C/2026/2154

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Digitalisation, artificial intelligence and algorithmic management in the workplace – shaping the future of work

European Parliament resolution of 17 December 2025 with recommendations to the Commission on digitalisation, artificial intelligence and algorithmic management in the workplace – shaping the future of work (2025/2080(INL))

(C/2026/2154)

The European Parliament,

— having regard to Article 225 of the Treaty on the Functioning of the European Union,

— having regard to Articles 153 and 16 of the Treaty on the Functioning of the European Union,

— having regard to the opinion of the Committee on Legal Affairs on the proposed legal basis,

— having regard to the Commission President's political guidelines of 18 July 2024 entitled 'Europe's Choice – Political Guidelines for the Next European Commission 2024-2029',

— having regard to the Charter of Fundamental Rights of the European Union, in particular Article 7 on respect for private and family life, Article 8 on protection of personal data, and Article 31 on fair and just working conditions,

— having regard to the Commission communication of 5 March 2025 on 'The Union of Skills',

— having regard to Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work ([1]),

— having regard to Directive 2002/14/EC of the European Parliament and of the Council of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community - Joint declaration of the European Parliament, the Council and the Commission on employee representation ([2]),

— having regard to Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time ([3]),

— having regard to Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation ([4]),

— having regard to Directive (EU) 2019/1152 of the European Parliament and of the Council of 20 June 2019 on transparent and predictable working conditions in the European Union ([5]),

([1]) Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (OJ L 183, 29.6.1989, p. 1).

([2]) Directive 2002/14/EC of the European Parliament and of the Council of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community - Joint declaration of the European Parliament, the Council and the Commission on employee representation (OJ L 80, 23.3.2002, p. 29).

([3]) Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time (OJ L 299, 18.11.2003, p. 9).

([4]) Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation (OJ L 303, 2.12.2000, p. 16).

([5]) Directive (EU) 2019/1152 of the European Parliament and of the Council of 20 June 2019 on transparent and predictable working conditions in the European Union (OJ L 186, 11.7.2019, p. 105).

— having regard to Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance and carers and repealing Council Directive 2010/18/EU ([6]),

— having regard to Directive (EU) 2024/2831 of the European Parliament and of the Council of 23 October 2024 on improving working conditions in platform work ([7]) (the 'Platform Work Directive'),

— having regard to Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No 167/2013, (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1139 and (EU) 2019/2144 and Directives 2014/90/EU, (EU) 2016/797 and (EU) 2020/1828 (Artificial Intelligence Act) ([8]),

— having regard to Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) ([9]),

— having regard to its resolution of 11 May 2023 on a roadmap towards a social Europe– two years after the Porto Social Summit (2023/2586(RSP)),

— having regard to its resolution of 13 March 2025 on social and employment aspects of restructuring processes: the need to protect jobs and workers' rights (2024/2829(RSP)),

— having regard to its resolution of 11 March 2025 on the European Social Fund Plus post-2027 (2024/2077(INI)),

— having regard to the opinion of the European Economic and Social Committee on 'Pro-worker artificial intelligence' (SOC/803),

— having regard to the European Social Partners' Framework Agreement on Digitalisation (June 2020),

— having regard to the communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 7 June 2023, on a comprehensive approach to mental health,

— having regard to the Commission communication of 29 January 2025 entitled 'A competitiveness Compass for the EU',

— having regard to the Commission communication of 11 February 2025 entitled 'Moving forward together: A Bolder, Simpler, Faster Union', confirming the target to reduce administrative burdens with 25 % for companies and 35 % for SMEs,

— having regard to the Commission communication of 9 April 2025 entitled 'AI Continent Action Plan',

— having regard to the reports of September 2024 by Mario Draghi entitled 'The future of European competitiveness' (the 'Draghi report') and of April 2024 by Enrico Letta entitled 'Much more than a market' (the 'Letta report'),

— having regard to the final report of the study commissioned by the European Commission entitled 'Study exploring the context, challenges, opportunities, and trends in algorithmic management' (VT-2022-035),

([6]) Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers and repealing Council Directive 2010/18/EU (OJ L 188, 12.7.2019, p. 79).

([7]) Directive (EU) 2024/2831 of the European Parliament and of the Council of 23 October 2024 on improving working conditions in platform work (OJ L, 2024/2831, 11.11.2024, ELI: http://data.europa.eu/eli/dir/2024/2831/oj).

([8]) Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No 167/2013, (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1139 and (EU) 2019/2144 and Directives 2014/90/EU, (EU) 2016/797 and (EU) 2020/1828 (Artificial Intelligence Act) (OJ L, 2024/1689, 12.7.2024, ELI: http://data.europa.eu/eli/reg/2024/1689/oj).

