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Procedural Fairness, Personal Benefits, Agency Expertise, and Planning Participants' Support for the Forest Service

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MITCHEL P. McCLARAN & DAVID A. KING*

Procedural Fairness, Personal Benefits, Agency Expertise, and Planning Participants’ Support for the Forest Service

ABSTRACT

Numerous appeals of Forest Plans have been interpreted as a lack of support for the Forest Service. Questionnaire responses from 455 Forest Plan participants show that agency support was more strongly related to perceptions of procedural fairness and personal benefits than to agency expertise expressed as information about resources and human needs. These responses suggest that agency support will be most sensitive to changing perceptions of procedures from somewhat unfair to somewhat fair, and preventing reductions in personal benefits. Furthermore, perceptions of fair procedures were half as frequent when benefits were expected to decline than when they were expected to either increase or not change.

INTRODUCTION

The planning process used by the Forest Service to allocate resources within the National Forests and National Grasslands has been scrutinized by scholars, the Office of Technology Assessment, the University of Arizona Agricultural Experiment Station.

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Government Accounting Office, and the Forest Service. Because each Forest Plan is scheduled to be renewed every 10–15 years, there is considerable interest and urgency in addressing the concerns expressed in these reviews. To enhance public support and regain agency efficacy, suggestions for reforming the planning process have included the development of public participation procedures that are more fair in their modes of representation, communication, and influence. To inform this dialogue, we describe the level of agency support held by participants in the planning process, and the relationship between their level of support and their perceptions of procedural fairness, expected changes in personal benefits, and agency expertise.

The keystone of the Forest Service planning and allocation process is the Forest Plan, which is embedded in a hierarchy of national, regional, forest, and site-specific planning efforts. Significant public participation procedures have been applied to the development of these Forest Plans, including the scoping and review procedures consistent with the National Environmental Policy Act and an administrative appeals process.

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6. However, there may be other goals and concerns about the planning process such as its reliance on the rational decision making model, or that fairness may be a desirable goal in and of itself.


One source of concern with the Forest Plan process centers on the high rate of administrative appeals,\textsuperscript{10} because they delay the implementation of Forest Plans and because they suggest an actively discontented constituency. One avenue of reform could be more restrictive procedures to limit the filing of administrative appeals. However, this would violate commonly held notions of procedural fairness and, therefore, might incite greater discontent that would manifest itself as increased appeals for formal judicial review and demands for reforms from Congress and the president. Therefore, most suggestions center on making procedures more fair in order to cultivate a greater level of support for the agency and a possible reduction in appeals. These suggestions seem reasonable in light of political theory that asserts that low public confidence in government will lead citizens to challenge governmental decisions.\textsuperscript{11}

We feel that the discourse on reformation can benefit from an examination of the views held by participants in the Forest Plan process because they are the members of the public who are most familiar with the planning procedures. Specifically, (1) At what level do participants support the agency? (2) At what level do participants perceive that the agency applies fair participation procedures and possesses adequate information? and (3) How will participants' personal benefits from the Forest change under the proposed Forest Plan? Furthermore, we ask about the strength of relations among these views in order to discuss changes in the planning process that may influence agency support.

**STUDY RATIONALE**

The expected relations among agency support, perceived fairness, and allocation of benefits find basis in procedural justice theory, and lead to expectations that an increasing perception of fair procedures will be related to an increasing acceptance of decisions by authorities.\textsuperscript{12} To this

\textsuperscript{10} By 1989, all 96 Forest Plans had at least one appeal, and on average 8.4 appeals per plan; 574 of those had been resolved at an estimated cost of $50,000 per appeal. Costs to resolve the outstanding appeals were expected to be greater. See Gericke et al., *supra* note 1.


Yet another interpretation of the numerous appeals is that the constituents do not segregate the administrative appeals process from the other activities in the public participation process, and, therefore, they harbor no less reservation filing appeals than attending scoping meetings or commenting on Draft Forest Plans.

\textsuperscript{12} See generally, John Thibaut & Laurens Walker, *Procedural Justice: A Psychological Analysis* (1975); E. Allan Lind & Tom R. Tyler, *The Social Psychology of Procedural Justice* (1988). Lind and Tyler refer to this as the group-value model where perceptions of justice are greater if procedures conform to group norms of fairness.
end, there have been suggestions that increased acceptance (or decreased appeals) of Forest Plans can be facilitated by implementing more fair procedures. Additionally, changes in the allocation of personal benefits may also influence the participants' acceptance of the decision. The expectation that support for the agency is positively related to its command of information and general expertise is consistent with generic traits of successful bureaucracies, as well as analysis specific to the Forest Service. Therefore, the juxtaposition of perceived procedural fairness, changes in the participants' personal benefits, and adequacy of information should provide a measure of their relative importance in the Forest Plan process and support for the agency.

