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REPORT with recommendations to the Commission on digitalisation, artificial intelligence and algorithmic management in the workplace – shaping the future of work

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Committee on Employment and Social Affairs

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

with recommendations to the Commission on digitalisation, artificial intelligence and algorithmic management in the workplace – shaping the future of work

(2025/2080(INL))

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] ,
- 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),
- 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;
- 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;
- 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] ;
- 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^[21] ;
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^[22] ; 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;
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^[23] , 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.
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 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 legislative 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 MOTION FOR A 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 legislative 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

(Ex AM E (Or. 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.^[24] .

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.

Such information should be provided in accordance with the General Data Protection Regulation ^[25] 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^[26] , without prejudice to Directive 2009/38/EC^[27] .

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, remuneration, job content, performance evaluation or contractual relations;
- (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[28] , 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.

EXPLANATORY STATEMENT

The modern workplace is undergoing a profound transformation driven by digitalisation, automation and the rapid advancement of artificial intelligence (AI). Algorithmic management (AM) systems are increasingly deployed to assist employers to supervise, evaluate and allocate work, reshaping how decisions are made across sectors. While these technologies offer opportunities to improve efficiency, productivity and working conditions, they also introduce new risks and challenges, particularly concerning transparency, accountability, health and safety, and workers' fundamental rights. The fast pace of this transformation often outstrips the capacity of existing legal frameworks to provide adequate safeguards, leaving workers exposed and employers uncertain about their obligations.

The rapporteur believes that the European Union must take proactive steps to navigate this transformation in a way that supports both economic competitiveness and social progress. The deployment of algorithmic management systems in the workplace must be human-centred, respectful of rights and inclusive by design. To that end, the EU needs to ensure that all workers and solo self-employed persons alike, have access to clear information, appropriate training, and meaningful participation in decisions affecting their working lives. At the same time, companies, particularly SMEs, need a stable and harmonised regulatory environment that is simple, transparent, and supportive of innovation and fair competition.

The rapporteur considers that a dedicated framework directive is the most effective legal instrument to address these challenges. While existing instruments such as the AI Act, the General Data Protection Regulation, the Directive on Transparent and Predictable Working Conditions, and the Information and Consultation Directive provide some relevant safeguards, they do not comprehensively address the specific issues posed by algorithmic management in the employer–worker relationship. A directive will allow the EU to close these regulatory gaps by establishing minimum standards that ensure greater legal certainty, foster trust in technology, and promote fairness in the digital transformation of work.

To this end, the rapporteur proposes a directive that sets out clear rules on transparency, consultation and human oversight in the use of algorithmic management systems. It includes provisions that:

- define algorithmic management and establish its scope of application to both workers and solo self-employed persons;
- ensure workers receive timely, clear, and accessible information on how algorithmic systems function and how they affect their work;
- require consultation with worker representatives before the introduction of new systems or substantial updates that affect remuneration, work organisation, or working time;
- ban specific harmful data practices, such as monitoring emotional states or private behaviour;

- mandate that key decisions, such as hiring, termination, and pay changes, remain subject to human review;
- introduce specific health and safety obligations to prevent undue pressure and psychosocial risks;
- assign responsibilities to national labour inspectorates for the oversight of the safe and non-discriminatory use of algorithmic management tools.

The rapporteur emphasises that this proposal for a directive is not intended to stifle innovation or burden businesses with unnecessary bureaucracy. On the contrary, by setting clear, proportionate, and future-proof standards, it will support a fair and effective integration of new technologies in the workplace. It will help companies, including SMEs, adapt confidently to the digital era, promote a level playing field across the internal market, and ensure that workers are equipped, protected, and empowered in the face of ongoing change. In doing so, the directive contributes to a modern, competitive, and socially responsible European labour market.

ANNEX: ENTITIES OR PERSONS FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT

Pursuant to Article 8 of Annex I to the Rules of Procedure, the rapporteur declares that he included in his report input on matters pertaining to the subject of the file that he received, in the preparation of the report, prior to the adoption thereof in committee, from the following interest representatives falling within the scope of the Interinstitutional Agreement on a mandatory transparency register^[29] , or from the following representatives of public authorities of third countries, including their diplomatic missions and embassies:

Entity and/or person
BusinessEurope
ETUC
Move.Eu
Indeed
Cemeet
Industriall
Addeco
Eurocadres
Technology Industries Finland
Polish Confederation Lewiatan
Polish Ministry of Labour and Social Policy
Eurocommerce
Mc Donalds Poland
Valerio De Stefano, Canada Research Chair in Innovation, Law and Society, Osgoode Hall Law School, Toronto, Canada
European Disability Forum
EU-OSHA

The list above is drawn up under the exclusive responsibility of the rapporteur.

Where natural persons are identified in the list by their name, by their function or by both, the rapporteur declares that he has submitted to the concerned natural persons the European Parliament's Data Protection Notice No 484 (<https://www.europarl.europa.eu/data-protect/index.do>), which sets out the conditions applicable to the processing of their personal data and the rights linked to that processing.

OPINION OF THE COMMITTEE ON LEGAL AFFAIRS ON THE LEGAL BASIS (3.12.2025)

Mrs Li Andersson
Chair
Committee on Employment and Social Affairs
BRUSSELS

Subject: Opinion on the legal basis of the recommendations to the Commission on digitalisation, artificial intelligence and algorithmic management in the workplace – shaping the future of work (2025/2080(INL))

Dear Madam Chair,

I - Introduction

On 17 January 2025, the Committee on Employment and Social Affairs (EMPL) requested an authorisation to draw up an own-initiative legislative report (INL) pursuant to Article 225 of the Treaty on the Functioning of the European Union (TFEU) and Rule 47 of the Rules of Procedure of the European Parliament (RoP), with recommendations to the Commission on digitalisation, artificial intelligence and algorithmic management in the workplace - shaping the future of work. The authorisation was granted by the Conference of Presidents on 3 April 2025.

In accordance with Rule 47(3) RoP, the committee responsible for the subject-matter is to request an opinion on the appropriateness of the legal basis from the committee responsible for legal affairs, which is to be delivered without undue delay. Such request was sent on 27 June 2025 by the Chair of the EMPL committee.

The Committee on Legal Affairs considered the matter of the appropriateness of the legal basis proposed in the draft INL in question at its meeting on 3 December 2025.

II - Background

The request for authorisation of the INL was made pursuant to point VIII of Annex VI to the Rules of Procedure, which confers on the EMPL committee the competence in the area of employment policy and all aspects of social policy including working conditions, social security, social inclusion and social protection.

The purpose of the INL is to invite the Commission to propose legislative measures on the digitalisation of work, with particular attention to the use of artificial intelligence (AI) and algorithmic management systems in the workplace.

The initiative seeks to ensure that these technologies are deployed in ways that respect workers’ rights while also fostering productivity and innovation. It aims to establish an EU-wide regulatory framework that strikes a fair balance between the benefits of digital transformation and the risks and challenges posed by AI and algorithmic management in the world of work.

In the INL, the EMPL committee intended to analyse the challenges that digital technologies, especially AI and algorithmic management, pose in the workplace. This includes addressing issues related to workplace surveillance, performance pressure, and discrimination risks. The proposal aims to ensure that any such systems are deployed transparently, with adequate safeguards and workers’ rights protected under EU law.

The EMPL committee also intended to explore the following aspects in the INL: (i) the impact of AI and algorithmic systems on workers' rights, including data protection and the right to information and consultation; (ii) the regulatory gap in existing EU legislation, such as the AI Act, which focuses on market aspects but does not sufficiently cover the worker-employer relationship; (iii) safeguards to mitigate potential risks such as algorithmic bias, excessive work intensification, and mental health issues related to constant monitoring; (iv) the role of social dialogue and worker consultation in ensuring that these technologies are implemented in a way that is fair and transparent.

The EMPL committee also intended to address the potential training needs for workers and the importance of providing clear and accessible information about the use of these technologies, especially when they influence key aspects of employment, such as hiring, pay changes, and performance evaluations.

The INL is primarily based on Article 153(2), point (b), in conjunction with Article 153(1), point (b), TFEU, which cover issues related to working conditions, and Article 16(2) TFEU on personal data protection.

III - The relevant Treaty Articles

Title X of Part three TFEU, on “Social policy”, reads, inter alia (emphasis added):

Article 153
(ex Article 137 TEC)

1. ***With a view to achieving the objectives of Article 151, the Union shall support and complement the activities of the Member States in the following fields:***
- (a) *improvement in particular of the working environment to protect workers' health and safety;*

(b) *working conditions;*

(c) *social security and social protection of workers;*

(d) *protection of workers where their employment contract is terminated;*

(e) *the information and consultation of workers;*

(f) *representation and collective defence of the interests of workers and employers, including co-determination, subject to paragraph 5;*

(g) *conditions of employment for third-country nationals legally residing in Union territory;*

(h) *the integration of persons excluded from the labour market, without prejudice to Article 166;*

(i) *equality between men and women with regard to labour market opportunities and treatment at work;*

(j) *the combating of social exclusion;*

(k) *the modernisation of social protection systems without prejudice to point (c).*

2. To this end, the European Parliament and the Council:

- (a) *may adopt measures designed to encourage cooperation between Member States through initiatives aimed at improving knowledge, developing exchanges of information and best practices, promoting innovative approaches and evaluating experiences, excluding any harmonisation of the laws and regulations of the Member States;*
- (b) ***may adopt, in the fields referred to in paragraph 1(a) to (i), by means of directives, minimum requirements for gradual implementation, having regard to the conditions and technical rules obtaining in each of the Member States. Such directives shall avoid imposing administrative, financial and legal constraints in a way which would hold back the creation and development of small and medium-sized undertakings.***

The European Parliament and the Council shall act in accordance with the ordinary legislative procedure after consulting the Economic and Social Committee and the Committee of the Regions.