([9]) Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

— having regard to the OECD report 'Algorithmic management in the workplace: New evidence from an OECD employer survey', OECD Artificial Intelligence Papers, No. 31,

— having regard to the European Added Value Assessment by the European Parliamentary Research Service published in October 2025, entitled 'Digitalisation, artificial intelligence and algorithmic management in the workplace – shaping the future of work' ([10]),

— having regard to Rules 47 and 55 of its Rules of Procedure,

— having regard to the opinion of the Committee on Civil Liberties, Justice and Home Affairs,

— having regard to the report of the Committee on Employment and Social Affairs (A10-0244/2025),

A. whereas the digital transition, driven by digitalisation, automation and artificial intelligence (AI), is reshaping labour markets and altering the nature of work; whereas, given that certain tasks are being automated, it becomes increasingly important to enable new professions, develop work tasks, provide training, re-skilling and up-skilling and transform existing jobs through new technologies in order to enhance competitiveness and foster economic growth, as well as to strengthen the workforce and improve working conditions; whereas taking advantage of these new technologies requires continuous adaptation of public authorities, education policies, businesses and workers to ensure Europe can benefit from the estimated net growth of 78 million jobs due to AI (7 % of today's total employment) by 2030 according to the World Economic Forum ([11]);

B. whereas the digital transition at the workplace should be driven by the precautionary and ethics-by-default principles and steered in a manner that protects and promotes human dignity, enhances productivity, efficiency, innovation, and the competitiveness of the European economy and the common market in a manner that profits to all; whereas this transition must equally uphold the principles of social progress and protection of workers' rights, ensuring that it contributes to quality employment, better working conditions, empowerment and well-being of all workers while supporting a level playing field in the internal market, innovation and the competitiveness of businesses; and whereas AI is still an evolving technology and as such EU companies still have an opportunity to take a leading position in some segments ([12]); whereas failure to deploy AI-systems to reinforce EU competitiveness could be detrimental to future growth, investment and innovation; whereas 64 % of SMEs in the European Single Market consider regulatory obstacles or administrative burdens to be the biggest problem at present;

C. whereas digital transition in the labour market is driving increasing demand for both basic and high-level digital and AI literacy and skills; whereas the Draghi report and the Letta report both identify the digital skills gap as a major obstacle to Europe's competitiveness;

D. whereas the rapid integration of AI systems must be matched by sufficient training; whereas only 15 % of workers have participated in relevant training in 2023 to further develop their AI knowledge and skills while 42 % of workers acknowledge the need to improve their AI-related skills and 61 % predict new skills requirements in the next five years; whereas, however, especially SMEs lack strategies and resources to mitigate the risk that lower-skilled labour in small businesses will be subject to a skills gap; whereas those most in need of digital skills training are the ones least likely to take part in it ([13]);

E. whereas the adaptation of educational systems, particularly the vocational education and training sector as well as well improved cooperation between educational institutions, trade unions and employers, is essential to foresee future needs of the labour market and equip learners with the necessary skills to thrive in a competitive, digital and technologically advanced society;

([10]) https://www.europarl.europa.eu/RegData/etudes/STUD/2025/774670/EPRS_STU(2025)774670_EN.pdf.
([11]) WEF Future of Jobs Report 2025 (January 2025).
([12]) Report by Mario Draghi entitled 'The future of European competitiveness' (September 2024), Part A 'A competitiveness strategy for Europe'.
([13]) https://www.cedefop.europa.eu/en/publications/9201.

F. whereas AI and algorithmic management are evolving concepts; whereas algorithmic management systems are predominantly used for the following managerial activities: recruitment, work/task scheduling, nudging/directing worker monitoring/surveillance; worker evaluation, talent management/ training, rewarding workers and worker dismissal; whereas algorithmic management is often not deployed through specific software, but as an integral part of legacy software; and whereas any future initiative in this area should be future proof and flexible enough to adapt to forthcoming developments;

G. whereas AI and algorithmic management can provide numerous opportunities for work optimisation, greater consistency and objectivity of managerial decisions and improved occupational health and safety as well as workers satisfaction, but come also with certain risks if not designed and deployed in a human-centric manner, such as reduced worker autonomy, lack of transparency and increased work intensity; whereas the use of AI and algorithmic management can reduce tedious tasks and overall workload, improve task allocation and productivity, prevent occupational risks and reduce costs; whereas a European framework on AI can ensure that AI is deployed as an efficient support to human workers, with the aim of generating real productivity gains and improve working conditions and not merely speculative benefits; whereas research demonstrates that many corporate investments in generative AI, despite its capacity to create new content, have not yet resulted in measurable productivity gains or returns ([14]);

