 3 = fair

	<b>U.S.A</b>	<b>Canada</b>	<b>Germany</b>
Product market shock, engineers, 10 years tenure, firm-specific skills, harsh layoff	0.98	0.92	1.14
Product market shock, engineers, 10 years tenure, firm-specific skills, gentle layoff	2,12	2,55	1.72
Product market shock, engineers, 10 years tenure, general skills, harsh layoff	1.14	-	1.47
Product market shock, production worker, 10 years tenure, firm-specific skills, harsh layoff	1.15	1.07	1.21
Product market shock, production worker, 10 years tenure, general skills, harsh layoff	1.18	-	1.39
Product market shock, engineers, 10 years tenure, firm-specific skills, harsh layoff, CEO refused bonus	1.41	-	1.24
Product market shock, engineers, 10 years tenure, firm-specific skills, harsh layoff, CEO record bonus	0.90	-	0.84
New technology, engineers, 10 years tenure, firm-specific skills, harsh layoff	1.03	0.93	0.83
New technology, engineers, 10 years tenure, firm-specific skills, gentle layoff	2,30	2,25	1.48
New technology, engineers, 10 years tenure, firm-specific skills, harsh layoff, CEO refused bonus	1.54	-	1.15
New technology, engineers, 10 years tenure, firm-specific skills, harsh layoff, CEO record bonus	0.91	-	0.65
Employees' suggestions, engineers, 10 years tenure, firm-specific skills, harsh layoff	0.96	0.69	0.91
Employees' suggestions, engineers, 10 years tenure, firm-specific skills, gentle layoff	1.82	2,05	1.45

**Table A.2: Scenario means for the wage-cut scenarios**  
 0 = unfair, 1 = fair

	<b>U.S.A</b>	<b>Canada</b>	<b>Germany</b>
Small company, substantial unemployment, company makes profit, wages reduced by 5 percent	0.37	0.24	0.31
Small company, substantial unemployment, company loses money, wages reduced by 5 percent	0.73	0.66	0.55
Small photocopying shop, business satisfactory, unemployment increased, wages reduced for current worker	0.33	0.37	0.16
Small photocopying shop, business satisfactory, unemployment increased, wages reduced for replacement	0.67	0.76	0.29
Small company, business has not increased as before, wages reduced by 10 percent	0.39	0.28	0.32
Small company, business has not increased as before, usual 10 percent yearly bonus eliminated	0.59	0.56	0.66

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<sup>1</sup> The protection of long-term unemployed workers in Germany declined in 2005, after our data were collected.

<sup>2</sup> Because we are not interested in the thresholds themselves, the estimated cutpoints from the ordered probit estimates are not documented in the tables. The estimated coefficients can be obtained from the authors on request.