We use three variables to define the level of support for the Forest Service: satisfaction, trust, and effectiveness. Because the concept of support can be complicated and multi-faceted, we use these three variables as a way of encompassing the meaning of support that should be more comprehensive than only one variable.

STUDY DESIGN

The data for this paper were drawn from a survey mailed in early 1990 to a sample of 521 individuals who were participants in the preparation of Forest Plans that were released in final form between 1 January 1987 and 7 August 1989 and had outstanding appeals as of 7 August 1989. The study was limited to participants on planning units with outstanding appeals so that all eligible planning units would be at the same stage of the planning process and because most plans were being appealed.


14. See Edith Barrett-Howard & Tom R. Tyler, Procedural Justice as a Criterion in Allocation Decisions, 50 J. PERSONALITY & SOCIAL PSYCHOLOGY 296, 296 (1986); Lawrence et al., supra note 1, at 582. Furthermore, Lind and Tyler refer to this as the self-interest model where perceptions of justice are greater if desirable outcomes are achieved. See Lind & Tyler, supra note 12.


17. The selection criteria made 30 planning units eligible for the study. The sample of 13 planning units was chosen in a two-stage process. In the first stage, the 30 planning units were stratified by Forest Service region, and two units randomly selected from Regions 1, 3 through 6, and 8. The only eligible unit from Region 9 was also selected. None of the planning units in Regions 2 and 10 met the selection criteria and there is no Region 7. The planning units selected were the (1) Gallatin, (2) Nez Perce, (3) Prescott, (4) Santa Fe, (5) Salmon, (6) Payette, (7) Angeles, (8) Los Padres, (9) Colville, (10) Siskiyou, (11) Wayne, (12) National Forests of Texas, and (13) Nantahala and Pisgah Forests. In the second stage of sampling, seventy
Respondents to the survey were asked to rate the employees of their Forest in terms of how satisfied they were with the job these employees were doing in managing the Forest, how much trust they placed in these employees to manage the Forest, and how effective they felt the employees were at managing the Forest. A four point rating scale was used for each of these three variables.  

Procedural fairness was measured on a four point scale, expected personal benefits on a three point scale, and perceptions of adequate planning information on a two point scale. To ensure comparability across categories of variables, only those respondents who completed all of these questions were included in the analysis. This condition reduced the sample size to 455 respondents.

SUPPORT FOR THE FOREST SERVICE

Respondents were more likely to see their local Forests as effective than they were to be satisfied with or trusting of them. A majority of the respondents, nearly 55 percent, were very or somewhat satisfied with the job done by the local Forest's employees, about 54 percent of the respon-

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18. For satisfaction the wording was: 4 - very satisfied; 3 - somewhat satisfied; 2 - somewhat dissatisfied; and 1 - very dissatisfied. For trust the wording was 4 - almost always; 3 - most of the time; 2 - only some of the time; and 1 - almost never. For effectiveness the wording was: 4 - very effective; 3 - somewhat effective; 2 - somewhat ineffective; and 1 - very ineffective.

19. For procedural fairness, respondents were asked, "In general, how fair were the procedures the ______ Forest used in making the many decisions involved in the planning process?" The four point scale was: 4 - very fair; 3 - somewhat fair; 2 - somewhat unfair; 1 - very unfair.

For expected personal benefits, respondents were asked, "If the ______ Forest Plan is implemented as written, how much will you benefit from the forest as compared to now?" The three point scale was: 3 - will receive more benefits; 2 - will receive same benefits as now; and 1 - will receive fewer benefits.

For perceptions of the adequacy of information about human needs used in planning, the respondents were asked, "Do you think the ______ Forest employees had enough information about the needs of all people when they wrote the final plan?" The responses were 2 - yes and 1 - no.

For perceptions of information on the resources used in planning, respondents were asked, "Do you think these employees had enough information about the Forest resource when they wrote the final plan?" Again the responses were 2 - yes and 1 - no.
dents trusted the local Forest employees almost always or most of the time, and nearly 63 percent of the respondents felt the local Forest employees were very or somewhat effective in managing the forest. About 67 percent of the respondents felt the planning procedures were very or somewhat fair, and 49 percent expected their benefits to be lower if the Forest Plan were implemented as written. About 53 percent felt the Forest had enough information about human needs, and about 56 percent felt the Forest had enough information about natural resources.

