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SHAPING ARTIFICIAL INTELLIGENCE (AI) TOGETHER WITH WORKERS

POSITION PAPER AND DEMANDS FOR AN EU DIRECTIVE ON AI AT WORK

The European Confederation of Independent Trade Unions (CESI) is a confederation of more than 40 national and European trade union organisations from most European countries, with a total of more than 6 million individual members. Founded in 1990, CESI is a recognised European sectoral social partner and advocates improved employment conditions for workers in Europe and a strong social dimension in the EU.

Main points in brief

In line with historical analyses by the economist Robert C Allen on the early industrial revolution, CESI considers that the current economically transforming wave of AI may initially resemble disruptions of the 1800s – a period where productivity and capital gains rise faster than wages or job quality. While artificial intelligence (AI) may temporarily displace certain roles or deepen inequalities, CESI stresses that with strong social dialogue, fair regulation and investment in skills, its long-term trajectory can deliver broad-based prosperity for workers.

CESI supports innovation but insists that AI at work must be human-centred, transparent, fair and safe, and that workers and their representatives must be involved throughout the AI lifecycle.

Existing EU rules – the EU's AI Act, General Data Protection Regulation (GDPR), occupational health and safety (OSH) legislation, and information & consultation framework are necessary but not sufficient to govern algorithmic management across all sectors. A dedicated EU directive on AI at work is needed to close gaps, prevent pervasive surveillance and guarantee rights to information, consultation, training, redress and human review in AI for all workers.

CESI proposes six pillars to frame AI management in a sustainable way together with workers: (1) social dialogue & participation; (2) ex-ante and ongoing impact/risk assessments; (3) transparency & explainability of algorithms with meaningful human review; (4) data governance & privacy-by-design; (5) training in AI literacy; and (6) health, safety & psychosocial risk prevention.

The directive should broaden key algorithmic safeguards of the EU Platform Work Directive to *all* workers, operationalise the GDPR's Article 88 at work, complement the AI Act's product safety logic with workplace rights and procedures, and align enforcement through labour inspectorates, data protection authorities and the European AI Office.

I. Artificial intelligence (AI) at work – and with workers

1. Disruptions in the short term for workers, possible financial gains in the long term

The current digital transformations that AI bring to the economy and labour markets seem to mirror developments of earlier industrial transitions: phases in which technological progress first benefits capital more than labour, before social institutions and collective action rebalance the distribution of gains, described most notably by the economist Robert C Allen.

The current diffusion of AI may constitute such a modern repetition. In the short term, new technology is likely to be disruptive – automating tasks, reshaping professions and testing social protection frameworks. Yet, as history shows, if guided by inclusive governance, social dialogue, and education and training, the longer-term outcome can be one of shared progress, where productivity improvements ultimately translate into digital dividends, higher living standards and better employment conditions for workers too.

2. Employment benefits, if AI is well managed

In its positive sense, artificial intelligence (AI) is reshaping how work is organised: who does what, when, and under which conditions. Algorithms now help assign shifts, route tasks, set priorities and flag anomalies. They also inform decisions about performance and pay, and increasingly screen, test and shortlist candidates.

Used well, these tools can lift job quality - removing hazardous or monotonous tasks, supporting quicker diagnosis and response in public services, and giving workers better information to do their jobs. They can enable smarter scheduling, predictive maintenance and assistive technologies that make workplaces safer and more inclusive.

Used poorly, the same systems can entrench bias, intensify work and erode autonomy and privacy for workers – all workers indeed, as AI is no longer confined to individual segments of parts of the economy like platforms. Opaque AI models may replicate historic discrimination in hiring or promotion. Productivity dashboards can drift into constant surveillance, nudging workers toward unhealthy speeds and reducing complex roles to crude metrics. Automated allocation can strip out discretion, de-skill professions and weaken trust, especially when people cannot see or challenge how decisions are made.

Getting AI at work right requires design and governance, not just deployment. AI will not determine the employment and financial future of workers on its own; choices by employers, policymakers and social partners will. With the proper guardrails, AI can augment human judgement and improve services, and it can lead to digital dividends for workers too. Without them, it risks embedding unfairness and turning management by objectives into management by algorithm.

AI at work should therefore always follow principles in order to remain sustainably, accepted and worker-friendly, including:

- Human-in-control of consequential decisions on work
- Prevention first in health & safety, including psychosocial risks
- Non-discrimination & equal treatment
- Privacy & data minimisation
- Transparency & explainability proportionate to impact
- Participation, social dialogue & collective rights – for rights and dividends
- AI literacy & fair transitions
- Accountability with remedy

II. Pillars to ensure sustainable and accepted AI at work

To ensure that these principles are followed when AI is introduced in the workplace, measures across six different pillars are required:

3. Social dialogue & participation by design

- Worker representatives should be informed and involved before introducing or substantially changing AI systems that affect work organisation, evaluation, scheduling, occupational health and safety (OSH) or employment status. They should be provided with detailed, plain-language documentation on the planned purpose, data sources, logic and impacts of AI.
- Sector-specific AI agreements should be fostered, with regular reviews by social partners as technologies evolve. Social partners on the ground often know best how to implement framework rules and regulate details for sustainable AI in the workplace.
- Social dialogue and worker involvement is, beyond this, also a key way to establish how to increasingly bring digital dividends to the workers, to ensure that increased productivity of workers also benefits those that bring it about.

