



# SUPPORT Memorandum

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## **PROTECT WORKERS FROM ARTIFICIAL INTELLIGENCE EMPLOYMENT DECISIONS: PASS THE BOSSWARE AND OPPRESSIVE (“BOT”) ACT**

### **S7623A Hoylman-Sigal/A9315A Alvarez**

The New York State AFL-CIO, representing 2.5 million union members, retirees, and their families support the above-referenced legislation.

This legislation would protect workers from employment decisions made by artificial intelligence (AI) by applying commonsense regulations on the use of automated employment decision tools. While artificial intelligence can be a useful tool, it has flaws and issues related to transparency, personal privacy, independent oversight, and fairness.

This bill would establish regulations to include notice to workers about the use of AI decision-making tools, a requirement that such tools have meaningful human oversight and that such tools be continuously monitored and assessed to prevent bias or discrimination in outcomes. The bill would also regulate electronic data collection, require notice to workers about the use of electronic data collection, and provide workers access to the data collected. Additionally, workers would be protected from retaliation for exercising their rights and have a civil right of action if those rights are violated. The bill would also impose civil penalties for violations.

The use of AI by employers to monitor, hire, assign work, evaluate work, discipline workers, and collect worker data has proliferated in recent years. Meanwhile, there has been little to no regulation of the use of AI in the workplace. This bill is necessary to protect workers from bias and exploitation and to ensure that they understand how AI and electronic data collection are being used in their workplaces.

Therefore, this Federation urges this bill be passed.

For further information contact the Legislative Department at 518-436-8516.