CORRELATIONS BETWEEN VARIABLES

Spearman rank correlation coefficients were used to determine the degree and direction of associations that exist between each of the variables. The correlation coefficients (table 1) for all pairs of variables are positive and significantly different from zero. The three variables describing agency support are the most strongly correlated of all the variables, which lends support to the idea that they tend to measure aspects of a single concept, which we refer to as agency support. In general, fairness was slightly more correlated with the three variables of agency support than personal benefits; whereas, the two information variables

20. Responses for satisfaction were: 13 percent, Very Satisfied; 41.7 percent, Somewhat Satisfied; 31 percent, Somewhat Dissatisfied; 14.3 percent Very Dissatisfied. Responses for trust were: 14.7 percent, Almost Always; 38.9 percent, Most Of The Time; 39.1 percent, Only Some Of The Time; 7.3 percent, Almost Never. Responses for effectiveness were: 15 percent, Very Effective; 47.5 percent, Somewhat Effective; 27.5 percent, Somewhat Ineffective; 10 percent, Very Ineffective.

21. Responses for fairness of procedures were: 17.3 percent, Very Fair; 49.9 percent, Somewhat Fair; 22.9 percent, Somewhat Unfair; 9.9 percent, Very Unfair. Responses for expected personal benefits were: 9.7 percent, More Benefits; 41.3 percent, Same Benefits; 49 percent, Less Benefits.

22. Spearman rank correlation coefficients describe the degree and direction of the association of the rankings of two variables. They may range from −1.0 to +1.0; where +1.0 is the highest possible positive association, −1.0 is the highest possible negative association, and zero is the absence of any association between the variables. It is not possible to make statistical inferences regarding differences between any two Spearman correlation coefficients. See Albert M. Liebtrau, Sage Univ. Paper Series on Quantitative Applications in the Social Sciences, No. 07-001, Measurements of Association 44-45, 56-63 (1983).

23. The scales used to record responses to the independent variables ranged from two to four points and this could influence the magnitude of the coefficients. Therefore, the four and three point scales were reduced to two points for the purpose of calculating the correlation coefficients. For the four point scales, the two upper and lower points, respectively, were combined. For the benefits scale, the conversion was: 2 = receive the same or more benefits and 1 = receive less benefits.

24. The probability level used in the test of significance was 0.05. The test of significance indicates that these results would be expected to occur, by chance alone, in no more than five percent of samples taken of this population.
were the least correlated with the three variables of agency support. The strongest correlations between procedural fairness, personal benefits, and information were between resource information and human information, and between procedural fairness and personal benefits (table 1).

UNIFORMITY OF ASSOCIATIONS BETWEEN VARIABLES

Correlation analysis describes the direction (positive or negative) and magnitude (weak or strong) of the relationship between two variables, but it is silent on the uniformity of the relationship throughout the distribution of each variable. The uniformity of relationships speaks to differences in the incremental responses between variables by asking if there are discontinuities in the relationships that suggest critical threshold levels of fairness or benefits that will markedly change the level of support for the agency. Therefore, the degree of uniformity in the associations can indicate how changes in the Forest Plan process and outcomes might influence the perceptions of satisfaction, trust, and effectiveness held by participants in the planning process. A uniform relationship would show equal differences in agency support between each category of perceived fairness (or expected benefits).

In general, we found important deviations from uniform distributions (tables 2-4). For example, the distribution of responses for satisfaction among the categories of procedural fairness showed about 90 percent of the respondents were Satisfied with the Forest Service in the Very Fair Procedures category, compared with about 68 percent within the Somewhat Fair category, about 18 percent in the Somewhat Unfair category, and 11 percent in the Very Unfair category (table 2). In this case, the largest difference between categories of fairness occurs between the Somewhat Fair and Somewhat Unfair categories (a difference of about 50 percent), and the smallest difference occurs between the Somewhat Unfair and Very Unfair categories (a difference of about seven percent). Generally, the distribution of responses about perceptions of trust and effectiveness is similar to that for perceptions of satisfaction. This non-uniform pattern suggests that the largest improvement in participants' support for the

25. This definition of uniformity assumes that the respondents view the differences between the categories within a variable as being equal. It is not logical to examine the distribution of responses for information about human and natural resources because these responses were limited to only two increments, yes or no. Tables 2 and 3 show values where the four levels of response to an agency support variable were combined into only two levels, allowing a more straightforward comparison of the distributions. For example, for the perception of satisfaction, the two groups would be Satisfied (combining Very Satisfied and Somewhat Satisfied) and Unsatisfied (combining Very Unsatisfied and Somewhat Unsatisfied).
agency would come from procedures that would improve perceptions from Somewhat Unfair to Somewhat Fair.