H. whereas it is important to prevent and address risks related to quality working conditions and OSH stemming from AI and algorithmic management systems such as increased time and performance pressure, work intensification, discrimination, intrusive monitoring and undue surveillance as well as certain biases in AI systems, loss of autonomy, deskilling, social isolation, workplace related stress, and other mental health and psychosocial issues; whereas existing European legislation, including the General Data Protection Regulation, the Artificial Intelligence Act, and the European social acquis contribute to addressing and preventing some of those risks; whereas the Artificial Intelligence Act has not yet become fully applicable;

I. whereas technological developments leading to constant connectivity and availability can blur the boundaries between the spheres of work and private life;

J. whereas the deployment of AI and algorithmic management systems in the workplace involves the collection and processing of a large volume of worker data, which can raise concerns about data protection and privacy and requires reducing power imbalances by setting rules collectively through social dialogue in its management and compliance with the General Data Protection Regulation and any more specific rules concerning the processing of personal data in an employment context as set out in national law or applicable collective agreements; whereas the impact of new technologies on the working environment and possible breaches of workers' privacy should be monitored;

K. whereas consent on the basis of Article 6(1), point (a), of the General Data Protection Regulation has to be freely given, and in situations of clear imbalance such freely given consent is highly unlikely; whereas consent should therefore not provide a lawful ground for processing of personal data for the purposes of automated monitoring or automated decision-making, given the imbalance of power between the data subject and the controller in the context of employment and the performance of a contract;

L. whereas algorithmic management systems were first adopted and deployed in a widespread manner by digital labour platforms, but are now widely deployed across the labour market;

([14]) https://www.techmonitor.ai/digital-economy/ai-and-automation/ai-investment-struggles-boost-productivity-gartner-survey.

M. whereas estimates vary, that between one-quarter and 80 % of companies in the Union use at least one form of algorithmic management; whereas the uptake of algorithmic management is likely to grow significantly in the coming years ([15]); whereas 26,5 % of workers in the EU have their work performance monitored by 'a computer programme', with a higher prevalence in large companies; whereas 27,4 % of workers gets tasks allocated via a computer system ([16]); whereas 35 % of European companies use algorithmic management systems for evaluation ([17]); whereas comprehensive and cooperative approach, together with social dialogue, is needed to establish a level playing field for responsible AI and algorithmic management in the workplace;

N. whereas 62 % of Europeans have a positive view of the use of robots and AI in the workplace and 73 % agree that robots and AI increase the pace at which workers complete tasks ([18]); whereas 66 % of Europeans believe that more jobs will disappear than be created due to the use of robots and AI; whereas 61 % of Europeans believe that robots and AI have a negative impact on communication between colleagues; whereas young and working people as well as those with higher levels of education have a more positive view of the use of new technologies in the workplace; whereas this reflects a growing openness to innovation and the potential of AI to enhance productivity, job quality and economic competitiveness, provided it is developed and implemented responsibly;

O. whereas according to an OECD survey, 60 % of managers believe algorithmic management improves the quality of their own decision-making; whereas at the same time nearly two-thirds of managers surveyed expressed concern regarding algorithmic management tools they use: unclear accountability in the case of a wrong decision (28 %), inability to follow the logic of algorithmic decisions or recommendations (27 %) and inadequate protection of workers' physical and mental health (27 %) ([19]);

P. whereas less than half of those currently in employment say their employer informed them about the use of digital technologies, while more than half of employers and managers report having done so; whereas only 18 % of those currently employed report having received a detailed explanation, including information about the benefits, drawbacks, and their rights;

Q. whereas the recurrent consultation and involvement of the social partners, managers and workers and their representatives in the deployment of new technologies significantly enhance acceptance and positive perceptions of their use, maximising the benefits and allowing for any related risks to be addressed throughout the technological lifecycle;

R. whereas small and medium-sized enterprises (SMEs) account for 99 % of all businesses in the Union and whereas any future initiative should take into account their limited technical, financial and administrative resources, providing proportionality, preventing unnecessary administrative burden and fostering an enabling environment for the responsible uptake of digital technologies;

S. whereas less than half of those currently in employment say their employer informed them about the use of digital technologies, while more than half of employers and managers report having done so; whereas this proportion includes 16 % who say they have been made aware of this, but without further details, and 18 % who report having received a detailed explanation, including information about the benefits, drawbacks, and their rights ([20]);

([15]) https://op.europa.eu/en/publication-detail/-/publication/5afb4511-0ddf-11f0-b1a3-01aa75ed71a1/language-en: 'it can be argued that over one-quarter of companies in the EU-27 use AM' 'based on the delphi survey, it is most likely that in the next 10 years, AM will grow 3 % to 6 % annually'.
([16]) European Working Conditions Survey 2024.
([17]) OECD Working Paper, Algorithmic Management in the Workplace, 2025, p. 17.
([18]) https://europa.eu/eurobarometer/surveys/detail/3222.
([19]) Milanez, A., A. Lemmens and C. Ruggiu (2025), 'Algorithmic management in the workplace: New evidence from an OECD employer survey', OECD Artificial Intelligence Papers, No. 31, OECD Publishing, Paris.
([20]) https://europa.eu/eurobarometer/surveys/detail/3222.