In the fields referred to in paragraph 1(c), (d), (f) and (g), the Council shall act unanimously, in accordance with a special legislative procedure, after consulting the European Parliament and the said Committees.

The Council, acting unanimously on a proposal from the Commission, after consulting the European Parliament, may decide to render the ordinary legislative procedure applicable to paragraph 1(d), (f) and (g).

3. *A Member State may entrust management and labour, at their joint request, with the implementation of directives adopted pursuant to paragraph 2, or, where appropriate, with the implementation of a Council decision adopted in accordance with Article 155.*

In this case, it shall ensure that, no later than the date on which a directive or a decision must be transposed or implemented, management and labour have introduced the necessary measures by agreement, the Member State concerned being required to take any necessary measure enabling it at any time to be in a position to guarantee the results imposed by that directive or that decision.

4. *The provisions adopted pursuant to this Article:*

- *shall not affect the right of Member States to define the fundamental principles of their social security systems and must not significantly affect the financial equilibrium thereof,*
- *shall not prevent any Member State from maintaining or introducing more stringent protective measures compatible with the Treaties.*

5. *The provisions of this Article shall not apply to pay, the right of association, the right to strike or the right to impose lock-outs.*

Title II of Part one TFEU, on “Provisions having general application”, reads, inter alia:

Article 16
(ex Article 286 TEC)

1. *Everyone has the right to the protection of personal data concerning them.*
2. *The European Parliament and the Council, acting in accordance with the ordinary legislative procedure, shall lay down the rules relating to the protection of individuals with regard to the processing of personal data by Union institutions, bodies, offices and agencies, and by the Member States when carrying out activities which fall within the scope of Union law, and the rules relating to the free movement of such data. Compliance with these rules shall be subject to the control of independent authorities.*

The rules adopted on the basis of this Article shall be without prejudice to the specific rules laid down in Article 39 of the Treaty on European Union.

IV – CJEU case-law on the choice of legal basis

The Court of Justice of the European Union (CJEU) has traditionally viewed the question of the appropriate legal basis as an issue of constitutional significance, guaranteeing compliance with the principle of conferred powers (Article 5 of the Treaty on European Union) and determining the nature and scope of the Union’s competence.^[30]

According to well-established case-law, the legal basis of a Union act does not depend on an institution's conviction as to the objective pursued but must be determined according to objective criteria amenable to judicial review, including in particular the aim and the content of the measure.^[31]

If examination of a measure reveals that it pursues a twofold purpose or that it has a twofold component and if one of those is identifiable as the main or predominant purpose or component, whereas the other is merely incidental, that measure must be based on a single legal basis, namely that required by the main or predominant purpose or component.^[32] Only exceptionally, if it is established that the act simultaneously pursues a number of objectives, inextricably linked, without one being secondary and indirect in relation to the other, may such an act be founded on the various corresponding legal bases.^[33] This would however only be possible if the procedures laid down for the respective legal bases are not incompatible with and do not undermine the right of the European Parliament.^[34]

V – Aim and content of the INL

The aim as specified in recommendation 1 in the Annex to the final report by the EMPL committee is 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”. Therefore, at the very beginning of the Annex with the recommendations to the Commission, the INL states the twofold objective: improving working conditions and protecting personal data of workers.

That interpretation is strengthened by paragraphs 2 and 3 of the resolution in the final report of the EMPL committee, preceding the Annex with the recommendations to the Commission, in which concerns relating to “*growing use of AI and algorithmic management*” are expressed, as they pose “*significant challenges (...) for workers, particularly in terms [of] working and employment conditions*” (paragraph 2) and in which it is stressed that “*companies should be encouraged to integrate such technologies in a responsible, transparent and inclusive manner, with respect to worker’s privacy and data protection*” (paragraph 3).

It can, therefore, be argued that the INL pursues the twofold objective revolving around (a) the social protection of workers with regard to the improvement of working conditions, as well as (b) the promotion of transparent, fair, accountable and safe deployment and use of automated monitoring and decision-making systems in the workplace, with an explicit reference to fundamental rights and the protection of workers with regard to the processing of their personal data.

With regard to the content of the INL, the Annex comprises 11 recommendations. Recommendations 1 and 2 specify the INL proposal’s subject matter and scope, and provide definitions of key concepts. Recommendations 3 to 7 set out the main substantive pillars of the INL, which concern the following aspects (i) transparency and right to information for directly affected workers and their representatives concerning the use or planned use of systems for algorithmic management in the workplace (recommendation 3); (ii) consultation regarding the deployment and use of new systems of algorithmic management, or such updates to existing systems which directly affect workers’ remuneration, evaluation, working arrangements, task allocation or working time (recommendation 4); (iii) prohibited practices for the collection, storage, monitoring, sale, or any other processing activity regarding certain categories of personal data (recommendation 5); (iv) human oversight and review of decisions taken or supported by algorithmic management systems (recommendation 6); (v) occupational health and safety, with regard to the evaluation of the risks posed by algorithmic management systems in terms of work-related accidents, psychosocial and ergonomic risks as well as undue pressure put on workers (recommendation 7). Lastly, recommendations 8 to 11 concern the responsibilities of competent national authorities, enforcement and supervisory obligations, and the non-regression and more favourable provisions clause.

The personal scope of application recommended in the INL is narrowed down to “*every worker and employer in the Union*”, including workers who are in a contractual relationship with an intermediary. Solo self-employed persons and relevant procurers of services have been excluded from the ambit recommended in the INL.

VI – Analysis

(a) Article 153 TFEU

It is clear that a combined reading of Article 153(1) and (2)(b) TFEU empowers Parliament and the Council to set minimum requirements as far as workers are concerned. Moreover, Article 153(2)(b), in conjunction with paragraph 1 of the same Article, can be used only insofar as self-employed persons can be considered ‘workers’, that is in those cases of ‘false self-employment’ where the ‘self-employed’ status is nominal, according to the jurisprudence of the CJEU. The exclusion of genuine self-employed persons and relevant procurers of services from the ambit recommended in the INL ensures, in fact, the compatibility of the INL proposal’s personal scope with Article 153(2)(b), in conjunction with paragraph 1, point (b), of that Article.

This reasoning is also supported by the recently adopted Platform Work Directive^[35], also based on Article 153(2), point (b), in conjunction with paragraph 1, point (b), of that Article (as well as on Article 16(2) TFEU). That Directive, in Article 5, creates an effective rebuttable legal presumption of an employment relationship for persons performing platform work, even if they are nominally self-employed.

As already mentioned above, recommendation 1 of the final INL report adopted by the EMPL committee clearly states that the aim of the proposal is 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*”. Therefore, Article 153(2), point (b), in conjunction with paragraph 1, point (b), of that Article seems the appropriate legal basis to achieve such goal.

(b) Article 16 TFEU

It is, furthermore, necessary to scrutinise the INL in order to ascertain whether the substantive components principally fall within the scope of improving working conditions, with only incidental effects on data protection, or they would, rather, inextricably concern both the improvement of working conditions and data protection.

Firstly, it is worth noting in relation to this scrutiny that the Platform Work Directive has been based on the same legal bases of Articles 153(2)(b), in conjunction with paragraph 1, point (b) of that Article, and on Article 16(2) TFEU. Article 16(2) TFEU has also been used for the adoption of the AI Act (alongside Article 114 TFEU) as far as specific rules on the protection of individuals with regard to the processing of personal data are concerned, with regard to restrictions of the use of AI systems for remote biometric identification for the purpose of law enforcement, of the use of AI systems for risk assessments of natural persons for the purpose of law enforcement, and of the use of AI systems of biometric categorisation for the purpose of law enforcement.

Incidentally, it should be remarked that recourse to Article 16(2) TFEU would allow for the adoption of rules as far as workers (and cases of false self-employment) are concerned but only to the extent where processing of personal data is concerned. This is precisely the case with the Platform Work Directive.^[36]

The final INL report adopted by the EMPL committee contains several data protection-related provisions, which, to a large extent, mirror the fundamental rationale and content of Chapter III of the Platform Work Directive regarding algorithmic management. Recommendation 3(c) of the INL, for example, reads “*the categories of data collected and processed by such systems in relation to the workers, the purpose of the collection of the data and the details of the persons to whom the data is transferred*” and “*workers should be provided with tools for effective exercise of their data access rights and their portability rights*”.

Furthermore, recommendation 5 contains a number of prohibited practices with regard to collection, storage, sale or any other processing of certain categories of data (for example: ‘emotional, psychological or neurological states’, ‘private communications’, ‘real-time geolocation tracking outside working hours’ ...), very similar to those provided under Article 7 of the Platform Work Directive.

Recommendation 6 call for human oversight at all times over all decisions taken or supported by algorithmic management systems and the right of workers to receive from their employers “*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*”.

Finally, recommendation 10 states that “*the proposal should ensure that data protection authorities... also monitor the application of the proposed act in relation to data processing in employment contexts, in cooperation with national labour authorities and other competent authorities, such as equality bodies.*”

The above recommendations make the INL very similar to the Platform Workers Directive with respect to data protection rules. Therefore, while the improvement of working conditions appears to be the predominant aim in the INL, the distinct references to data protection in various recommendations and the data protection-related reinforcement of the material scope content-wise, demonstrate that data protection can be perceived as both an objective and a component simultaneously served by the INL, alongside the improvement of working conditions, in a mutually reinforcing and inseparable manner.

(c) Other aspects

The final INL report contains, in recommendation 4, elements that, on the one hand, concern workers’ health and safety, which would fall under Article 153(1)(a) TFEU, and secure consultation for workers, on the other, which falls under Article 153(1)(e) TFEU. However, it is clear from the text that those are not the predominant aims and can therefore be considered incidental to pursuing the main aim of the proposal, which is to improve working conditions while protecting personal data of workers.

