

Testimony of Tanya L. Goldman

U.S. House of Representatives Education and Workforce Committee  
HELP Subcommittee Hearing on  
“Building an AI-Ready America: Adopting AI at Work”

February 3, 2026

Thank you, Chairman Allen, Ranking Member DeSaulnier, and members of the Health, Employment, Labor, and Pensions Subcommittee, for the opportunity to testify on the impacts of artificial intelligence (AI) for workers and implications for their rights and safety. I have over a decade of experience in senior positions within the federal government’s worker protection agencies, including the U.S. Department of Labor (DOL) and the U.S. Equal Employment Opportunity Commission (EEOC). During my time in the Biden-Harris Administration, I advised on the creation of the Blueprint for an AI Bill of Rights, principles to guide the design, use, and deployment of AI, as well as the publication of rules and guidance to support employers and workers with the use of AI in the workplace. I am currently a fellow with Workshop, an organization that leverages policy expertise and partnerships across government, advocates, and organizers to advance policies that protect and expand workers’ rights.

Employers are increasingly introducing and using AI and digital technologies in the workplace. When deployed with the appropriate safeguards, these technologies can increase efficiency and productivity and even help make work safer, for instance, by monitoring potentially dangerous conditions and flagging hazards. However, these same technologies can also threaten worker safety and the ability to organize and bargain over important protections. In some cases, their use violates workers’ labor and employment rights. Many workers increasingly find themselves at the mercy of technology that decides whether to hire them, directs their schedule, their pace of work, sets their wages, and can even be used to fire them, with no transparency into how decisions are made or ability to appeal to a human manager.

The speed of AI development and adoption necessitates policy responses that ensure workers have a voice and seat at the table, the power to shape the design and implementation of AI, and a meaningful share in any productivity gains. Congress must enact appropriate laws that build workers into the process and that provide guardrails, transparency and accountability for the use of AI in the workplace. We have an obligation to ensure that AI does not increase inequality or create prejudicial outcomes for workers’ job opportunities, rights, and protections.

My testimony highlights harms workers are already experiencing from AI in the workplace. I then share how Congress can ensure safe and responsible use of AI in the workplace, including by shoring up existing workplace protections and enforcement, enacting new guardrails, and preserving states' abilities to protect their own workers.

## I. Harms Workers are Experiencing from AI in the Workplace

Substantial data and research show that concerns about AI are not hypothetical; workers are already experiencing harms from the use of AI in the workplace. These harms stem from employers' use of AI tools in hiring and wage setting as well as the use of automated management systems and surveillance tools. They can result in discrimination, unfair pay, loss of privacy, misclassification, chilling of workers' rights to organize and collectively bargain, and physical and mental injury.

### A. Data Collection and Automated Employment Decisions

Employers are using AI tools to collect data, determine wages, and hire workers. During the hiring process, employers use AI for screening, interviews, rejections, and salary negotiations, often with no transparency to applicants.<sup>1</sup> These tools often replicate and exacerbate systemic biases in the decision-making process and can result in discrimination. If the data used to train the model is biased, the model's outputs will be biased. For example, the model may predict workers will be high performers if they are named "Jared" or played high school lacrosse, characteristics clearly not connected to job performance.<sup>2</sup> Certain types of screening, including "sentiment analysis" or "emotion AI" evaluate workers by their facial expression, tone, pitch, and language. These and other screening technologies may be more likely to discriminate against women, workers of color, and people with disabilities.<sup>3</sup>