T. whereas most Europeans support rules on digital technologies in the workplace, with over 80 % supporting rules on protecting workers privacy and 77 % supporting involvement of workers in design and adaptation of technology;

1. Emphasises that any new technology must be deployed and used with the overarching goal of serving people and should be driven by the 'ethics-by-default' and 'precautionary' principles as well as a human-centric approach, managed by the people building on the provisions on human oversight provided for in Article 14 of the Artificial Intelligence Act and Article 22 of the General Data Protection Regulation;

2. Recalls that the digital transition, including the growing use of AI and algorithmic management, has the potential to generate positive outcomes for the labour market and new employment opportunities; is concerned, however, about the significant challenges it presents for workers, particularly in terms working and employment conditions; emphasises, therefore, that any new initiative on AI and algorithmic management must ensure quality jobs and safeguard workers' well-being in the digital era;

Empowering workers with skills and knowledge

3. Stresses that new technologies in the workplace can constitute an important competitive and productivity advantages, support innovation and may bring better return to the companies using them; underlines in this regard the fact that companies should be encouraged to integrate such technologies in a responsible, transparent and inclusive manner, with respect to workers privacy and data protection, to build trust among workers; stresses that the use of such technologies in the workplace should be meticulously overseen rather than restrained;

4. Stresses that artificial intelligence can serve as a key enabler for innovative entrepreneurship, particularly in supporting micro, small and medium-sized enterprises to scale up, improve productivity and compete in the digital economy; calls on the Commission and Member States, while applying the principle of proportionality and operational viability, to facilitate access to AI-related tools, knowledge and infrastructure for start-ups and small businesses, including through targeted Union programmes and advisory support; underlines that investing in AI at Union level can contribute to creating new jobs and to building a more resilient and competitive ecosystem of micro and small enterprises across the Union; welcomes the sectoral flagships in the Commission communication of 8 October 2025 entitled 'Apply AI Strategy';

5. Recognises that in-work literacy, education as well as continuous up- and reskilling on new technologies introduced in the workplace, particularly those that directly affect workers' tasks and performance, are essential for ensuring adequate working conditions, well-being, safety, autonomy and professional development of workers, as well as for enhancing the overall adaptability, and the competitiveness of companies ([21]); stresses that training is also essential for employers, managers and other persons who deploy, develop and oversee the use of such systems day to day; stresses that workers and their representatives, including trade unions, should be informed and involved in the deployment procedures of such technologies, in order to yield good results, and must be given sufficient time and support to familiarise themselves with such technologies;

6. Welcomes the Union of Skills initiative; calls on the Commission to ensure that the expected Quality Jobs roadmap fully reflects the need for continuous upskilling, reskilling, and in-work training including on AI and algorithmic management through an individual right to training for all workers; stresses that all relevant initiatives aiming to support workers and companies in this transition must prioritise skills development in AI and digitalisation in order to strengthen Europe's labour market and global competitiveness; stresses that these initiatives must be adequately supported, including through sufficient financial resources at Union and national level;

([21]) Case studies: https://healthy-workplaces.osha.europa.eu/en/media-centre/news/real-world-learnings-implementing-worker-management-through-ai.

7. Highlights the crucial role of the European Social Fund Plus (ESF+) in preparing both the current and future workforce, employers and managers, for the digital transition through targeted investment in skills development, training and inclusive employment opportunities; calls on the Commission to maintain and further strengthen the Fund in the post-2027 period, in a way that will secure the access to digital upskilling and reskilling for all workers, with particular attention to those in sectors and regions most affected by technological change, so it can continue to serve as a key Union instrument for supporting a fair, inclusive, innovative and competitive digital transition;

8. Underlines that strategic public investment in AI is essential to complement private innovation, ensure ethical and transparent AI governance, and facilitate equitable access to digital tools and skills across all regions; urges Member States to accelerate the implementation of AI-related measures under their national recovery and resilience plans, in close coordination with regional and local authorities, so as to maximise the Facility's contribution to a fair and competitive digital transition;

9. Calls on the Commission and Member States to continue monitoring the demand and supply on the labour market, and promote cooperation between educational institutions, employers and trade unions, in order to better anticipate the future skills needed to embrace the potential of digital transition; underlines a thorough skills assessment will help workers, employers and training providers identify upskilling and reskilling needs related to artificial intelligence and algorithmic management in the workplace; stresses that such an assessment should be practical, accessible and adapted to the specific realities of SMEs, and serve as a basis for targeted training programmes supported through existing Union and national funding; welcomes the proposal for creating a European Skills Intelligence Observatory; stresses that the current lack of disaggregated data regarding the prevalence and type of AI and algorithmic management systems deployed and the categories of workers subject to them hinders evidenced-based policy making, and urges the Commission to improve data collection in this area;