VII – Conclusion

At its meeting of 3 December 2025 the Committee on Legal Affairs accordingly decided unanimously (by 23 votes in favour)[\[37\]](#) , to recommend that the own-initiative legislative report of the Committee on Employment and Social Affairs pursues aims in the area of improving working conditions, as well as the protection of personal data and that they are indissociably linked and that, therefore, Article 153(2), point (b), TFEU in conjunction with paragraph 1, point (b), of that Article, and Article 16(2) TFEU seem to be the appropriate legal bases.

Yours sincerely,

Ilhan Kyuchyuk

OPINION OF THE COMMITTEE ON CIVIL LIBERTIES, JUSTICE AND HOME AFFAIRS (26.9.2025)
for the Committee on Employment and Social Affairs

Digitalisation, artificial intelligence and algorithmic management in the workplace – shaping the future of work
[\(2025/2080\(INL\)\)](#)

Rapporteur for opinion: Jadwiga Wiśniewska

(Initiative – Rule 47 of the Rules of Procedure)

AMENDMENTS

The Committee on Civil Liberties, Justice and Home Affairs presents the following to the Committee on Employment and Social Affairs, as the committee responsible:

Amendment 1
Motion for a resolution
Citation 16

Motion for a resolution	Amendment
– having regard to 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),	– 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),

Amendment 2
Motion for a resolution
Recital A

Motion for a resolution	Amendment
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A. whereas the digital transition, driven by digitalisation, automation and artificial intelligence (AI), is profoundly reshaping labour markets, leading to the disappearance of some jobs and the emergence of new ones, and is changing the nature of tasks in the existing ones, therefore requiring continuous adaptation by businesses and workers;

A. whereas the digital transition, driven by digitalisation, automation and artificial intelligence (AI), is profoundly reshaping labour markets, leading to the disappearance of some jobs and the emergence of new ones, and is changing the nature of tasks in the existing ones, therefore requiring continuous adaptation by businesses and workers, ***including in various sectors, where these changes affect how works are created, distributed, and safeguarded;***

Amendment 3

Motion for a resolution

Recital A a (new)

Motion for a resolution

Amendment

Aa. whereas Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 (AI Act)^{1a} lays down a uniform legal framework in particular for the development, the placing on the market, the putting into service and the use of artificial intelligence systems (AI systems) in the Union and is addressing the main risks stemming from AI systems;

^{1a} 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>).

Amendment 4

Motion for a resolution

Recital B

Motion for a resolution

Amendment

B. whereas the digital transition at the workplace should be steered in a manner that enhances productivity, innovation, and the competitiveness of the European economy and the common market; whereas this transition must at the same time uphold the principles of social progress, ensuring that it contributes to better working conditions, quality employment, and the well-being of all workers;

B. whereas the digital transition at the workplace should be steered in a manner that enhances productivity, innovation, and the competitiveness of the European economy and the common market ***while avoiding excessive burden on businesses by overregulation;*** whereas this transition must at the same time uphold the principles of social progress, ensuring that it contributes to better working conditions, quality employment, and the well-being of all workers ***with respect to fundamental rights, including the freedom of association, the right of collective bargaining and action or the right to information and consultation, as defined in the Charter of the Fundamental Rights of the European Union;***

Amendment 5

Motion for a resolution

Recital C a (new)

Motion for a resolution	Amendment
	Ca. <i>whereas Europe’s long-term competitiveness, strategic autonomy, and cyber resilience depend on the ability to develop and scale critical technologies within the Union, including AI, cloud computing, semiconductors and secure connectivity;</i>
<div>Amendment 6</div> <div>Motion for a resolution</div> <div>Recital D</div>	
Motion for a resolution	Amendment
D. whereas the rapid integration of AI systems is not matched by sufficient training, with only 15% of workers having participated in relevant training in 2023 while 42% of workers acknowledge the need to improve their AI-related skills and 61% foresee new skills requirements in the next five years; whereas those most in need of digital skills training are the ones least likely to take part in it ⁷ ;	D. whereas the rapid integration of AI systems is not <i>always</i> matched by sufficient training, with only 15% of workers having participated in relevant training in 2023 while 42% of workers acknowledge the need to improve their AI-related skills and 61% foresee new skills requirements in the next five years; whereas those most in need of digital skills training are the ones least likely to take part in it ⁷ ; <i>whereas training should include upskilling, reskilling, and the development of new skills;</i>
<div><div></div><div>7</div><div>https://www.cedefop.europa.eu/en/publications/9201</div></div>	<div><div></div><div>7</div><div>https://www.cedefop.europa.eu/en/publications/9201</div></div>

Amendment 7

Motion for a resolution

Recital E

Motion for a resolution	Amendment
E. whereas the adaptation of educational systems, including the <i>VET</i> sector, is essential to equip learners with the necessary skills to thrive in a competitive, digital and technologically advanced society;	E. whereas the adaptation of educational systems, including the <i>Vocational Education and Training (VET)</i> sector, is essential to equip learners with the necessary skills to thrive in a competitive, digital and technologically advanced society;

Amendment 8

Motion for a resolution

Recital F

Motion for a resolution	Amendment
F. whereas AI and algorithmic management provide numerous opportunities for work optimisation, improved occupational health and safety as well as employee satisfaction, but come also with <i>certain</i> risks; whereas the use of AI and algorithmic management can reduce tedious tasks and overall workload, improve task allocation and productivity, prevent from occupational risks and introduce cost cuts;	F. whereas AI and algorithmic management provide numerous opportunities for work optimisation, improved occupational health and safety as well as employee satisfaction, but come also with <i>significant</i> risks; whereas the use of AI and algorithmic management can reduce tedious tasks and overall workload, improve task allocation and productivity, prevent from occupational risks and introduce cost cuts;

Amendment 9

Motion for a resolution

Recital G

Motion for a resolution	Amendment
G. whereas it is important to address work-related risks stemming from AI and algorithmic management such as time and performance pressure, work intensification, monitoring and surveillance as well as social isolation and stress;	G. whereas it is imperative to address work-related risks to fundamental rights stemming from AI and algorithmic management, such as time and performance pressure, work intensification, discrimination , monitoring and surveillance, which lead to social isolation, severe mental health problems , stress and a potential impact on cognitive skills ;

Amendment 10

Motion for a resolution

Recital G a (new)

Motion for a resolution	Amendment
	Ga. whereas AI systems used in the employment context, workers management and access to self-employment, in particular for the recruitment and selection of persons, for taking decisions affecting terms of the work-related relationship, promotion and termination of work-related contractual relationships, for allocating tasks on the basis of individual behaviour, personal traits or characteristics and for monitoring or evaluating persons in work-related contractual relationships are classified as high-risk AI systems in Regulation (EU) 2024/1689, therefore implying specific obligations for those classified AI systems;

Amendment 11

Motion for a resolution

Recital H

Motion for a resolution	Amendment
H. whereas the deployment of AI and algorithmic management systems in the workplace involve the collection and processing of a large volume of employee data, which can raise concerns about data protection and privacy and require due diligence in its management;	H. whereas the deployment of AI and algorithmic management systems in the workplace involves the collection and processing of a large volume of employee data, which raises serious concerns about the respect for the right to personal data protection and privacy as well as other rights enshrined in the Charter of Fundamental Rights of the European Union, and requires due diligence in the management of these systems ;

Amendment 12

Motion for a resolution

Recital H a (new)

Motion for a resolution	Amendment
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Ha. whereas Regulation (EU) 2016/679 of the European Parliament and of the Council^{1a} of 27 April 2016 (General Data Protection Regulation) lays down rules relating to the protection of natural persons with regard to the processing of personal data;

^{1a} 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, ELI: <http://data.europa.eu/eli/reg/2016/679/oj>).

Amendment 13
Motion for a resolution
Recital K a (new)

Motion for a resolution

Amendment

Ka. whereas algorithmic management systems often exacerbate structural asymmetries between workers and employers, particularly in platform and precarious work; whereas the opacity of AI systems reinforces the potential managerial control while reducing worker agency and access to remedies;

Amendment 14
Motion for a resolution
Recital L a (new)

Motion for a resolution

Amendment

La. whereas the increasing use of AI and algorithmic systems in employment contexts poses significant risks to the fundamental rights of workers, including the rights to dignity, privacy, data protection, non-discrimination, and freedom of association, as protected by the Charter of Fundamental Rights of the European Union;

Amendment 15
Motion for a resolution
Paragraph 1

Motion for a resolution

Amendment

1. Emphasises that every new technology shall be deployed and used with the overarching goal of serving people and shall be managed by the people in line with the irrefutable “human in control” principle;

1. Emphasises that every new technology **in the workplace** shall be deployed and used with the overarching goal of serving people - **in particular the workers** - and shall be managed by the people in line with the irrefutable “human in control” principle;

Amendment 16
Motion for a resolution
Paragraph 1 a (new)

Motion for a resolution

Amendment

1a. Recalls that the protection of personal data, including the personal data of workers, is a fundamental right that must be upheld in all uses of digital and algorithmic systems in the workplace; stresses that the use of algorithmic systems in the workplace must fully respect workers’ rights to privacy and data protection under Regulation (EU) 2016/679;

Amendment 17
Motion for a resolution
Paragraph 1 b (new)

Motion for a resolution

Amendment

1b. Underlines the strategic importance of AI and the digital transition for the future of the labour market and the competitiveness of the European Union;

Amendment 18
Motion for a resolution
Paragraph 2

Motion for a resolution

Amendment

2. Stresses that new technologies in the workplace can constitute a competitive advantage and are proven to 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 and transparent manner ; stresses that the use of such technologies in the workplace should be meticulously overseen rather than restrained, **and highlights in this regard the need for a clear regulatory framework that will ensure fair competition and** avoid fragmentation of the single market;