---

<sup>1</sup> Miranda Bogen & Aaron Rieke, *Help Wanted: An Examination of Hiring Algorithms, Equity, and Bias*, Upturn (Dec. 2018), <https://www.upturn.org/static/reports/2018/hiring-algorithms/files/Upturn%20--%20Help%20Wanted%20-%20An%20Exploration%20of%20Hiring%20Algorithms,%20Equity%20and%20Bias.pdf>; Stacy Cowley, *Job Applicants Sue to Open 'Black Box' of A.I. Hiring Decision*, New York Times (Jan. 2026), <https://www.nytimes.com/2026/01/21/business/ai-hiring-tools-lawsuit-eightfold-fcra.html>; Matt Scherer, *FAQ on Colorado's Consumer Artificial Intelligence Act (SB 24-205)*, Center for Democracy & Technology (Dec. 2024), <https://cdt.org/insights/faq-on-colorados-consumer-artificial-intelligence-act-sb-24-205/#h-why-do-we-need-legislation-on-ai-driven-decisions> ("Surveys of companies indicate that anywhere from a third to the vast majority already use AI in recruitment and hiring alone.").

<sup>2</sup> Id.

<sup>3</sup> Kat Roemmich, Florian Schaub & Naznin Andalibi, *Emotion AI at Work: Implications for Workplace Surveillance, Emotional Labor, and Emotional Privacy*, Proceedings of the 2023 CHI Conference on Human Factors in Computing Systems Article No.: 588, <https://doi.org/10.1145/3544548.3580950>; Rhue, Lauren, *Racial Influence on Automated Perceptions of Emotions* (Nov. 2018), <https://ssrn.com/abstract=3281765>; Irene Tung, Paul Sonn, Maya Pinto, & Josh Boxerman, *When bossware manages workers: A policy agenda*, National Employment Law Project (Jul. 2025), <https://www.nelp.org/app/uploads/2025/07/When-Bossware-Manages-Workers-Policy-Agenda-July-2025.pdf>; Wilneida Negrón, Henry Claypool, Ariana Aboulaflia, Dhanaraj Thakur, Matt Scherer & Michal Luria, *Screened Out: The Impact of Digitized Hiring Assessments on Disabled Workers*, Center for Democracy

Employers rely on data to inform automated employment decision systems. AI makes it easier to extract, reidentify, link, infer, and act on information about people’s identities, locations, and habits. Employers collect vast amounts of data from applicants and employees through the screening and hiring process, from surveillance and monitoring, and from third parties, including data brokers.<sup>4</sup> This includes biometric data and other sensitive information. Without protections, AI increases the risk that personal data can be exploited and exposed. People often do not know what data is being collected from them, if it is accurate, or how it is being used.

Companies also use algorithms and collected data to set wages for millions of workers.<sup>5</sup> This is particularly prevalent in the “gig economy,” where rideshare drivers’ wages are set by algorithm, but also affects other app-based workers, including nurses.<sup>6</sup> “On the same day, at the same hour, in the same hospital, two different gig nurses can be paid different amounts by the same app.”<sup>7</sup> As with other uses of AI in employment decisions, this can embed bias directly into decision-making processes and suppress workers’ wages.<sup>8</sup>

## B. Automated Management Systems and Surveillance Tools

AI is also used by employers to manage and surveil workers, including through the use of automated systems that can control all aspects of employment, from scheduling and task assignments, to performance monitoring and evaluation, and disciplinary actions.<sup>9</sup> Recent surveys of employers by the OECD have found that 90 percent of employers surveyed in the United States reported using algorithmic management of their workers.<sup>10</sup> Workers likewise

---

& Technology (Nov. 2024), <https://cdt.org/insights/screened-out-the-impact-of-digitized-hiring-assessments-on-disabled-workers/>.

<sup>4</sup> Ifeoma Ajunwa, et al, *Limitless Worker Surveillance*, 105 Cal. L. Rev. 735 (2017); Sam Adler-Bell & Michelle Miller, *The Datafication of Employment: How Surveillance and Capitalism Are Shaping Workers’ Futures without Their Knowledge*, The Century Foundation (Dec. 2018), <https://production-tcf.imgix.net/app/uploads/2018/12/03160631/the-datafication-of-employment.pdf>.

