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Protecting Workers from Harmful AI Surveillance

EXECUTIVE SUMMARY

Artificial intelligence (AI) workplace surveillance is on the rise, and workers have sounded alarm bells about the risks to their privacy and autonomy. In response to these concerns, this project recommends that unions advocate for comprehensive workplace AI transparency and accountability standards. The project argues that implementing measures such as mandatory disclosures and mechanisms for worker participation and oversight would take major steps toward ensuring the future of workers' rights.

PROBLEM

Workplaces increasingly deploy AI surveillance technologies to monitor employees' efficiency and maintain workplace security. However, these tools' use of biometric scanners and keystroke logging softwares to track employee movement — down to monitoring bathroom breaks — evoke concerns about workers' well-being. If the algorithms are biased, they may also lead to discriminatory hiring and disciplinary practices. Existing labor laws and surveillance laws do not cover these new AI challenges.

> *Implementing measures such as mandatory disclosures and mechanisms for worker participation and oversight would take major steps toward ensuring the future of workers' rights.*

SOLUTION

To begin mitigating the potential abuses of workplace AI surveillance, this project encourages unions to adopt comprehensive AI transparency and accountability standards. The proposed standards – including disclosure of AI systems, worker data protection and privacy, non-discrimination and accountability, impact assessments and reporting, and worker participation and oversight – can help guide employers, unions, and policymakers to undertake the collaborative and ethical integration of AI technologies. Beyond adopting these standards, unions should apply the standards in future negotiations and share model contract language with affiliate unions so that they can incorporate those standards into collective bargaining agreements.

For more information about this proposal, see: (1) a policy memo explaining recommendations for protecting workers' autonomy; (2) a fact sheet describing the state of AI surveillance in the workplace; (3) a draft of union workplace standards; (4) a draft of model contract language for unions to negotiate AI surveillance protections.

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