2. Stresses that new technologies in the workplace can constitute a competitive advantage and are proven to bring better return to the companies using them; underlines in this regard the fact that companies should be encouraged to integrate such technologies in **consultation with workers representatives and in** a responsible and transparent manner; stresses that the use of such technologies in the workplace should be meticulously overseen rather than restrained; **underlines** the need **to** avoid fragmentation of the single market;

Amendment 19
Motion for a resolution
Paragraph 4

Motion for a resolution

Amendment

4. Welcomes the Union of Skills initiative; calls on the Commission to ensure that the expected Quality of Jobs roadmap fully reflects the need for continuous upskilling, reskilling, and in-work training on AI and algorithmic management; stresses that all relevant initiatives aiming to support workers and companies in this transition must be adequately supported, including through sufficient financial resources at Union and national level;

4. Welcomes the Union of Skills initiative; calls on the Commission to ensure that the expected Quality of Jobs roadmap fully reflects the need for continuous upskilling, reskilling, and in-work training on AI and algorithmic management; stresses that all relevant initiatives aiming to support workers and companies in this transition must be adequately supported, including through **targeted investments into sovereign European AI ecosystems, secure digital infrastructure and skills-intensive innovation programmes, as well as through** sufficient financial resources at Union and national level; **stresses the need to address AI's threats to certain professions, in order to safeguard diversity;**

Amendment 20
Motion for a resolution
Paragraph 7

Motion for a resolution

7. Is concerned that the use of AI and algorithmic management systems **is contributing** to the **phasing out of entry-level jobs, which traditionally serve as an essential gateway into the labour market**, underlines the fact that this trend risks affecting disproportionately young people and first-time jobseekers; therefore calls on the Commission and Member States to take proactive measures to ensure that young people entering the labour market are adequately supported and provided with meaningful employment opportunities in the evolving digital economy;

Amendment

7. Is concerned that the use of AI and algorithmic management systems **in the workplace is leading** to the **automatisation of certain jobs across entire sectors and to the redefinition of many roles**, underlines the fact that this trend risks affecting disproportionately young people and first-time jobseekers, **as well as workers in professions particularly vulnerable to AI**; therefore calls on the Commission and Member States to take proactive measures to ensure that young people entering the labour market are adequately supported and provided with meaningful employment opportunities in the evolving digital economy;

Amendment 21
Motion for a resolution
Paragraph 8

Motion for a resolution

8. Stresses that the increasing use of digital technologies in the workplace, including tools that enable constant connectivity as well as real-time monitoring and surveillance, **pose** numerous risks to the mental health of workers by blurring the boundaries between professional and private life; underlines the fact that such developments can lead to excessive work-related stress, burnout, a deterioration of work-life balance and increasing sentiment of social isolation;

Amendment

8. Stresses that the increasing use of digital technologies in the workplace, including tools that enable constant connectivity as well as real-time monitoring and surveillance, **poses** numerous risks to the mental health of workers by blurring the boundaries between professional and private life, **and serious risks for the respect of fundamental rights**; underlines the fact that such developments can lead to excessive work-related stress, burnout, a deterioration of work-life balance and increasing sentiment of social isolation; **recalls the need to promote the human-centred development and use of safe, secure and trustworthy AI in the field of work;**

Amendment 22

Motion for a resolution

Paragraph 8 a (new)

Motion for a resolution	Amendment
	8a. Calls on the Member States and the Commission to ensure that deployment of algorithmic systems in the workplace prioritises the use of technologies developed, trained and hosted within the European Union, in order to safeguard fundamental rights, data protection, cybersecurity and strategic autonomy;

Amendment 23

Motion for a resolution

Paragraph 9

Motion for a resolution	Amendment
9. Recognises that algorithmic management may raise performance pressure which can lead to serious health and safety risks, such as musculoskeletal and cardiovascular disorders or exhaustion, causing workers to overlook or disregard safety alerts, significantly increasing the risk of workplace accidents;	9. Recognises that algorithmic management in the workplace may raise performance pressure which can lead to serious health and safety risks, such as musculoskeletal and cardiovascular disorders or exhaustion, causing workers to overlook or disregard safety alerts, significantly increasing the risk of workplace accidents;

Amendment 24

Motion for a resolution

Paragraph 10

Motion for a resolution	Amendment
10. Underlines the fact that those risks should be addressed in a comprehensive manner and that any new deployment or significant change of AI tools or algorithmic management systems in the workplace should be subject to health and safety assessment and continuous monitoring, encourages Member States, in cooperation with social partners, to develop sector-specific guidance on the responsible deployment of AI in the workplace and to exchange the best practices;	10. Underlines the fact that those risks should be addressed in a comprehensive manner and that any new deployment or significant change of AI tools or algorithmic management systems in the workplace should be subject to health and safety assessments, as well as fundamental rights impact assessments of AI systems as defined in the AI Act , and continuous monitoring; encourages Member States, in cooperation with social partners, to develop sector-specific guidance on the responsible deployment of AI in the workplace and to exchange the best practices;

Amendment 25

Motion for a resolution

Paragraph 12

Motion for a resolution	Amendment
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12.

Underlines the need for clear assignment of oversight responsibilities in often complex organisational structure of workplaces which will ensure accountability, facilitate effective human supervision, and enable workers to identify the human contact point in the case of any doubts, concerns, or the need for clarification;
12.

Underlines the need for **transparency of the often opaque algorithmic management processes combined with a** clear assignment of oversight responsibilities in often complex organisational structure of workplaces which will ensure accountability, facilitate effective human supervision, and enable workers to identify the human contact point in the case of any doubts, concerns, or the need for clarification;

Amendment 26

Motion for a resolution

Paragraph 13

- | Motion for a resolution | Amendment |
|---|---|
| <div>13.</div> <div>Highlights 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 introduce inclusive and tailored support measures towards their increasing participation in the labour market and ensuring that everybody benefits from technological advancements;</div> | <div>13.</div> <div>Highlights that there are particular challenges that persons with disabilities, older workers, vulnerable individuals and employees who lack digital literacy may face in adapting to new technologies in the workplace; recognises, on the other hand, that AI has the potential to offer persons with disabilities more inclusive and accessible working environments; therefore calls on the Commission and Member States to introduce inclusive and tailored support measures towards their increasing participation in the labour market and ensuring that everybody benefits from technological advancements;</div> |

Amendment 27

Motion for a resolution

Paragraph 14 a (new)

- | Motion for a resolution | Amendment |
|-------------------------|---|
| | <div>14a.</div> <div>Calls on the Commission and the Member States to promote algorithmic fairness by supporting meaningful human oversight and the development and use of bias detection and mitigation tools throughout the entire life cycle of algorithmic management systems;</div> |

Amendment 28

Motion for a resolution

Paragraph 15

- | Motion for a resolution | Amendment |
|-------------------------|-----------|
|-------------------------|-----------|

15. 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 in work environments, including clear rules on transparency and human oversight; welcomes, in this regard, *the* Directive (EU)2024/2831 on improving working conditions in platform work, which marks an important first step in regulating algorithmic management by introducing, inter alia, transparency obligations in sectors where such technologies are increasingly shaping decisions on work and workers’ rights;

15. Stresses that if the Union aims to be at the forefront of the digital transition, it must ***not only regulate emerging technologies, but also actively lead their development and deployment within the Union and it must*** lead by example ***and become a global reference, by*** setting high standards for the deployment of AI in work environments, including clear rules on transparency and human oversight; welcomes, in this regard, Directive (EU)2024/2831 on improving working conditions in platform work, which marks an important first step in regulating algorithmic management ***in the workplace*** by introducing, inter alia, transparency obligations in sectors where such technologies are increasingly shaping decisions on work and workers’ rights; ***reiterates further the existence of Regulation (EU) 2016/679 and Regulation (EU) 2024/1689 providing horizontal protections with regard to the use of AI and automated decision-making, including in work environments;***

Amendment 29

Motion for a resolution

Paragraph 15 a (new)

Motion for a resolution

Amendment

15a. Recognizes the opportunities presented by digitalization and AI to increase productivity, foster innovation, and enhance Europe's global competitiveness; underlines that any additional regulation must avoid excessive administrative burdens, especially for small and medium-sized enterprises (SMEs), and must not stifle innovation in the workplace;

Amendment 30

Motion for a resolution

Paragraph 16

Motion for a resolution

Amendment

16. Calls on Member States and the employers for the recognition and effective implementation of the right to disconnect as a fundamental safeguard to protect workers from being permanently reachable or monitored outside of agreed working hours;

16. Calls on Member States and the employers for the recognition and effective implementation of the right to disconnect as a fundamental safeguard to protect workers from being permanently reachable or monitored outside of agreed working hours; ***further calls for the effective protection of the fundamental rights to private and family life, and of the freedom of expression, assembly and association;***

Amendment 31

Motion for a resolution

Paragraph 16 a (new)

Motion for a resolution

Amendment

16a. Calls on the Member States and the Commission 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;

Amendment 32
Motion for a resolution
Paragraph 17

Motion for a resolution

Amendment

17. Underlines the fact that the increasing use of AI and algorithmic management in the workplace raises a multitude of challenges concerning the protection of employees’ personal data and privacy, requiring careful consideration and **appropriate regulatory responses;**

17. Underlines the fact that the increasing use of AI and algorithmic management in the workplace raises a multitude of challenges concerning **dignified treatment, personal agency, autonomy and** the protection of employees’ personal data and privacy, requiring careful consideration and **effective application of the General Data Protection Regulation;**