<sup>5</sup> AI Now Institute et al., *Prohibiting Surveillance Prices and Wages* (Feb. 2025), <https://towardsjustice.org/wp-content/uploads/2025/02/Real-Surveillance-Prices-and-Wages-Report.pdf>.

<sup>6</sup> Id.; Katie J. Wells & Funda Ustek Spilda, *Uber for Nursing: How an AI- Powered Gig Model Is Threatening Health Care*, Roosevelt Inst. (2024), [https://rooseveltinstitute.org/wp-content/uploads/2024/12/RI\\_Uber-for-Nursing\\_Brief\\_202412.pdf](https://rooseveltinstitute.org/wp-content/uploads/2024/12/RI_Uber-for-Nursing_Brief_202412.pdf).

<sup>7</sup> Katie J. Wells & Funda Ustek Spilda, *Uber for Nursing: How an AI- Powered Gig Model Is Threatening Health Care*, Roosevelt Inst. (2024), [https://rooseveltinstitute.org/wp-content/uploads/2024/12/RI\\_Uber-for-Nursing\\_Brief\\_202412.pdf](https://rooseveltinstitute.org/wp-content/uploads/2024/12/RI_Uber-for-Nursing_Brief_202412.pdf).

<sup>8</sup> AI Now Institute et al., *Prohibiting Surveillance Prices and Wages* (Feb. 2025), <https://towardsjustice.org/wp-content/uploads/2025/02/Real-Surveillance-Prices-and-Wages-Report.pdf>.

<sup>9</sup> Irene Tung, Paul Sonn, Maya Pinto, & Josh Boxerman, *When bossware manages workers: A policy agenda*, *National Employment Law Project* (Jul. 2025), <https://www.nelp.org/app/uploads/2025/07/When-Bossware-Manages-Workers-Policy-Agenda-July-2025.pdf>.

<sup>10</sup> Anna Milanez, Annikka Lemmens, and Carla Ruggiu, *Algorithmic management in the workplace: New evidence from an OECD employer survey*, Organization for Economic Cooperation and Development (Feb. 2025), [https://www.oecd.org/en/publications/algorithmic-management-in-the-workplace\\_287c13c4-en.html](https://www.oecd.org/en/publications/algorithmic-management-in-the-workplace_287c13c4-en.html).

report widespread use of automated surveillance and monitoring in their workplaces.<sup>11</sup> These tools can undermine workers' rights and protections in multiple ways and erode job quality.

Employers constantly collect data, including from electronic devices, and feed that data into automated management systems that manage workers and inform employment decisions. This technology allows employers to surveil workers in more exacting ways than any human boss could. In warehousing and logistics, electronic monitoring technologies are often used to track and control warehouse operations, assess productivity, and schedule workers' shifts.

Time on task surveillance measures can pressure workers to work constantly, and make it difficult, if not impossible, to take bathroom or water breaks. These systems may result in discrimination against workers who have accommodations because of pregnancy, disability, or religion. For example, a pregnant worker may face unfair discipline if they do not meet an algorithmically determined productivity standard, even if they have an accommodation to take breaks to use the restroom.<sup>12</sup>

Aggressive productivity standards and performance tracking can also pressure workers to increase their pace to unsafe speeds, which can create or exacerbate musculoskeletal disorders and lead to high levels of injury.<sup>13</sup> During the Biden Administration, the Department of Labor's Occupational Safety and Health Administration (OSHA) investigated and cited Amazon after an employee reported musculoskeletal disorders related to his site's processing speeds.<sup>14</sup> Where processes are designed for speed, not safety, they can cause serious injuries. Constant surveillance also has mental health implications, including causing higher rates of anxiety, depression, and suicidal ideation.<sup>15</sup>

---

<sup>11</sup> Alexander Hertel-Fernandez, *Estimating the prevalence of automated management and surveillance technologies at work and their impact on workers' well-being*, Washington Center for Equitable Growth (Oct. 2024), <https://equitablegrowth.org/research-paper/estimating-the-prevalence-of-automated-management-and-surveillance-technologies-at-work-and-their-impact-on-workers-well-being/>.

