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Oral report by the Chairperson on the work of the High-Level Section

1. A High-Level Section of the Governing Body was convened in the Working Party on the Social Dimension of Globalization on the morning of Monday, 11 March 2024 to discuss the challenges and opportunities of digitalization, including artificial intelligence (AI) and algorithmic management for the world of work. I chaired the meeting. Ms Renate Hornung-Draus, Employer Vice-Chairperson of the Governing Body and Mr Plamen Dimitrov, Worker spokesperson, spoke for their groups. A number of governments took the floor, speaking either individually or on behalf of a group of governments. The Office prepared the background paper to inform the High-Level Section, Challenges and opportunities of digitalization. [1]

2. The Working Party met as a Committee of the Whole. This format permitted the participation of the following invited experts: Mr Amandeep Singh Gill, UN Secretary-General's Envoy on Technology; Ms Ifeoma Ajunwa, Professor of Law, Emory University School of Law; Mr Jeremias Adams-Prassl, Professor of Law, University of Oxford; Ms Natasha Crampton, Chief Responsible AI Officer, Microsoft; Mr Duncan Crabtree-Ireland, Executive Director and Chief Negotiator, Screen Actors Guild – American Federation of Television and Radio Artists (SAG-AFTRA); and Ms Lane Dilg, Head of Strategic Partnerships and Global Affairs, OpenAI. The six experts responded to two rounds of questions from participants.

3. In this summary report, I highlight the main issues raised during the rich discussion. There was no point for decision and these points do not necessarily represent a consensus; however, there was convergence on many points.

[1] GB.350/HL/1(Rev.1).

4. Several speakers and constituents alike spoke of the opportunities to harness new technologies for decent work, as well as the Sustainable Development Goals, including Goal 8. However, appropriate safeguards and "guardrails" needed to be put in place to govern AI. It would require both the development of appropriate governance mechanisms and regulations at the international, national and workplace level, as well as the application of existing norms and regulatory instruments. Many speakers stressed that such safeguards would not stifle innovation, but rather ensure a human-centred adoption of technology. A recurring theme was that AI systems are built by people, for people. It is people who make decisions on the use and application of these systems. A human-centred approach can ensure that we are on the right path for the effective governance of these systems.

5. Constituents from the three groups emphasized the role of the tripartite constituents and social dialogue in addressing the challenges presented by AI. Employers' and workers' organizations had a critical role to play in representing those most directly affected by technology – from micro, small and medium-sized enterprises to platform workers. Constituents and speakers noted that the complexity and far reach of AI systems also required partnerships and broader participation, including from academia, civil society organizations, and the technology sector, who could complement the unique role that employers' and workers' organizations play.

6. In the ensuing discussion, many spoke of the importance of consultation between managers and workers in technology development processes. Robust social dialogue is needed during all stages of the technology design process, from development to deployment.

7. Speakers mentioned the need for enduring values of fairness, accountability and transparency to be incorporated into the development of new technologies. There are choices to be made at the point of deployment. They emphasized the need for workplace culture that promotes responsible innovation. This means determining appropriate AI use cases, that can support productivity improvements while reducing some of the drudgery in day-to-day work.

8. A number of speakers and constituents pointed to the continued relevance of existing norms and regulations to address the risks of AI, specifically with respect to data protection and fundamental rights, such as the right to association, anti-discrimination, and safety and health at work. At the same time, there is a need to identify regulatory gaps, at both the international and national level, particularly in respect of algorithmic management. A number of stark examples were given of algorithmic bias, for example in screening of gaps in experience and subsequent discrimination against women. The establishment of audits for recruitment systems could help to ensure that these are not discriminatory, since the risk of a loss of human agency is especially high when it comes to recruitment as well as dismissal. At the workplace, managers and workers need agency to control or override the decisions of automatic systems. Broader AI regulation can draw lessons from the world of work, because the world of work has always been about balancing power and putting clear bounds on it.

9. Several speakers emphasized the role of collective bargaining in addressing challenges associated with AI in the workplace. Collective bargaining offers a form of responsive regulation and a means to respond quickly and responsively to the specific needs of a sector, occupation, or enterprise. It could be a particularly effective way to establish mutually agreeable concepts and guardrails in the implementation and use of AI while the public policy setting process is still in progress. In the creative performance industry, collective bargaining has been used to establish informed consent over the use of one's image or likeness and fair compensation for use. The effectiveness of collective bargaining depends on freedom of association and the capacity of workers' organizations to represent workers on these issues.

10. Some noted the importance of building the capacity of workers' organizations on these issues. Some also spoke of the need to support workers' organizations to access and use the data generated by workers, such as when engaging in social dialogue on standards that would prohibit the use of certain variables in hiring. Others spoke of the importance of the representation of small and under-resourced businesses in policy discussions and of their training in the use of AI systems, so that they, too, can harness the powerful tools to enhance their own capabilities.

11. Digitalization and AI have the potential to increase productivity, create job opportunities, provide opportunities for reskilling, improve working conditions and support the integration of people with disabilities and other vulnerable groups. Speakers also noted the challenges, including job loss, particularly among knowledge workers in the Global North, and the risk that productivity gains would not be shared fairly across regions and by women and men. AI would likely bring about significant changes in work organization, employment structure and the nature of jobs themselves, which could have a negative impact on job quality, including wages. A mix of policies may be needed, including industrial and green policies, aimed at promoting employment, supporting workers through the digital transition and improving the quality of work.

12. Several governments and other speakers highlighted the need to address the digital divide so that all countries can benefit from AI. At present, 2.6 billion people are offline around the world. At its most basic, bridging this gap requires the provision of continuous electricity, internet connectivity that is reliable and affordable, and universal digital literacy. Promising initiatives are under way creating shared infrastructure for AI research and development.

13. The potential of digitalization and AI cannot be realized without the necessary skills. Many countries suffer from low levels of digital literacy and lack access to training. These deficits are compounded by the rapid advances in technology that are changing occupational profiles. In Africa alone, the International Telecommunication Union Secretary-General who provided a video message informed the High-Level Section that about 230 million jobs will require some level of digital skills by 2030. To bridge the skills divide, we need a strategy that gives priority to universal digital literacy. Digital training solutions to upskill and reskill workers are needed to help workers to transition to new tasks and jobs. Strategies are being adopted in some countries to publish research on skills needs so that skills policies could be designed to meet these needs. This includes partnerships between governments, training providers and social partners.

14. The international role of the ILO is essential, since digital technologies make some forms of work borderless. Some speakers noted that the benefits of this work, such as data annotation for the training of AI systems, are accrued in the Global North. Cross-border work raises new challenges, such as how to ensure payments into social protection and tax systems, and access to dispute resolution mechanisms. Some panellists highlighted the need for inter-governmental and tripartite action to promulgate standards that can apply in a cross-border and international way. Many constituents highlighted the 2025–26 standard-setting item on decent work in the platform economy at the International Labour Conference.

15. In his closing remarks, the Director-General of the ILO highlighted the ILO's studies showing the potentially significant impact of generative AI on both the automation and transformation of workplaces, including the greater risks that negative impacts would affect women more than men and of developing countries not sharing fairly in the anticipated productivity gains. Social dialogue and collective bargaining had a key role to play in ensuring a positive impact from digitalization. The Director-General spoke of efforts to position the ILO as the leading

international hub for research, policy analysis and dialogue on AI and digitalization in the world of work. The Office is developing an ILO observatory on AI and work in the digital economy and will convene a cross-departmental task force to support its efforts to chart a path towards an inclusive and just digital future.