Amendment 33
Motion for a resolution
Paragraph 18

Motion for a resolution

Amendment

18. Recognises that companies, particularly **small and medium-sized enterprises (SMEs)**, are already facing significant challenges in navigating an increasingly complex regulatory environment; calls on the Commission to ensure that any future legislation related to algorithmic management is designed with the clear objective of simplification and ease of compliance, emphasises the need for tailored guidance, tools, and support mechanisms to help SMEs understand and implement new requirements effectively;

18. **Recalls that Regulation (EU) 2024/1689** recognises that companies, particularly **SMEs**, are already facing significant challenges in navigating an increasingly complex regulatory environment; calls on the Commission to ensure that **there is no duplication in between the various existing Regulations and to ensure** any future legislation related to algorithmic management **in the workplace** is designed with the clear objective of simplification and ease of compliance, **avoiding duplication or overlap with existing legal obligations under Regulation (EU) 2016/679, Regulation (EU) 2024/1689, and other relevant EU instruments;** emphasises the need for tailored guidance, tools, and support mechanisms to help SMEs understand and implement new requirements effectively;

Amendment 34
Motion for a resolution
Paragraph 19

Motion for a resolution

Amendment

19. Requests that the Commission 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, a proposal for a Directive on algorithmic management in the workplace, following the recommendations set out in the Annex hereto;

19. Requests that the Commission 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, a proposal for a Directive on algorithmic management in the workplace **that specifically remedies identified gaps**, following the recommendations set out in the Annex hereto;

Amendment 35

Motion for a resolution

Annex I – recital 1

Motion for a resolution

(1) The unprecedented scale, depth and rapid pace of the **transformation**, and its profound impact on the work patterns present cross cutting challenges that transcend national borders and need to be addressed at Union level.

Amendment

(1) The unprecedented scale, depth and rapid pace of the **digital transition of the workplace**, and its profound impact on the work patterns present cross cutting challenges that transcend national borders and need to be addressed at Union level.

Amendment 36

Motion for a resolution

Annex I – recital 2

Motion for a resolution

(2) Algorithmic management systems should be understood as tools and enablers that serve both employers and workers by improving efficiency, facilitating decision-making, and supporting better work organisation. When used **responsibly and transparently**, such systems can contribute to more balanced and informed workplace practices. Their careful deployment under a common set of Union rules should unlock their potential ensuring implementation in a manner that upholds fundamental rights, fosters trust **and promotes** the overall well-being of workers.

Amendment

(2) Algorithmic management systems **in the workplace** should be understood as tools and enablers that serve both employers and workers by improving efficiency, facilitating decision-making, and supporting better work organisation. When used **subject to robust human oversight, transparency, and accountability mechanisms and in consultation with workers representatives**, such systems can contribute to more balanced and informed workplace practices. **However, these systems may pose a significant risk of undermining fair working conditions, dignified treatment of workers and autonomy.** Their careful deployment under a common set of Union rules should unlock their potential **while mitigating some of these risks when** ensuring implementation in a manner that upholds fundamental rights **and** fosters trust, **while enhancing** the overall well-being of workers.

Amendment 37

Motion for a resolution

Annex I – recital 3

Motion for a resolution

Amendment

(3) Lack of clear comprehension of the functioning of algorithmic management systems *impedes the* workers from effectively asserting their *data* rights, which further reinforces the imbalance of power in favour of the employer. There is evidence that involving workers and their representatives in consultations improves both performance and working conditions⁴ .

(3) ***Opacity of decision-making is a well-known problem associated with AI tools in general. The resulting*** lack of clear comprehension of the functioning of algorithmic management systems ***in the workplace may prevent*** workers from effectively asserting their rights ***and may give them the impression of being excluded from decision-making or of losing control,*** which further reinforces the imbalance of power in favour of the employer. There is evidence that involving workers and their representatives in consultations improves both performance and working conditions⁴.

⁴ OECD 2023. https://www.oecd.org/en/publications/the-impact-of-ai-on-the-workplace-main-findings-from-the-oecd-ai-surveys-of-employers-and-workers_ea0a0fe1-en.html;
<https://www.eurofound.europa.eu/en/publications/2020/european-company-survey-2019-workplace-practices-unlocking-employee-potential>;

⁴ OECD 2023. https://www.oecd.org/en/publications/the-impact-of-ai-on-the-workplace-main-findings-from-the-oecd-ai-surveys-of-employers-and-workers_ea0a0fe1-en.html;
<https://www.eurofound.europa.eu/en/publications/2020/european-company-survey-2019-workplace-practices-unlocking-employee-potential>;

Amendment 38

Motion for a resolution

Annex I – recital 4

Motion for a resolution

Amendment

(4) ***The AI Act represents a significant step forward in regulating high-risk artificial intelligence systems, it remains nevertheless insufficient to fully address the challenges posed by algorithmic management in the workplace. Although it classifies work-related AI tools as high-risk, its primary focus is on market placement, product safety, and compliance obligations for providers and users, and not on the employer– worker relationship. Moreover, the AI Act does not apply to*** algorithmic management systems ***that are not AI-based, leaving a regulatory gap in addressing the broader impact of digital management tools on workers’ rights, working conditions, and social dialogue.***

(4) ***Regulation (EU) 2024/1689 constitutes a landmark achievement in establishing a comprehensive regulatory framework for*** artificial intelligence systems, ***including those deployed in employment contexts. It is designed as horizontally applicable legislation ensuring a high level of protection of health, safety and fundamental rights against harmful effects of AI, such as AI-based*** algorithmic management systems ***in the workplace. Certain provisions of the AI Act focus directly on the protection of*** workers’ rights, ***particularly the prohibition to infer emotions in the area of workplace and the categorisation of certain AI systems in the context of employment as high-risk AI systems, requiring additional risk management, transparency and human oversight safeguards and obligations. Further, the AI Act explicitly provides for the possibility of the Union and the Member States to put in place rules more favourable to workers.***

Amendment 39

Motion for a resolution

Annex I – recital 4 a (new)

Motion for a resolution

Amendment

(4a) While the AI Act classifies many work-related AI tools as high-risk, its primary focus is on market placement, product safety, and compliance obligations for providers and users. The AI Act does not contain specific provisions on the use of algorithmic systems from the perspective of workers or the employment relationship and it does not apply to algorithmic management systems that are not AI-based, leaving space for further analysis of a potential regulatory gap in addressing the broader impact of digital management tools on workers’ rights, working conditions, and social dialogue.

Amendment 40
Motion for a resolution
Annex I – recital 5

Motion for a resolution

Amendment

(5) Regulation (EU) 2016/679 of the European Parliament and of the Council⁵ **[General Data Protection Regulation] *dates back to 2016 and was not specifically designed to address the particular challenges of data protection in the workplace, and since then technological and workplace realities have evolved significantly, necessitating an update and reinforcement of data protection provisions*** applicable to employment, as it currently leaves room for interpretation. **Article 15(1), point (h), of Regulation (EU) 2016/679, which lays down the transparency requirements for and the limitations of data processing, only provides for clear prohibitions in the case of fully automated decision-making processes, which are therefore not sufficient in most employment-related contexts. What is more, Regulation (EU) 2016/679 adopts individualistic approach and does not grant collective rights. Since the entry into force of Regulation (EU) 2016/679, Article 88 on the protection of workers' personal data has been poorly implemented and remains largely ineffective in nearly all Member States⁶.**

(5) Regulation (EU) 2016/679 of the European Parliament and of the Council (General Data Protection Regulation) ***provides a horizontally applicable legal framework to protect the rights of individuals with regard to the processing of their personal data, including in the context of work.*** Regulation (EU) 2016/679 ***applies without prejudice to the AI Act to both AI-based algorithmic systems and systems that are not based on AI. However, to ensure that digital management systems—whether AI-based or not—are used in a way that uphold workers’ rights, dignity, and fair working conditions, there is space for analysis whether further complementary measures may need to be considered.***

⁵ 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).

⁶ Abraha H. (2023), Article 88 GDPR and the Interplay between EU and Member State Employee Data protection rules, The Modern Law Review

Motion for a resolution

Annex I – recital 5 a (new)

Motion for a resolution

Amendment

(5a) Regulation (EU) 2016/679 was adopted in a technologically neutral and future-proof manner. It applies to the processing of personal data wholly or partly by automated means and, under Chapter III, provides for important rights available to data subjects. It gives data subjects the right not to be subject to a decision based solely on automated processing including profiling, where that decision produces legal effects or similarly significantly affects them. Such processing includes algorithmic management systems in the workplace. Regulation (EU) 2016/679 adopts a rights-based approach for individuals, however, with limited provisions regarding collective rights.

Amendment 42

Motion for a resolution

Annex I – recital 5 b (new)

Motion for a resolution

Amendment

(5b) Article 22 of Regulation (EU) 2016/679 should apply to decisions concerning the initiation or termination of an employment or contractual relationship, the renewal or non-renewal of a contractual agreement, and any changes in remuneration that are taken solely on the basis of algorithmic management. Such decisions should also be subject to review and final determination by a human supervisor.