<sup>12</sup> Alfred Ng & Ben Fox Rubin, *Amazon fired these 7 pregnant workers. Then came the lawsuits*, CNET (May 2019), <https://www.cnet.com/tech/tech-industry/features/amazon-fired-these-7-pregnant-workers-then-came-the-lawsuits/>; Jessa Crispin, *Welcome to dystopia: getting fired from your job as an Amazon worker by an app*, The Guardian (July 2021), <https://www.theguardian.com/commentisfree/2021/jul/05/amazon-worker-fired-app-dystopia>.

<sup>13</sup> Katherine Long, *Amazon workers say minor aches suddenly become debilitating as they raced to meet speed targets*, Business Insider (Oct. 2022), <https://www.businessinsider.com/warehouse-injuries-amazon-chronic-pain-speed-risk-productivity-targets-employees-2022-10>; Matt Scherer, *Report – Warning: Bossware May Be Hazardous to Your Health*, Center for Democracy and Technology & Technology (Jul. 2021), <https://cdt.org/wp-content/uploads/2021/07/2021-07-29-Warning-Bossware-May-Be-Hazardous-To-Your-Health-Final.pdf>.

<sup>14</sup> OSHA Press Release, *US Department of Labor cites Amazon for again exposing workers to ergonomic hazards, this time in Colorado Springs delivery station*, (Feb. 2023), <https://www.osha.gov/news/newsreleases/national/02232023-0>.

<sup>15</sup> Paul Glavin, Alex Bierman, & Scott Schieman, *Private Eyes, They See Your Every Move: Workplace Surveillance and Worker Well-Being*. Soc Curr. 2024 Aug;11(4):327-345. doi: 10.1177/23294965241228874; Matt Scherer,

The overall climate of close surveillance and monitoring can also chill or discourage workers from engaging in legally protected activities. Workers who know their bosses are tracking their every movement, location, and task rightfully fear that they are also being monitored should they exercise their rights to organize and take action with co-workers to improve their wages and working conditions.<sup>16</sup>

Like hiring tools, algorithmic management systems lack transparency, making it difficult for workers to understand how decisions affecting their livelihoods are made.<sup>17</sup> This opacity combined with a lack of human oversight can lead to errors or unlawful employment actions that leave workers without meaningful recourse to challenge the decision or correct inaccurate data.

Finally, employers also use AI to hide the extensive control they exert over workers they claim are independent contractors, exacerbating the misclassification of employees.<sup>18</sup> Many employers use digital labor platforms, or “apps,” to offer shifts or other assignments to workers, set their wages, assess performance, and suspend or deactivate their access, all while disclaiming an employment relationship.<sup>19</sup>

## II. Policy Priorities

These risks to workers’ opportunity, rights, and dignity are the product of choices, not an inevitability. The government can study, monitor, and regulate AI. We can ensure worker protection agencies are adequately funded and enforce existing laws and regulations. Policymakers can also pass laws holding developers and employers who deploy technology responsible for making sure their products are safe and adhere to existing civil rights, labor, employment, and health and safety laws. There need to be accountability measures and strong enforcement mechanisms put in place for when AI systems harm workers.

The public shares these concerns and generally supports government regulation. Recent polling shows 88 percent of Democrats and 79 percent of Republicans favor “[m]aintaining rules for AI

---

*Bossware May be Hazardous to Your Health*, Center for Democracy & Technology (2021), <https://cdt.org/wp-content/uploads/2021/07/2021-07-29-Warning-Bossware-May-Be-Hazardous-To-Your-Health-Final.pdf>.

<sup>16</sup> See, e.g., National Labor Relations Board, Memorandum GC 23-02, *Electronic Monitoring and Algorithmic Management of Employees Interfering with the Exercise of Section 7 Rights* (rescinded 2025).