In addition to this general trend of a threshold in agency support between perceptions of Somewhat Fair and Somewhat Unfair procedures, there was a very low frequency of respondents expressing extreme or contradictory perceptions. For example, a closer look at the response categories showed (1) no respondents perceived Very Unfair procedures while expressing Very Satisfied support, (2) no respondents perceived Very Unfair procedures while expressing the Almost Always Trust category of support, and (3) only 2.2 percent of respondents who perceived Very Unfair procedures expressed Very Effective support.

In relation to expected changes in personal benefits, the maximum difference was between categories of Same and Less Benefits Expected. Specifically, the distribution of responses to satisfaction shows about 77 percent Satisfied with the Forest Service in the More Benefits Expected category, compared with about 78 percent within the category of Same Benefits Expected, and about 31 percent in the Less Benefits Expected category (table 3). In general, the distribution of responses about perceptions of trust and effectiveness is similar to that for perceptions of satisfaction. This non-uniform pattern suggests that the largest improvement in participants' support for the agency would come from procedures that would prevent expected future benefits from declining below current levels.

In addition to this general trend of a threshold in agency support between expectations of Less Benefits and either More or Same Benefits, there was a very low frequency of respondents expressing extreme or contradictory perceptions. For example, a closer look at the response categories showed (1) only one percent of respondents expecting Less Benefits expressed Very Satisfied support and none of the respondents expecting More Benefits expressed Very Unsatisfied support, (2) only 3.6 percent of respondents expecting Less Benefits expressed support in the Almost Always Trust category, and (3) only 5.3 percent of respondents expecting Less Benefits expressed support in the Very Effective category and none of the respondents expecting More Benefits expressed support in the Very Ineffective category.

Finally, there is a non-uniform distribution among the responses for procedural fairness and personal benefits: when More Benefits and Same Benefits were expected, the most dramatic shift in the distribution was between perceptions of Somewhat Fair and Somewhat Unfair Procedures (table 4). However, the pattern was not repeated for those expecting Less Benefits: the proportions perceiving Somewhat Fair and Somewhat Unfair Procedures were identical, and the greatest difference was between Very Fair and Somewhat Fair Procedures. Again, there was a low frequency of seemingly contradictory responses, but it was greater
than that expressed for agency support: nearly seven percent of respondents expecting Less Benefits expressed perceptions of Very Fair Procedures and about three percent of those expecting More and the Same Benefits perceived Very Unfair Procedures. These patterns suggest that (1) perceptions of fair procedures change more dramatically and in a negative direction if benefits are reduced than the positive changes associated with increased benefits, and (2) there was nearly seven percent of respondents for whom Less Benefits did not prevent a perception of Very Fair Procedures.

IMPLICATIONS FOR REFORM

If strong public support for the Forest Service is a societal validation of the agency's decisions regarding the public resources it manages, then reformation of forest planning procedures should seek to increase public support of the agency. Reform efforts, however, must recognize that the majority of these respondents were satisfied with (54.7 percent), trusted (53.6 percent), and found effective (62.5 percent) the planning efforts of the agency. On the other hand, these are small margins of majority, and increasing them might improve the agency's ability to make and implement decisions.

When exploring approaches to increase public support of the Forest Service, we recognize that our results show only associations among variables and not cause and effect relationships developed from experimentation. Nevertheless, the results address some pertinent questions regarding forest planning procedures and outcomes and how they might be improved.

How would public support for the agency be strengthened by improving the fairness of planning procedures, providing different levels of personal benefits, and improving the information used in planning? First, the potential influence of procedural fairness on agency support appears to be quite comparable to that of personal benefits according to both the correlation and uniformity analyses, whereas the potential influence of information appears to be much less. Second, the lack of uniformity in the relationships between the variables of agency support, procedural fairness, and personal benefits calls for serious deliberation about the nature of actions that might improve support for the agency. Support might improve if those perceiving Somewhat Unfair Procedures

26. For example, this experimentation would require the development of tests where all variables were held constant (location, resources, use levels, respondent demography, etc.) except those variables of interest (e.g. participation procedures and changes in personal benefits).
were to perceive Somewhat Fair Procedures and those expecting Less Personal Benefits would expect the Same Personal Benefits following plan implementation. The relationship between fairness and benefits suggests that those receiving fewer benefits might be the least responsive to improvements in procedural fairness. Finally, there is some very limited evidence to suggest that it is possible for participants to hold contradictory perceptions about expected benefits and fairness: about seven percent of those expecting Less Benefits perceived Very Fair Procedures.