Amendment 43

Motion for a resolution

Annex I – recital 5 c (new)

Motion for a resolution

Amendment

(5c) Article 88 of Regulation (EU) 2016/679 on the protection of workers' personal data further allows Member States, by law or by collective agreements, to provide for more specific rules to ensure the protection of the rights and freedoms in respect of the processing of employees' personal data in the employment context. However, since the entry into force of Regulation (EU) 2016/679, Article 88 has not been widely used by the Member States.^{1a}

^{1a} **Abraha H. (2023), Article 88 GDPR and the Interplay between EU and Member State Employee Data protection rules, The Modern Law Review**

Amendment 44
Motion for a resolution
Annex I – recital 8

<i>Motion for a resolution</i>	<i>Amendment</i>
<p>(8) This Directive should establish common Union minimum standards for the use of algorithmic management in the workplace, ensuring increased transparency and legal certainty across Member States. By creating a level playing field for all companies, including small and medium-sized enterprises, the directive should aim to support a fair and responsible uptake of algorithmic management tools. It will furthermore enhance clarity and predictability for workers and solo self-employed persons, enriching their working experience, fostering trust in digital technologies, and helping to mitigate the potential risks associated with algorithmic decision-making in employment contexts,</p>	<p>(8) This Directive should establish common Union minimum requirements regarding transparency and human oversight, accountability, access to information as well as health and safety requirements of algorithmic management in the workplace to strengthen workers' rights and legal certainty across Member States to protect workers from excessive monitoring and support the principle of human agency and control over AI powered decisions. By creating a level playing field for all companies, including SMEs, this Directive should aim to support a fair and responsible uptake of algorithmic management tools in the workplace. It should furthermore enhance clarity and predictability for workers and solo self-employed persons, enriching their working experience, fostering trust in digital technologies, and helping to mitigate the potential risks associated with algorithmic decision-making in employment contexts,</p>

Amendment 45
Motion for a resolution
Annex 1 – Article 1 – paragraph 1

<i>Motion for a resolution</i>	<i>Amendment</i>
<p>1. This Directive lays down minimum requirements for the transparent use of algorithmic management in the workplace.</p>	<p>1. This Directive lays down minimum requirements for transparency and human oversight, accountability, access to information as well as health and safety requirements of algorithmic management systems in the workplace.</p>

Amendment 46
Motion for a resolution
Annex 1 – Article 1 – paragraph 2

<i>Motion for a resolution</i>	<i>Amendment</i>
<p>2. This Directive applies to every worker and employer in the Union as well as solo self-employed persons and the relevant procurers of services.</p>	<p>2. This Directive applies to every worker and employer in the Union as well as solo self-employed persons and the relevant procurers of services and lays down more specific rules to ensure the protection of the rights and freedoms in respect of the processing of personal data in the employment context.</p>

Amendment 47

Motion for a resolution

Annex 1 – Article 1 – paragraph 2 a (new)

Motion for a resolution	Amendment
	2a. Union law on the protection of personal data and privacy fully applies to personal data processing in this Directive, which is without prejudice to the rules laid down in Regulation (EU) 2016/679. This Directive shall not affect the competences and powers of the supervisory authorities referred to in Regulation (EU) 2016/679.

Amendment 48

Motion for a resolution

Annex 1 – Article 1 – paragraph 2 b (new)

Motion for a resolution	Amendment
	2b. This Directive is without prejudice to the rules laid down in Regulation (EU) 2024/1689. This Directive shall not affect the competences and powers of the market surveillance authorities in that Regulation.

Amendment 49

Motion for a resolution

Annex 1 – Article 2 – paragraph 1 – introductory part

Motion for a resolution	Amendment
For the purposes of the Directive, the following definitions apply:	For the purposes of this Directive, the following definitions apply:

Amendment 50

Motion for a resolution

Annex 1 – Article 2 – paragraph 1 – point 1

Motion for a resolution	Amendment
1. ‘algorithmic management’ means the use of automated systems to monitor, supervise, evaluate, or <i>make</i> or support <i>decisions—by electronic means—regarding</i> the work performance and working conditions of workers <i>including</i> systems that <i>process personal data to</i> oversee activities within the work environment, as well as <i>systems that take or support decisions significantly affecting workers or solo self-employed persons</i>, such as the <i>organisation</i> of work <i>assignments</i>, earnings, <i>safety and</i> health, working time, access to training, promotion, <i>and</i> contractual <i>status</i>;	1. ‘algorithmic management <i>in the workplace</i>’ means the use of automated systems <i>operating by electronic means</i> to monitor, supervise, evaluate, or <i>take</i> or support <i>decisions regarding</i> the work performance and working conditions of workers <i>or solo self-employed persons. This includes</i> systems that oversee activities within the work environment, as well as <i>those that influence or determine significant aspects of the working relationship</i>, such as the <i>allocation</i> of work, earnings, <i>occupational</i> health <i>and safety</i>, working time, access to training, promotion <i>opportunities, and the recruitment, continuation, or termination of a</i> contractual <i>relationship</i>;

Amendment 51

Motion for a resolution

Annex 1 – Article 3 – point 1

Motion for a resolution	Amendment
1. Member States shall ensure that employers and procurer of services provide, respectively, their workers and the solo self-employed persons with whom they have a contract, and their representatives, with information, in writing, concerning the use or planned use of systems for algorithmic management in the workplace.	1. Member States shall ensure that employers and procurers of services inform their workers and the solo self-employed persons with whom they have a contract, and their representatives in writing and in a clear and understandable manner of the use or planned use of systems for algorithmic management in the workplace in accordance with Article 12, Article 13 and Article 14 of Regulation (EU) 2016/679 and Article 50 of Regulation (EU) 2024/1689.

Amendment 52

Motion for a resolution

Annex 1 – Article 3 – point 1 a (new)

Motion for a resolution	Amendment
	1a. Member States shall ensure that employers and procurers of services using algorithmic management systems in the workplace, acting as deployers within the meaning of Article 3(4) of Regulation (EU) 2024/1689, are duly acquainted with the instructions of use, as provided under Article 13(3) of that Regulation, of each particular algorithmic management system before its deployment in the workplace, including any known or foreseeable circumstance which may lead to risks to the health and safety or fundamental rights of their workers.

Amendment 53

Motion for a resolution

Annex 1 – Article 3 – point 2 – introductory part

Motion for a resolution	Amendment
2. The information referred to in paragraph 1 shall include:	2. The information referred to in paragraph 1 shall be provided in accordance with Regulation (EU) 2016/679 and include:

Amendment 54

Motion for a resolution

Annex 1 – Article 3 – point 2 – point a

Motion for a resolution	Amendment
(a) a clear statement that algorithmic management systems are in use or intend to be introduced, including a general description of their purpose;	(a) a description of the purpose of the algorithmic management system deployed or intended to be introduced;

Amendment 55

Motion for a resolution

Annex 1 – Article 3 – point 2 – point b

Motion for a resolution	Amendment
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- | | |
|--|--|
| (b) the categories of data collected and processed by such systems in relation to the workers or solo self-employed persons, including their behaviour and performance-related data, as well as the types of actions or activities monitored; | (b) the behaviour and performance-related data of workers and solo-self employed persons , as well as the types of actions or activities monitored; |
|--|--|

Amendment 56

Motion for a resolution

Annex 1 – Article 3 – point 2 – point c

- | Motion for a resolution | Amendment |
|---|---|
| (c) a clear indication of whether the data collected is used to carry out automated decision-making, and, where applicable, a description of the nature and scope of such decisions. | (c) the categories of decisions that are being taken or supported by algorithmic management systems and a description of the nature and scope of such decisions. |

Amendment 57

Motion for a resolution

Annex 1 – Article 3 – point 3 – introductory part

- | Motion for a resolution | Amendment |
|--|--|
| 3. The information referred to in paragraph 1 shall be provided at the following times: | 3. The information referred to in paragraph 1 shall be provided at the request of the worker or solo self-employed person and, in any event, at the beginning of the recruitment or selection procedure or on the first day of work in the case of solo self-employed workers. In addition, the information shall be provided before the introduction of changes in accordance with Article 4(1). |

Amendment 58

Motion for a resolution

Annex 1 – Article 3 – point 3 – point a

- | Motion for a resolution | Amendment |
|--|----------------|
| (a) on or before the first working day to workers and on the first day of the contract to the solo self-employed persons; | deleted |

Amendment 59

Motion for a resolution

Annex 1 – Article 3 – point 3 – point b

- | Motion for a resolution | Amendment |
|---|----------------|
| (b) before the introduction of changes substantially affecting working conditions, the organisation of work or monitoring and evaluating work performance; | deleted |

Amendment 60

Motion for a resolution

Annex 1 – Article 3 – point 3 – point c

- | Motion for a resolution | Amendment |
|--|----------------|
| (c) at any time upon their request. | deleted |

Amendment 61

Motion for a resolution

Annex 1 – Article 3 – point 4 – paragraph 1

Motion for a resolution	Amendment
The information referred to in paragraph 1 shall be provided in a clear and easily understandable manner. Member States shall ensure that employers and procurer of services provide the information in a manner that is adapted to the level of digital literacy reasonably expected of the workers or solo self-employed persons to understand, and that it avoids the use of unnecessarily technical or complex language.	The information referred to in paragraph 1 shall be provided in accordance with Article 12 of Regulation (EU) 2016/679 in a manner that is adapted to the level of digital literacy reasonably expected of the workers or solo self-employed persons and avoiding the use of unnecessarily technical or complex language. When providing the information, employers and procurers of services shall take into account vulnerable persons, such as persons with disabilities or persons who cannot read and shall adapt the manner in which the information is provided, where necessary.

Amendment 62

Motion for a resolution

Annex 1 – Article 3 – point 4 – paragraph 2

Motion for a resolution	Amendment
Member States shall ensure that the information referred to in paragraph 1 is provided in formats accessible to people with disabilities.	deleted

Amendment 63

Motion for a resolution

Annex 1 – Article 3 – point 5

Motion for a resolution	Amendment
5. The provision of information pursuant to this Article shall be limited to what is strictly necessary for the worker or solo self-employed person to carry out their work, to understand how algorithmic systems influence decisions affecting them, and to exercise their rights.	deleted

Amendment 64

Motion for a resolution

Annex 1 – Article 4 – point 1

Motion for a resolution	Amendment
1. Member States shall ensure that the deployment of new systems of algorithmic management, or such updates to existing systems, which directly affect workers' remuneration, working arrangements, 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.	1. Member States shall ensure that the deployment of new systems of algorithmic management in the workplace , or updates to existing systems, which directly affect workers' and solo self-employed persons' remuneration, working arrangements, or working time, are deemed to be decisions likely to lead to substantial changes in the 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.