10. Highlights that, in line with the principles of subsidiarity and respect for national industrial relations systems, Member States may allow social partners to maintain, negotiate, conclude and enforce collective agreements in view of implementing or complementing provisions on AI and algorithmic management laid down at Union level;

11. Is concerned that the use of AI and algorithmic management systems is contributing to the phasing out of certain entry-level jobs, which traditionally serve as an essential gateway into the labour market, underlines the fact that these risks disproportionately affecting young people and first-time jobseekers; emphasises that in order for the Union to reap the benefits of digital transformation in the workplace, create and reshape jobs, there is a need to ensure that workers, including entry-level and low-skilled workers, have the necessary skills to work in the digital era; underlines that the unknown full impact of the evolution of AI and algorithmic management is already affecting other types of work and other categories of workers as well, including high-skilled jobs; therefore calls on the Commission and Member States, to take proactive measures, including integrating relevant digital skills training into national education systems including vocational education and training (VET) curricula, to ensure that young people entering the labour market are adequately supported and provided with meaningful employment opportunities, in the evolving digital economy;

Creating a safe and inclusive workplace

12. Stresses that the increasing use of digital technologies in the workplace presents both opportunities and challenges, while the full impact of this transition is yet unknown; considers, on one hand, that such technologies can increase flexibility and enable better work-life balance through remote work and flexible working arrangements; recognises, on the other hand, that they pose numerous risks to the mental health of workers and their work-life balance by blurring the boundaries between professional and private life due to growing pressure on workers to be reachable at any time; underlines also that algorithmic management entails data protection risks, including undue surveillance and the monitoring of workers outside of the workplace; underlines the fact that, if not managed properly, such developments can lead to excessive work-related stress, burnout, the increase of work-related psychosocial risks, loss of autonomy and increasing sentiment of social and professional isolation;

13. Recognises that algorithmic management can be a source of discrimination and bias detrimental to workers and in particular women workers without appropriate human oversight, emphasises that the design, deployment, and use of AI and algorithmic management systems must proactively prevent biases and discrimination particularly those based on gender, racial or ethnic origin, age, disability, sexual orientation, or other protected characteristics, in order to promote and safeguard equality and diversity in the workplace; is concerned that vulnerable groups have less access to AI-related employment opportunities and to productivity-enhancing AI tools in the workplace ([22]), which could prevent the benefits of AI from being broadly and fairly shared;

14. Recognises that AI and algorithmic management could improve efficiencies, and enable individualised adjustments to work environments as well as overall working conditions, but may also raise performance pressure which can lead to serious health and safety risks, such as musculoskeletal and cardiovascular disorders or mental or physical exhaustion, causing workers to overlook or disregard safety alerts, significantly increasing the risk of workplace accidents; stresses that the use of AI and algorithmic management systems should serve as a supportive tool with a real added value to workers and that worker perspectives on incorporating it into workspaces are largely unexplored;

15. Underlines the need to monitor and address those risks in a comprehensive manner and that any new deployment or significant change in the use of AI tools or algorithmic management systems in the workplace should be subject to health and safety assessment, which includes risk evaluation, prevention and protection measures, under the responsibility of the employers, in accordance with the Directive 89/391/EEC and continuous monitoring with a view to the latest scientific insights, and to ensure human oversight and control of those assessments; encourages the development, in cooperation with social partners, at an appropriate level, of sector-specific guidance on the responsible deployment of AI in the workplace which ensures respect for fundamental rights and the exchange of best practices;

16. Underlines the crucial role of social dialogue and the active involvement of workers and their representatives in accordance with Directive 2002/14/EC in the deployment, use and evaluation of AI and algorithmic management technologies in the workplace, in particular to tailor use in different sectors; stresses that meaningful participation of workers and their representatives in decision-making processes at all stages as well as provision of information and consultation on and in-work training to facilitate the application of new technologies by all workers, fostering a sense of autonomy, (self-) confidence and trust, help to mitigate the risks of new technologies and lead to better, more effective and human-centred integration of AI in the workplace;

17. Underlines the need for clear assignment of oversight responsibilities concerning the deployment and use of AI and algorithmic management systems at workplaces in line with the 'human-in-control-principle', in order to ensure accountability, ensure effective human supervision, and enable workers to identify the human contact point in case they need to exercise their rights; stresses that effective human oversight and review requires a genuine capacity to understand, monitor, and, where necessary, intervene in AI systems' operation, taking into account the inherent challenges posed by complex and opaque AI systems, as well as risks of automation bias; underlines therefore that human oversight must not be merely a formalistic exercise, but an accessible safeguard for verifying, explaining and correcting AI-decisions and that such human contact point must have the competence, training and authority necessary to exercise that function;

18. Underlines that personal data of persons performing work can be aggregated to a collective data base that could be processed by algorithms, therefore requiring data protection at the collective level as well;

([22]) https://www.oecd.org/content/dam/oecd/en/publications/reports/2024/10/who-will-be-the-workers-most-affected-by-ai_fb7fcccd/14dc6f89-en.pdf.