<sup>17</sup> Matt Scherer & Grace Gedye, *Bringing Transparency and Accountability to Algorithmic Decision Systems*, Center for Democracy & Technology and Consumer Reports (Sept. 2025), <https://cdt.org/wp-content/uploads/2025/09/2025-09-24-CDT-Consumer-Reports-Bringing-Transparency-and-Accountability-to-Algorithmic-Decision-Systems-final-1.pdf>.

<sup>18</sup> Irene Tung, Paul Sonn, Maya Pinto, & Josh Boxerman, *When bossware manages workers: A policy agenda*, National Employment Law Project (Jul. 2025), <https://www.nelp.org/app/uploads/2025/07/When-Bossware-Manages-Workers-Policy-Agenda-July-2025.pdf>.

<sup>19</sup> Laura Padin, *Empowering the Modern Worker*, *Hearing before the United States House of Representatives*, National Employment Law Project (May 2025), <https://www.nelp.org/app/uploads/2025/05/NELP-Testimony-Empowering-Modern-Worker-US-House.pdf>.

safety and data security.”<sup>20</sup> And many people want more guardrails on AI. Majorities of both parties are in favor of “more regulation to limit its potential negative impact on society,” including 63 percent of Democrats and 59 percent of Republicans.<sup>21</sup> A Consumer Reports survey showed that nearly three quarters of Americans would be uncomfortable with an AI or algorithm playing a role in their job interview process.<sup>22</sup> And a comprehensive deliberative poll found strong support among workers for stronger guardrails around the use of AI or algorithmic management in the workplace.<sup>23</sup>

#### A. Shore up Existing Protections and Enforcement

Many of our existing foundational workplace laws provide workers with baseline protections from discrimination, misclassification, wage theft, interference with organizing and collective bargaining, and unsafe working conditions. However, the agencies that enforce these laws are chronically underfunded and understaffed. Congress can ensure that these agencies—the EEOC, the National Labor Relations Board, the Wage and Hour Division and OSHA—have the resources to enforce these laws and ensure workers’ access to remedies.

These agencies have acted to protect workers from AI in the workplace before and have the authority to do so now.<sup>24</sup> In the Biden Administration the EEOC launched an initiative on AI and algorithmic fairness, issued guidance on AI selection procedures and resources for workers on disability discrimination and the use of software.<sup>25</sup> DOL issued a guide for federal contractors on AI and equal employment opportunity and addressed AI in regulations and guidance.<sup>26</sup> The NLRB issued guidance focused on unlawful surveillance that could interfere with employees’ ability to engage in collective bargaining and other protected activities.<sup>27</sup>

---

<sup>20</sup> Benedict Vigers & Justin Lall, *Americans Prioritize AI Safety and Data Security*, Gallup (Sept. 2025), <https://news.gallup.com/poll/694685/americans-prioritize-safety-data-security.aspx>.

<sup>21</sup> Maryann Cousens, Ian Smith, & Rachael Russell, *Views of AI and data centers*, Navigator Research (Dec. 2025), <https://navigatorresearch.org/views-of-ai-and-data-centers/#:~:text=There%20is%20bipartisan%20support%20for,%2C%20and%2052%25%20of%20independents.>

<sup>22</sup> A.I./Algorithmic Decision-Making, Consumer Reports Nationally Representative Phone and Internet Survey (Jul. 2024), <https://perma.cc/6J4R-RPVR>.

<sup>23</sup> Matthew Scherer, Wilneida Negron, & Lindsey Schwartz, *What Do Workers Want?* (2025), <https://cdt.org/wp-content/uploads/2025/03/CDT-Report-Deliberative-Polling-final.pdf>.

<sup>24</sup> See, e.g., Economic Policy Institute & Workshop, *Database of Biden Administration Actions on AI*, (Sept. 2025), <https://www.epi.org/database-of-biden-administration-actions-on-ai/>.