Amendment 65

Motion for a resolution

Annex 1 – Article 4 – point 2 – point a

Motion for a resolution	Amendment
(a) the objectives behind the deployment or update and the work processes and the workers affected;	(a) the objectives behind the deployment or update of the algorithmic management system , the work processes and the workers and solo self-employed persons affected by the system ;

Amendment 66

Motion for a resolution

Annex 1 – Article 4 – point 2 – point c

Motion for a resolution	Amendment
(c) effects on occupational health and safety;	(c) effects of the algorithmic management system on occupational health and safety;

Amendment 67

Motion for a resolution

Annex 1 – Article 4 – point 2 – point d

Motion for a resolution	Amendment
(d) types of data collected;	(d) the types of data collected by the algorithmic management system ;

Amendment 68

Motion for a resolution

Annex 1 – Article 4 – point 2 – point d a (new)

Motion for a resolution	Amendment
	(da) relevant documentation in accordance with Article 11 of Regulation (EU) 2024/1689 for high-risk AI systems deployed or used at the workplace.

Amendment 69

Motion for a resolution

Annex 1 – Article 4 – point 2 – point e

Motion for a resolution	Amendment
(e) measures in place to detect and mitigate bias or discriminatory outcome;	deleted

Amendment 70

Motion for a resolution

Annex 1 – Article 5 – point 1 – introductory part

Motion for a resolution	Amendment
1. Member States shall ensure that employers and procurer of services are prohibited from processing personal data concerning:	1. Member States shall ensure that employers and procurers of services shall not process any personal data by means of algorithmic management systems in the workplace concerning:

Amendment 71

Motion for a resolution

Annex 1 – Article 5 – point 1 – point a

Motion for a resolution	Amendment
(a) the emotional or psychological state of workers or solo self-employed persons;	(a) the emotional or psychological state of workers or solo self-employed persons <i>in accordance with the prohibition to infer emotions of a natural person in the areas of workplace as established by Article 5(1)(f) of Regulation (EU) 2024/1689;</i>

Amendment 72

Motion for a resolution

Annex 1 – Article 5 – point 1 – point c

Motion for a resolution	Amendment
(c) private conversations;	(c) private conversations, <i>including electronic communications and conversations with other workers and workers’ representatives, except where such processing is lawful in accordance with Article 6(1)(c) or (d) of Regulation (EU) 2016/679;</i>

Amendment 73

Motion for a resolution

Annex 1 – Article 5 – point 1 – point f

Motion for a resolution	Amendment
(f) <i>inferences of the racial or ethnic origin, migration status, political opinions, religious or philosophical beliefs, disability, state of health, trade union membership or sexual orientation.</i>	(f) <i>special categories of personal data in accordance with Article 9 of Regulation (EU) 2016/679.</i>

Amendment 74

Motion for a resolution

Annex 1 – Article 6 – point 1

Motion for a resolution	Amendment
1. Member States shall ensure that employers and procurer of services maintain effective human oversight at all times over all algorithmic management systems deployed in the workplace. Member States shall also ensure that employers and <i>procurer</i> of services designate, and inform workers, solo self-employed persons, and their representatives, <i>thereof, the</i> entity responsible for monitoring the functioning and impact of such systems, including the compliance of such systems with the applicable legal, health and safety and ethical standards, as well as for reviewing their decisions.	1. <i>With regard to algorithmic management systems in the workplace which are not covered by Regulation (EU) 2024/1689,</i> Member States shall ensure that employers and <i>procurers</i> of services maintain effective human oversight at all times over all algorithmic management systems deployed in the workplace. Member States shall also ensure that employers and <i>procurers</i> of services designate, and inform workers, solo self-employed persons, and their representatives <i>of the person or</i> entity responsible for monitoring the functioning and impact of such systems, including the compliance of such systems with the applicable legal, health and safety and ethical standards, as well as for reviewing their decisions.

Amendment 75

Motion for a resolution

Annex 1 – Article 6 – point 1 a (new)

Motion for a resolution

Amendment

1a. Member States shall ensure that measures remain proportionate and accessible, avoiding excessive internal administrative burden and disproportionate reporting obligations on employers.

Amendment 76

Motion for a resolution

Annex 1 – Article 6 – point 1 b (new)

Motion for a resolution

Amendment

1b. Member States shall ensure that employers and procurers of services that deploy algorithmic management in the workplace inform their workers about their right to contest a decision based on individual automated decision-making and profiling pursuant to Article 22 of Regulation (EU) 2016/679, and the right to explanation of individual decision-making under Article 86 of Regulation (EU) 2024/1689.

Amendment 77

Motion for a resolution

Annex 1 – Article 6 – point 2 – paragraph 1

Motion for a resolution

Amendment

Member States shall ensure that workers and solo self-employed persons, upon request, have the right to obtain from the employer or the procurer of services , an oral or written explanation regarding any decision affecting the essential aspects of their employment or contractual relationship, 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.

Without prejudice to Article 15 of Regulation (EU) 2016/679 or Articles 26(7) and 86 of Regulation (EU) 2024/1689, Member States shall, *also in cases where these Regulations do not apply*, ensure that workers and solo self-employed persons, upon request, have the right to obtain from the employer or the procurer of services , an oral or written explanation regarding any decision affecting the essential aspects of their employment or contractual relationship, 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.

Amendment 78

Motion for a resolution

Annex 1 – Article 6 – point 2 – paragraph 2

Motion for a resolution

Amendment

The explanation referred to in paragraph 1 shall be provided within a reasonable time and in a format that is accessible and comprehensible to the worker or solo self-employed person concerned.

The explanation referred to in paragraph 1 **and 1b** shall be provided within a reasonable time and in a format that is accessible and comprehensible to the worker or solo self-employed person concerned.

Amendment 79

Motion for a resolution

Annex 1 – Article 6 – point 3

Motion for a resolution	Amendment
<p>3. Member States shall ensure that decisions concerning the initiation or termination of an employment or contractual relationship, the renewal or non-renewal of a contractual agreement, and any changes in remuneration are not taken solely on the basis of algorithmic management. Such decisions shall also be subject to review and final determination by a human supervisor.</p>	<p>deleted</p>

Amendment 80
Motion for a resolution
Annex 1 – Article 6 – point 4

Motion for a resolution	Amendment
<p>4. Member States shall ensure that the representatives of workers and of solo self-employed persons may request the employer or procurer of services 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 or faults or pose a threat to the mental or physical well-being of workers or solo self-employed persons or to health and safety at the workplace.</p>	<p>4. With regard to the algorithmic management systems referred to in paragraph 1, Member States shall ensure that the representatives of workers and of solo self-employed persons may request the employer or procurer of services to trigger a review of the functioning of the algorithmic management systems in the workplace in case there is a justified concern that such systems exhibit systemic biases or faults or pose a threat to the mental or physical well-being of workers or solo self-employed persons or to health and safety at the workplace. Member States shall ensure that the review does not result in the identification of any data subject, unless such identification is expressly requested by the worker or solo self-employed person concerned, who is the data subject. Any processing of personal data during such review shall comply with Regulation (EU) 2016/679.</p>

Amendment 81
Motion for a resolution
Annex 1 – Article 7 – point 1 – point a

Motion for a resolution	Amendment
<p>(a) evaluate the risks of algorithmic management system to their safety and health, in particular as regards possible risks of work-related accidents, psychosocial and ergonomic risks as well as undue pressure put on workers;</p>	<p>(a) evaluate the risks of algorithmic management systems, on the basis of the instructions of use available to the employer or procurer of services acting as a deployer in accordance with Regulation (EU) 2024/1689, regarding their risk on safety and health, in particular as regards possible risks of work-related accidents, psychosocial and ergonomic risks as well as undue pressure put on workers;</p>

Amendment 82
Motion for a resolution
Annex 1 – Article 7 – point 1 – point c

Motion for a resolution	Amendment
(c) introduce appropriate preventive and protective measures.	(c) introduce appropriate preventive and, based on the risk identified following the evaluation and assessment pursuant to points (a) and (b), appropriate mitigating measures.

Amendment 83

Motion for a resolution

Annex 1 – Article 8 – point 1 a (new)

Motion for a resolution	Amendment
	1a. The authorities responsible for monitoring and enforcing the application of Regulation (EU) 2016/679 and of Regulation (EU) 2024/1689, each acting within the scope of their respective competence, shall cooperate with each other and with the authorities competent to enforce the application of this Directive mentioned in paragraph 2. Without prejudice to Articles 79 and 82 of Regulation (EU) 2016/679, Member States shall ensure the right to redress of workers or solo self-employed persons.

Amendment 84

Motion for a resolution

Annex 1 – Article 8 – point 2 – point b

Motion for a resolution	Amendment
(b) the absence of bias and discrimination in the design, deployment or functioning of such systems;	(b) the absence of bias and discrimination in the design, deployment or functioning of such systems, in particular possible impacts on vulnerable groups ;

ANNEX: DECLARATION OF INPUT

The rapporteur for opinion declares under her exclusive responsibility that she did not include in her opinion input from interest representatives falling within the scope of the Interinstitutional Agreement on a mandatory transparency register^[38] , or from representatives of public authorities of third countries, including their diplomatic missions and embassies, to be listed in this Annex pursuant to Article 8 of Annex I to the Rules of Procedure.