19. Highlights the potential AI and algorithmic management have for the inclusion of workers with disabilities in the labour market; recognises, however, that there are particular challenges that persons with disabilities, older workers and vulnerable individuals may face in adapting to new technologies in the workplace; therefore calls on the Commission and Member States to ensure that companies deploying AI and algorithmic management systems introduce inclusive and tailored support measures which foster the increased participation of persons with disabilities in the labour market and their access to new technologies; underlines that everybody should benefit from technological advancements;

20. Calls on the Commission and Member States to guarantee the right to effective reasonable accommodation for persons with disabilities in line with the Directive 2000/78/EC, and to respect their ultimate authority to determine whether AI-based assistive technologies in the workplace is adapted to their individual needs; stresses, in this context, the importance of flexible working methods and in-work training, as well as effective opportunities to deploy the use of assistive technology in consultation with persons with disabilities and their representatives; calls on the Commission to integrate the impact of AI use in the workplace in the forthcoming revision of the Union Strategy on the Rights of Persons with Disabilities;

Ensuring future-proof regulatory environment

21. Stresses that if the Union aims to be at the forefront of the digital transition, it must lead by example in setting high standards for the deployment of AI and algorithmic management at the workplace, including clear rules on transparency and human oversight;

22. Recalls that the existing Union acquis constitutes an important building block in regulating algorithmic management and the use of AI in the workplace; welcomes in this regard, the Platform Work Directive, which introduces, inter alia, rules on transparency, data protection, human oversight and review, information and consultation and health and safety in sectors where such technologies are increasingly shaping decisions on work, and the Artificial Intelligence Act and recalls Regulation (EU) 2016/679; stresses, however, that despite this legislative framework, a number of gaps remain as regards workers' protection, rights and working conditions regarding the use of such tools in the workplace including respect of personal data and privacy, work-life balance and the right to disconnect; highlights that the Platform Work Directive's provisions on algorithmic management (in particular workers' rights to transparency, human review, worker information and consultation and OSH) only apply to persons performing platform work leaving other workers increasingly subject to algorithmic management less protected; underlines the need to ensure equal treatment of all workers and that future initiatives are coherent with the protective framework established by the Platform Work Directive;

23. Calls on the Commission and Member States to ensure that European companies and public institutions have access to trustworthy and sovereign AI tools developed in accordance with European democratic values, avoiding technological lock-in to providers from non-EU jurisdictions;

24. Calls on the Commission and Member States to ensure that deployment of algorithmic systems in the workplace prioritises the use of technologies developed, trained and hosted within the Union, in order to safeguard fundamental rights, data protection, cybersecurity and strategic autonomy;

25. Underlines that regulatory responses at the European level should be carefully considered and preceded by an analysis of existing legislation, developed in cooperation with social partners and respecting subsidiarity, in order to ensure a harmonised solution with high level of protection of workers across the Union and a level playing field in the internal market, including by full implementation of existing European and national legal frameworks; emphasises the importance of ensuring a predictable regulatory environment in order to promote innovation, competitiveness and fair competition; calls on the Commission to ensure that any legislation and initiatives related to algorithmic management in the workplace avoid duplication or overlap with existing relevant Union instruments and do not impose unnecessary administrative burden, especially for SMEs, reduces costs and facilitates compliance;

26. Recognises that companies, particularly small and medium-sized enterprises (SMEs), are already facing significant challenges in navigating divergent and increasingly complex regulatory framework; emphasises the need for tailored guidance, tools, and support mechanisms to help SMEs implement all requirements effectively;

27. Calls on the Commission to carry out an impact assessment complemented by a Competitiveness and SME test and submit on the basis of Articles 153(2), point (b), in conjunction with Article 153(1), point (b), and Article 16(2) of the Treaty on the Functioning of the European Union, and of the result of the aforementioned steps, a proposal on algorithmic management in the workplace, following the recommendations set out in the Annex hereto, which would address the remaining gaps in existing legislation, avoid creation of overlapping legal instruments and improve harmonisation of the internal market;

28. Considers that any financial implications of the requested proposals should be covered by existing budgetary allocations;

29. Instructs its President to forward this resolution and the accompanying recommendations to the Commission and the Council, and to the parliaments and governments of the Member States.

