

1. Maintain a public register of the algorithms used to manage workers

The register must include all algorithms that make management decisions that affect workplace rights and conditions. It is key to addressing the information imbalance of algorithmic management by allowing workers (and candidates) and their representatives to understand what algorithms are being used and how they work.

In order to do this, the register must be in accessible non-technical language and kept up to date. It must include a list of all algorithms that affect workers' treatment while at work. A variety of ways of communicating this information would be valuable. For example, flow charts, FAQs, or short form videos that accompany textual explanations may help everyone to understand how the algorithm operates.

A variety of ways of communicating this information would be valuable. For example, flow charts, FAQs, or short form videos that accompany textual explanations may help everyone to understand how the algorithm operates. For each listed algorithm, the following information must be included:

① 1.1 The purpose and design of the algorithm

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A short (two or three sentence) description to explain what purpose(s) the company uses the algorithm for and why it has been preferred to other options.

An overview of the algorithm's should also be given: including what sort of management decisions are made by the algorithm (and whether they are advisory or decisive); whether the algorithm relies on neural networks, machine learning, probabilistic functions or other type of logic; what training data was used; and under what circumstances the algorithm is not deployed or has a failsafe.

① 1.2 The relative importance of the algorithm's inputs and parameters

X

The register must explain, in an accessible and non-technical way, what data and ratings it uses to reach decision. This means providing an easy way to understand how important different inputs and parameters are to different decisions. This could be done in various ways: from a simple rating of 'high/medium/low importance', to giving more specific and granular detail of the weighting each input or parameter has.

As well as explaining how important different parameters and inputs are, it should also explain the source of inputs (are they from the app, from customers, from the web, inferred, how long ago, while at work, from data brokers, etc). Where decisions are based on personal data or behaviour, this should be clear.

The register should also confirm that the algorithm uses only data that is strictly necessary for the purposes of the algorithm, and does not use any sensitive personal data, emotion recognition, data collected while not at work etc. It is possible that AI algorithms will use parameters that are hard to give real-world human descriptions for.

In such cases, the company must state this and instead thoroughly explain how the tool has been built, and how they monitor and audit its outputs to ensure that they do not result in bias or discrimination. Examples (or statistics) comparing different, but similar, inputs with differing outputs may also be needed to explain which sorts of inputs tend to lead to which sorts of outputs.

① 1.3 Human intervention

X

Where algorithms are used to make decisions in the workplace, there should always be a human either checking, and/or able to review, any decisions. The register must specify what level of decision-making authority oversight teams have, and the training that decision-makers have received particularly in respect of the design and potential impacts of the algorithm. The register should also provide some operational information about how much staff capacity (in FTE) is dedicated to human review and how long a review is expected to take.

① 1.4 Development history, updates, and impact assessments

X

The company should also state where responsibilities for the development and updating of the algorithm lie, especially where an external supplier has been involved. This does not require identifying individuals, but rather relevant teams/departments/organisations and the nature of their different responsibilities. A log of updates should also be listed.

The register should also specify what if any consultation has taken place between the company and workers and their representatives with respect to the design or revision of the algorithm. Any impact assessments of algorithmic systems (including Data Protection Impact Assessments and/or Algorithmic Impact Assessments) should be published either in redacted form or in full. And where there are redactions these must be justified. When made public impact assessments should incorporate process transparency so that changes over time are documented and explained.

Examples

The below examples (and the subsequent ones accompanying each of the overarching demands) are without prejudice to our position that workers should not be forced to provide access to sensitive data, including for example biometric information, while at work, without due safeguards; and that they should not be subject to decision-making by opaque algorithms that impacts on their working conditions, in particular with respect to decisions concerning suspension and termination.

This is why we have called for strong international regulation that safeguards against these practices, including most recently as part of the ILO's proposed new standard on decent platform work.



Case Scenario 1 Worker identification system

Purpose

Ensure the person logged in and using the service to work is the person registered for this account.

This system aims to confirm the account is used by the registered worker and not used by a different person. This was the preferred solution to keep costs manageable given the high number and high turnaround of workers using the platform.

A third party service was selected to avoid developing an in-house solution which would have to reach a high standard with regard to potential bias and false positives.

Design

Deterministic system relying on a third party facial recognition service. This system captures photos of the users' face and match it against previously stored photos of the account owner.

Parameters and importance

- Biometrics data captured in the photo
- metadata including device used to capture the photo, time, date
- previously recorded account information such as ID, previously captured photos

Human Intervention: 5 members of staff trained to review appeal by workers.

Teams involved and means of contact:

- In house Customer Identification team
- RH
- Third party FRT team
- Data Protection team

Human Intervention

5 members of staff trained to review appeal by workers.
Teams involved and means of contact:

First deployed:

01/03/2022

Last major update:

24/07/2023

Impact assessment:

Completed on 15/02/2022

Engagement with workers and workers representative:

None

Case Scenario 2 Work/contract termination

Purpose

Terminate a workers' contract following the satisfaction of a number of criteria. The aim of this system is to identify accounts that do not match the standards set by the company and should have their account terminated.

Design

Deterministic system that monitors reviews, reports and other parameters to automatically flag workers who reach a defined threshold

Parameters and importance

- Number and quality of reports from clients having interacted with the worker - High
- Feedback from clients having interacted with the worker - High
- Number of hours active on the platform - medium
- Number of jobs performed by the worker - medium
- Geolocation data - low

Teams involved and means of contact:

- Engineering team
- RH team
- Data Protection team

Human Intervention

High, a human will always review the decision taken by the algorithm and make the final decision based on both the information provided by the system and its own interpretation of the data that triggered the decision to flag a worker.

First deployed:

25/10/2023

Last major update:

14/11/2023

Impact assessment:

Completed on 01/02/2022

Engagement with workers and workers representative:

Yes. Met with Union 1 between November and December 2021. Circulated survey to workers during November and December 2021.

Staff allocated:

10 people with specific training

Decision overrun by human review:

10% from 2021 to 2024