INFORMATION ON ADOPTION BY THE COMMITTEE ASKED FOR OPINION

Date adopted	23.9.2025	
Result of final vote	+:	55
	–:	8
	0:	3

Members present for the final vote	Magdalena Adamowicz, Abir Al-Sahlani, Giuseppe Antoci, Jaume Asens Llodrà, Fernando Barrena Arza, Nikola Bartůšek, Ioan-Rareș Bogdan, Krzysztof Brejza, Saskia Bricmont, Jorge Buxadé Villalba, Jaroslav Bžoch, Caterina Chinnici, Veronika Cifrová Ostrihoňová, Alessandro Ciriani, Paulo Cunha, Lena Düpont, Marieke Ehlers, Raquel García Hermida-Van Der Walle, Branko Grims, Evin Incir, Irena Joveva, Erik Kaliňák, Marina Kaljurand, Mariusz Kamiński, Fabienne Keller, Moritz Körner, Alice Kuhnke, András László, Fabrice Leggeri, Jeroen Lenaers, Juan Fernando López Aguilar, Erik Marquardt, Michael McNamara, Nadine Morano, Matjaž Nemec, Ana Miguel Pedro, Emil Radev, Ilaria Salis, Birgit Sippel, Petra Steger, Cecilia Strada, Tineke Strik, Georgiana Teodorescu, Alice Teodorescu Măwe, Tomas Tobé, Tom Vandendriessche, Charlie Weimers, Ewa Zajączkowska-Hernik, Alessandro Zan, Javier Zarzalejos, Tomáš Zdechovský
Substitutes present for the final vote	Alex Agius Saliba, Konstantinos Arvanitis, Fredis Beleris, David Casa, Monika Hohlmeier, Nikola Minchev, Javier Moreno Sánchez, Leoluca Orlando, Gaetano Pedulla', Pekka Toveri, Maciej Wąsik
Members under Rule 216(7) present for the final vote	Isilda Gomes, Joanna Scheuring-Wielgus, Marion Walsmann, Kosma Złotowski

FINAL VOTE BY ROLL CALL
BY THE COMMITTEE ASKED FOR OPINION

55	+
ECR	Alessandro Ciriani, Mariusz Kamiński, Georgiana Teodorescu, Maciej Wąsik, Kosma Złotowski
NI	Erik Kaliňák
PPE	Magdalena Adamowicz, Fredis Beleris, Krzysztof Brejza, David Casa, Caterina Chinnici, Paulo Cunha, Lena Düpont, Branko Grims, Jeroen Lenaers, Nadine Morano, Ana Miguel Pedro, Emil Radev, Pekka Toveri, Marion Walsmann, Javier Zarzalejos, Tomáš Zdechovský
PfE	Nikola Bartůšek, Jorge Buxadé Villalba, Jaroslav Bžoch, Marieke Ehlers, András László, Fabrice Leggeri, Petra Steger, Tom Vandendriessche
Renew	Abir Al-Sahlani, Veronika Cifrová Ostrihoňová, Raquel García Hermida-Van Der Walle, Irena Joveva, Fabienne Keller, Moritz Körner, Michael McNamara, Nikola Minchev
S&D	Alex Agius Saliba, Isilda Gomes, Evin Incir, Marina Kaljurand, Juan Fernando López Aguilar, Javier Moreno Sánchez, Matjaž Nemec, Joanna Scheuring-Wielgus, Birgit Sippel, Cecilia Strada, Alessandro Zan
Verts/ALE	Jaume Asens Llodrà, Saskia Bricmont, Alice Kuhnke, Erik Marquardt, Leoluca Orlando, Tineke Strik

8	-
ECR	Charlie Weimers
PPE	Ioan-Rareș Bogdan, Monika Hohlmeier, Alice Teodorescu Măwe, Tomas Tobé
The Left	Konstantinos Arvanitis, Fernando Barrena Arza, Ilaria Salis

3	0
ESN	Ewa Zajączkowska-Hernik
The Left	Giuseppe Antoci, Gaetano Pedulla'

Key to symbols:
+ : in favour
- : against
0 : abstention

INFORMATION ON ADOPTION IN COMMITTEE RESPONSIBLE

Date adopted	11.11.2025
Result of final vote	<div><div>+</div><div>41</div></div> <div><div>–</div><div>6</div></div> <div><div>0</div><div>4</div></div>
Members present for the final vote	Maravillas Abadía Jover, Li Andersson, Marc Angel, Pascal Arimont, Nikola Bartůšek, Gabriele Bischoff, Vilija Blinkevičiūtė, Andrzej Buła, David Casa, Estelle Ceulemans, Leila Chaibi, Henrik Dahl, Johan Danielsson, Gheorghe Falcă, Niels Geuking, Isilda Gomes, Sérgio Humberto, Irena Joveva, Katrin Langensiepen, Miriam Lexmann, Marit Maij, Marlena Małąg, Jagna Marczałajtis-Walczak, Idoia Mendia, João Oliveira, Branislav Ondruš, Dennis Radtke, Nela Riehl, Liesbet Sommen, Villy Søvndal, Pál Szekeres, Georgiana Teodorescu, Romana Tomc, Jana Toom, Francesco Torselli, Brigitte van den Berg, Petar Volgin, Jan-Peter Warnke
Substitutes present for the final vote	Vivien Costanzo, Valérie Devaux, Arba Kokalari, Lara Magoni, Giusi Princi, Evelyn Regner, Cecilia Strada, Kim Van Sparrentak, Kosma Złotowski
Members under Rule 216(7) present for the final vote	Damien Carême, Elisabeth Grossmann, Nikola Minchev, Arash Saeidi, Isabel Wiseler-Lima

FINAL VOTE BY ROLL CALL BY THE COMMITTEE RESPONSIBLE

41	+
ECR	Lara Magoni, Marlena Małąg, Kosma Złotowski
NI	Branislav Ondruš, Jan-Peter Warnke
PPE	Pascal Arimont, Andrzej Buła, David Casa, Gheorghe Falcă, Niels Geuking, Sérgio Humberto, Jagna Marczałajtis-Walczak, Giusi Princi, Dennis Radtke, Liesbet Sommen, Isabel Wiseler-Lima
Renew	Valérie Devaux, Irena Joveva, Nikola Minchev, Jana Toom, Brigitte van den Berg
S&D	Marc Angel, Gabriele Bischoff, Vilija Blinkevičiūtė, Estelle Ceulemans, Vivien Costanzo, Johan Danielsson, Isilda Gomes, Elisabeth Grossmann, Marit Maij, Idoia Mendia, Evelyn Regner, Cecilia Strada
The Left	Li Andersson, Damien Carême, Leila Chaibi, Arash Saeidi
Verts/ALE	Katrin Langensiepen, Nela Riehl, Villy Søvndal, Kim Van Sparrentak

6	-
PPE	Maravillas Abadía Jover, Henrik Dahl, Arba Kokalari, Miriam Lexmann, Romana Tomc
PfE	Pál Szekeres

4	0
ECR	Georgiana Teodorescu

ESN	Petar Volgin
PfE	Nikola Bartůšek
The Left	João Oliveira

Key to symbols:

- + : in favour
- : against
- 0 : abstention

[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] <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32003L0088>

[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, pp. 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).

[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 (Text with EEA relevance) (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) (Text with EEA relevance) PE/24/2024/REV/1 (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).

[10] [https://www.europarl.europa.eu/RegData/etudes/STUD/2025/774670/EPRS_STU\(2025\)774670_EN.pdf](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>

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

[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>

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

[23] 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

[24] 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>)

[25] 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).

[26] 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).

[27] 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, , p. 28).

[28] 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>).

[29] Interinstitutional Agreement of 20 May 2021 between the European Parliament, the Council of the European Union and the European Commission on a mandatory transparency register (OJ L 207, 11.6.2021, p. 1, ELI: http://data.europa.eu/eli/agree_interinstit/2021/611/oj).

[30] Opinion 2/00 ("Cartagena Protocol"), ECLI:EU:C:2001:664, point 5.

[31] Case C-300/89, Commission v Council ("Titanium dioxide"), ECLI:EU:C:1991:244, point 10.

[32] Case C-137/12, Commission v Council, ECLI:EU:C:2013:675, point 53 and case-law cited.

[33] Case C-300/89, points 13 and 17; Case C-42/97, Parliament v Council, ECLI:EU:C:1999:81, point 38; Opinion 2/00, point 23; Case C-94/03, Commission v Council ("Rotterdam Convention"), ECLI:EU:C:2006:2 and Case C-178/03, Commission v Parliament and Council, ECLI:EU:C:2006:4, points 36 and 43.

[34] Case C-300/89, points 17-25; Case C-268/94 Portugal v Council, ECLI:EU:C:1996:461.

[35] Directive (EU) 2024/2831 of the European Parliament and of the Council of 23 October 2024 on improving working conditions in platform work.

[36] See Recital 54.

[37] The following were present for the final vote: Ilhan Kyuchyuk (Chair), Marion Walsmann (Vice-Chair), Mario Mantovani (Vice-Chair), Lara Wolters (Vice-Chair), Maravillas Abadía Jover, Pascal Canfin, José Cepeda, Ton Diepeveen, Mario Furore, Mary Khan, Sergey Lagodinsky, Ilia Lazarov (for Emil Radev pursuant to Rule 216(7)), Lukas Mandl, Arkadiusz Mularczyk, Piera Pascale, Kira Marie Peter-Hansen, Gheorghe Piperea, René Repasi, Krzysztof Śmiszek, Adrián Vázquez Lázara, Axel Voss, Michał Wawrykiewicz, Dainius Žalimas, Alessandro Zan.

[38] Interinstitutional Agreement of 20 May 2021 between the European Parliament, the Council of the European Union and the European Commission on a mandatory transparency register (OJ L 207, 11.6.2021, p. 1, ELI: http://data.europa.eu/eli/agree_interinstit/2021/611/oj).