ANNEX TO THE RESOLUTION

RECOMMENDATIONS AS TO THE CONTENT OF THE PROPOSAL REQUESTED

The European Parliament considers that, if the Commission, after conducting an impact assessment, complemented by a Competitiveness and SME Test, submits a proposal on algorithmic management in the workplace, the following recommendations should be incorporated:

Recommendation 1

Subject matter and scope

The aim of the proposal should be to improve working conditions and to promote the transparent, fair, accountable and safe deployment and use of automated monitoring and decision-making systems used to take or to support decisions at the workplace, ensuring human oversight, the protection of workers' fundamental rights, and the protection of workers in relation to the processing of their personal data.

The proposal should apply to every worker and employer in the Union. Workers in a contractual relationship with an intermediary should enjoy the same level of protection as workers with a direct contractual relationship with their employer.

The proposal should respect the principle of proportionality and should ensure that the administrative and compliance burden imposed is appropriate to the size of the employer and the resources at its disposal, the nature of the technologies used, and the level of the risk involved, particularly with regard to micro, small and medium-sized enterprises.

Recommendation 2

Definitions

The proposal should provide for the following definition:

'algorithmic management' should be defined as automated monitoring systems and automated decision-making systems, in accordance with the Platform Work Directive. ([1]).

The proposal should also provide definitions of: 'worker', 'employer', 'worker's representatives' and 'workplace' in accordance with Union labour law including the case law of the Court of Justice, to avoid discrepancies.

Recommendation 3

Transparency and right to information

The proposal should ensure that employers provide the workers affected and the workers' representatives concerned with information, in writing and in an accessible format, concerning the use or planned use of systems for algorithmic management at the workplace.

([1]) Directive (EU) 2024/2831 of the European Parliament and of the Council of 23 October 2024 on improving working conditions in platform work (OJ L, 2024/2831, 11.11.2024, ELI: http://data.europa.eu/eli/dir/2024/2831/oj).

Such information should be provided in accordance with the General Data Protection Regulation ([2]) and should include:

(a) a clear statement that algorithmic management systems are in use or intend to be introduced to carry out automated or semi-automated decision-making, including a general description of the purpose and the decisions taken or supported by those systems, their functioning and the workers and processes affected by them, the nature of such information being proportional and limited to what is necessary for the workers to carry out their work, to understand how the algorithmic systems influence decisions affecting them, and to exercise their rights;

(b) the impact of such systems on the workers' working conditions and employment status;

(c) the categories of data collected or otherwise processed by such systems in relation to the workers, the purpose of the processing of the data and the details of the persons to whom the data is transferred;

(d) the human oversight mechanisms;

(e) training and support measures for the workers directly affected.

The information should be provided at the latest on the first working day of the affected workers, prior to the introduction of changes substantially affecting their working conditions, and at any time upon the request of the workers or the workers' representatives.

The information should be provided in a clear, transparent and easily understandable and accessible manner, using plain language, which is adapted to the level of digital literacy reasonably expected of the workers, and should be accessible to persons with disabilities. The competent authorities and the workers' representatives should have the right to ask for additional clarifications and details regarding any of the information provided.

Candidates undergoing a recruitment procedure should receive relevant information on automated decision-making systems used during the recruitment procedure at the time they apply for a vacancy. Workers should be provided with tools for the effective exercise of their data access rights and of their portability rights.

Recommendation 4

Consultation

The proposal should ensure that the deployment and use of new systems of algorithmic management, or updates to existing systems, which directly affect workers' remuneration, evaluation, working arrangements, task allocation or working time, are deemed to be decisions likely to lead to substantial changes in work organisation or in contractual relations and as such are subject to consultation pursuant to Article 4(2), point (c), of Directive 2002/14/EC ([3]), without prejudice to Directive 2009/38/EC ([4]).

Such consultation should be carried out with regard to:

(a) the objectives of the deployment or update, the work processes and the workers affected;

(b) the workload, work intensity, scheduling, working time, flexibility, renumeration, job content, performance evaluation or contractual relations;

([2]) Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

([3]) Directive 2002/14/EC of the European Parliament and of the Council of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community - Joint declaration of the European Parliament, the Council and the Commission on employee representation (OJ L 80, 23.3.2002, p. 29).

([4]) Directive 2009/38/EC of the European Parliament and of the Council of 6 May 2009 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees (OJ L 122, 16.5.2009, p. 28).

(c) the effects on occupational health and safety;

(d) the types of data collected;

(e) the measures in place to prevent, detect, mitigate and correct bias or discriminatory outcomes;

(f) human oversight and review mechanisms;

(g) training and support measures, including the assistance of experts, for the workers and the managers deploying and using such systems.