Although these findings are consistent with procedural justice research that illustrates the importance of both fair procedures and outcomes in the acceptability of decision-making processes and authorities,27 the deliberations about improving agency support need to address whether it is feasible and desirable to maintain benefits to existing holders while providing benefits to new constituents. This is particularly important because nearly 50 percent of the respondents reported that they expected fewer benefits if the Forest Plan was implemented. In this light, reform efforts might benefit from addressing at least three research questions: What proportion of Forest Plan appellants expect reductions in benefits? What unique procedures were used in the participation exercises where the seven percent of those expecting Less Benefits perceived Very Fair Procedures? and How likely is it that the implementation of more fair procedures will positively influence the level of agency support held by participants who expect reductions in benefits?

Some suggestions for reformation include smaller sizes of groups during public participation fora,28 and the cultivation of a greater sense among participants that their inputs are no less important nor less deserving of genuine feedback (including disagreement) from authorities than the input from any other participant.29 Furthermore, collaborative or group-learning procedures have been proposed to build trust and share information about resources and human values.30 These efforts are certainly

27. Specifically, the non-uniform distribution of perceived fairness and personal benefits responses is consistent with the “ceiling effect” where subjects perceive equally high levels of fairness in relation to any positive outcome, if we assume that the Same Benefits outcome is viewed as a positive rather than a neutral outcome. See Lind & Tyler, supra note 12, at 186.

28. See Gericke & Sullivan, supra note 13, at 133 (describing the relationship between public participation methods and appeals of Forest Plans and suggesting that appeals were less common when small group size was part of the public participation process).

29. See Lyden et al., supra note 1, at 136-37; Dixon supra note 17, at 97-100; Ben W. Twilight & Fremont J. Lyden, Measuring Forest Service Bias, J. FORESTRY, May 1989, at 35, 40-41.

30. Collaborative approaches have generated much enthusiasm, but they are not a perfect solution for each situation. See generally Deborah S. Carr et al., Managing Public Forests: Understanding the Role of Collaborative Planning, 22 ENVTL. MGMT. 767 (1998); Margaret A. Moote et al., Theory in Practice: Applying Participatory Democracy Theory to Public Land Planning, 21 ENVTL. MGMT. 877 (1997).
supported by procedural justice research that shows the importance of voicing one’s position and perceptions of ethicality, representation, and accuracy in situations where allocations are made by third parties and interpersonal relations are both formal and competitive.31

More paradigmatic changes have been proposed that would alter the very nature of the planning process by removing the Forest Service as ultimate decision maker and creating a participatory-democracy structure where all participants had equal power in the allocation decision.32 While such a change gains support from procedural justice theory because both representation and influence are viewed as important contributors to perceptions of fairness,33 such a dramatic shift toward a participatory-democracy format may not pass the judicial or legislative review of accountability and the need to separate the regulators from the regulated.

Surprisingly, our results suggest that improving the amount, command, or delivery of technical information about natural resources and human needs during the planning process might not improve participants’ support for the agency as much as improvements in procedural fairness or personal benefits. This is inconsistent with the view that technical expertise and delivery of information have contributed to a superior rating for the Forest Service compared to other natural resource agencies.35

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Joanna Endter-Wada et al., A Framework for Understanding Social Science Contributions to Ecosystem Management, 8 Ecological Applications 891, 892-95, 900-01 (1998), describes one such approach, the Delphi method, that uses an anonymous and iterative group-interview process to share information on human values in a non-confrontational manner. This non-confrontational approach may address the need for self-reflection on the various fragmented or inconsistent values held by those participating in natural resources planning. See Steven L. Yaffee, Why Environmental Policy Nightmares Recur, 11 CONSERVATION BIOLOGY 328 (1997).


SUMMARY

We can summarize our findings by answering our earlier questions: How would public support for the agency be strengthened by improving the fairness of planning procedures, providing different levels of personal benefits, and improving the information used in planning? Reformation activities that would appear to generate improved agency support among Forest Plan participants are (1) planning procedures that increase perceptions of fairness, (2) allocations of resources that minimize the loss of benefits, and (3) relatively less reliance on an image of infallible information and technical expertise.
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Table 1. Spearman rank correlation coefficients between variables.
Table 2. Distribution of perceived procedural fairness in relation to agency support variables of satisfaction, trust, and effectiveness.

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<th>Agency Support</th>
<th>Perception of Procedural Fairness (Percent of Respondents)</th>
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Table 3. Distribution of perceived changes in personal benefits in relation to agency support variables of satisfaction, trust, and effectiveness.

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Table 4. Distribution of perceived changes in personal benefits in relation to perceptions of procedural fairness.

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