4. Impact & risk assessments across the lifecycle

- Ex-ante impact assessments should be conducted for all high-risk workplace systems that are concerned by new AI, and they should be monitored continuously post-deployment. Summaries and mitigation plans should be shared with worker representatives.
- AI-related OSH risks should be treated in particular – especially when AI leads to intensification, surveillance stress and isolation – as part of impact assessments and mitigation plans.

5. Transparency, explainability & meaningful human review

- Workers' right to information about the use of AI should be guaranteed, as well as a right to meaningful human oversight and a right to contest decisions that significantly affect them – especially where they concern hiring, firing, promotions, scheduling, pay and discipline. Workers should be provided with clear and accessible explanations to this end.
- Any AI-based automated decisions should be logged and records retained, in order to enable independent reviews and audits where needed.

6. Data governance & privacy-by-design

- Article 88 of the EU's General Data Protection Regulation (GDPR) on data processing in the context of employment should be put into the AI context. It should strictly limit data collection by AI on workers to what is strictly necessary for the employment purpose. While a strict time-bound retention of data should apply, any data collection and processing of emotions/psychological states and off-duty/private data of workers should be banned. Constant surveillance and emotion inference at work should be prohibited, too.
- Worker-side experts should be granted access to algorithms for bias testing and a participation in audits on the functioning of algorithms.

7. Skills, AI literacy & time for training

- Social partner cooperation should focus on the anticipation of necessary skills for new AI tools.
- Concerned workers should be provided with appropriate paid in-work training on new AI tools. A specific consideration should be placed on the needs young persons, women, older workers and persons with disabilities.

8. Health, safety & psychosocial risk prevention

- AI-driven monitoring practices that intensify pace or induce stress for workers should be prevented; a right to disconnect should be protected.
- Where AI-assisted robots can redistribute tasks away from lifting or moving weight, work design for workers should be adjusted in line with healthy ergonomics.

III. CESI's AI policy demands

At the EU level, existing EU rules – the EU's AI Act, General Data Protection Regulation (GDPR), occupational health and safety (OSH) legislation, and information & consultation framework – are necessary but in their current form not wholly sufficient to govern algorithmic management across all sectors in line with the principles on sustainable and accepted AI at work.

If the EU adopts a dedicated EU directive on AI at work – as the European Parliament is currently in the process of requesting – it will be central to close the gaps outlined above, prevent pervasive surveillance and guarantee rights to information, consultation, training, redress and human review in AI for all workers.

CESI's demands for a potentially new EU Directive on AI at work relate to:

1. Scope & definitions

- The directive should cover all workers – employees, platform workers, solo self-employed in dependent relationships – and in principle all AI/digital decision systems with workplace impact.

2. Impact assessments & OSH

- The directive should prescribe ex-ante impact assessments by deployers including on data protection and privacy of workers and their occupational health and safety (physical and psychological), continuous monitoring and auditing of the functioning of AI tools, and a duty to mitigate issues and, where necessary, suspend the use of AI tools.

3. Information, consultation & participation

- The directive should foresee mandatory prior information and consultation with workers' representatives on any AI tool planning and deployment, as well as their access to ex-ante impact assessments and monitoring/audit exercises.

4. Transparency, auditability & human review

- The directive should set a right for workers to a meaningful explanation of new AI tools, a human-in-control review for significant decisions that affect the employment of workers, and mandatory AI decision logs.

5. Data & privacy rules specific to employment

- The directive should specify the EU-level implementation of the GDPR Article 88 on data processing in the context of employment, setting strict boundaries to emotion inference and intrusive off-duty monitoring of workers.

6. Prohibited and restricted practices

- The directive should prohibit continuous or ubiquitous worker surveillance, emotion recognition/categorisation, covert monitoring and solely automated dismissal/discipline. Productivity-scoring and location tracking should be restricted to strictly necessary cases with safeguards.

7. Skills & AI literacy

- The directive should set time-entitled, paid training when new AI tools alter tasks of workers, and require employers to provide broader AI literacy programmes for affected workers.

8. Algorithmic management safeguards for all sectors

- The directive should extend Chapter III of the EU's Platform Work Directive protections on algorithm transparency, human oversight/review, impact assessment disclosure, OSH evaluations and data minimisation to all workplaces.

9. Enforcement & governance

- The directive should prescribe joint oversight of AI tools by labour inspectorates, data protection authorities (DPAs), market surveillance authorities and the European AI Office, with structured cooperation and guidance co-developed with social partners. The directive should also provide for effective sanctions for non-compliance and worker remedies including a reversal of burden of proof in discrimination cases.