Recommendation 5

Prohibited practices

The proposal should prohibit the collecting, storing, monitoring, sale or any other processing of:

(a) emotional, psychological or neurological states, cognitive activity or biometric data of the workers;

(b) private communications, including exchanges with other workers and workers' representatives, except where such processing is lawful in accordance with Article 6(1), point (c) or (d) of the General Data Protection Regulation;

(c) data of workers while off-duty, not offering or performing work or in private spaces, real-time geolocation tracking outside working hours or beyond what is strictly necessary for the execution of tasks;

(d) data for the prediction of the exercise of fundamental rights, including the freedom of association, the right of collective bargaining and action or the right to information and consultation;

(e) special categories of personal data in accordance with Article 9(1) of the General Data Protection Regulation as well as inferences about such categories.

Those prohibited practices should also apply throughout the recruitment procedure.

Recommendation 6

Human oversight and review

The proposal should ensure continuous, meaningful and effective human oversight at all times over all decisions taken or supported by algorithmic management systems. It should also ensure that employers designate and inform workers and their representatives about the entities responsible for the monitoring of the functioning and impact of such systems and for reviewing their decisions. The persons responsible for oversight and evaluation should have the competence, training and authority necessary to exercise those functions, including the authority to override automated decisions.

The proposal should ensure that workers have the right to obtain from the employer, in reasonable time, a meaningful and comprehensible oral or written explanation regarding any decision taken or substantially supported by algorithmic management that affects the essential aspects of their employment, including the allocation of tasks, the evaluation of performance, working time scheduling, remuneration, and disciplinary measures, where any decision relating to such matters has been taken or has been substantially influenced by an algorithmic system. If the worker perceives his or her rights to be infringed by the decisions taken or substantially supported by algorithmic management systems, he or she should have the right to ask for review of that decision.

Where, as a result of human review, an individual decision taken or supported by algorithmic management is found to have infringed the rights of a worker, the employer should take the steps necessary, including, if appropriate, the modification of the algorithmic management system or the discontinuation of its use, and adequate compensation for the damage sustained.

Decisions concerning the initiation or termination of employment, the renewal or non-renewal of a contractual agreement, or any changes in remuneration or disciplinary action should always be taken by a human being and should be subject to human review.

The proposal should ensure that workers or their representatives may request the employer to trigger a review of the functioning of the algorithmic management systems in place where there is a justified concern that such systems exhibit systemic biases, discrimination or faults, or pose a threat to the mental or physical well-being of workers or to health and safety at the workplace.

Recommendation 7

Occupational health and safety

The proposal should ensure that employers integrate, in cooperation with workers' representatives, the evaluation of the risks of algorithmic management systems into their safety and health systems, as regards possible risks of work-related accidents, psychosocial and ergonomic risks as well as undue pressure put on workers.

Employers should use algorithmic management systems in a manner that respects workers' wellbeing and does not put at risk their safety or their physical and mental health. They should take mitigating actions where appropriate.

Recommendation 8

Responsibilities of competent national authorities

The proposal should ensure that labour inspectorates or other national competent authorities such as equality bodies, where appropriate, oversee the safe, transparent and non-discriminatory use of algorithmic management systems in the workplace.

Labour inspectorates should be tasked with monitoring, controlling and assessing the safety of algorithmic systems used in employment contexts, in particular with regard to the impact of those systems on the physical and mental health of workers and the fundamental rights of those workers.

Labour inspectorates should be provided with adequate resources, powers, technical expertise and appropriate training to effectively carry out their functions without duplicating existing controls or compliance mechanisms under national law. Upon request, they should have access to information on the use of algorithmic management in the workplaces.

Member States should ensure tailored guidance and dedicated support mechanisms to assist SMEs in understanding and effectively implementing any obligations related to automated monitoring and automated decision-making systems.

Recommendation 9

Enforcement

The proposal should provide that the Commission, Member States, their national competent authorities and the social partners cooperate, share best practices in order to build capacities, and ensure effective enforcement.

The proposal should ensure that workers exercising their rights are protected against adverse treatment, retaliation and dismissal and have access to evidence in administrative and judicial proceedings.

Recommendation 10

Supervision

The proposal should ensure that data protection authorities established under the General Data Protection Regulation also monitor the application of its provisions in relation to data processing in employment contexts, in cooperation with national labour authorities and other competent authorities.

Recommendation 11

Non-Regression and More Favourable Provisions

The rules and safeguards resulting from these recommendations should provide a level of protection that is at least equivalent to that provided by existing Union law, including the Platform Work Directive, the Artificial Intelligence Act, the Digital Services Act ([5]), and the General Data Protection Regulation.

The proposal should not constitute valid grounds for reducing the general level of protection already afforded to workers within Member States.

The proposal should ensure that Member States and social partners remain free to introduce or maintain more favourable provisions.

([5]) Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act) (OJ L 277, 27.10.2022, p. 1, ELI: http://data.europa.eu/eli/reg/2022/2065/oj).