<sup>25</sup> Id. See also Equal Employment Opportunity Commission, *The Americans with Disabilities Act and the Use of Software, Algorithms, and Artificial Intelligence to Assess Job Applicants and Employees* (2022), <https://perma.cc/79ZC-37XZ>.

<sup>26</sup> See Economic Policy Institute & Workshop, *Database of Biden Administration Actions on AI*, (Sept. 2025), <https://www.epi.org/database-of-biden-administration-actions-on-ai/>.

<sup>27</sup> National Labor Relations Board, Memorandum GC 23-02, *Electronic Monitoring and Algorithmic Management of Employees Interfering with the Exercise of Section 7 Rights* (rescinded 2025).

Rather than building on these efforts, the current Administration has actively removed guidance and stopped crucial enforcement. The EEOC dismissed every complaint based on disparate impact theories, a seismic shift that abandons half a century of enforcement precedent and leaves workers vulnerable to discriminatory policies that can appear neutral on their face.<sup>28</sup> Disparate impact theory is critical for addressing discrimination enabled by AI in hiring and employment decision-making.<sup>29</sup>

In addition to ensuring robust worker protections under existing law, Congress should fill gaps in and strengthen existing labor and employment rights, including by ensuring that all workers are protected, regardless of their employment classification,<sup>30</sup> and by enacting legislation to strengthen workers' rights and remedies, including the *Protecting the Right to Organize Act*.<sup>31</sup>

#### B. Establish Additional Guardrails

AI adoption in the workplace is advancing rapidly. America's workers also need broader federal guardrails on the use of AI in the workplace that will adapt with changing technologies. There are many thoughtful policy proposals addressing these needs.<sup>32</sup> I highlight a few key policy options here, including the need for transparency and disclosure of the use of AI tools in the workplace; ensuring humans are involved in decision making; and the use of impact assessments to check for and address bias in AI tools.

- Transparency and disclosure: AI companies and employers should be required to disclose how systems are trained, what data they use, how decisions are made, and what safeguards exist to prevent discrimination and protect worker privacy. Workers should have the right to know when AI systems are being used to make decisions affecting their employment and to assess if decisions are based on inaccurate data. This

---

<sup>28</sup> Tanya Goldman, *The Trump Administration is Weaponizing the EEOC to Attack Civil Rights*, National Partnership for Women & Families (Jan. 2026), <https://nationalpartnership.org/trump-administration-weaponizing-eEOC-to-attack-civil-rights/>.

<sup>29</sup> Chiraag Bains, *When Machines Discriminate: The Critical Role of Disparate Impact in AI Accountability*, The Leadership Conference on Civil and Human Rights (Jan. 2026), <https://civilrights.org/disperate-impact-ai/>.

<sup>30</sup> Tanya Goldman & David Weil, *Who's Responsible Here? Establishing Legal Responsibility in the Fissured Workplace*, 42 Berkeley J. Emp. & Lab. L. 55 (2021).

<sup>31</sup> Richard L. Trumka *Protecting the Right to Organize Act of 2025*, S.852 / H.R.20, 119th Cong. (2025).

<sup>32</sup> See, e.g., Mishal Khan & Annette Bernhardt, *The Current Landscape of Tech and Work Policy in the U.S.: A Guide to Key Laws, Bills, and Concepts* (Updated Dec. 2025), <https://laborcenter.berkeley.edu/tech-and-work-policy-guide/>; Matthew Scherer, *Regulating Robo-Bosses: Surveying the Civil Rights Policy Landscape for Automated Employment Decision Systems*, Center for Democracy & Technology (Jul. 2024), <https://cdt.org/wp-content/uploads/2024/07/robo-bosses-072124-a11y.pdf>; *Artificial Intelligence: Principles to Protect Workers*, AFL-CIO (Oct. 2025), <https://aflcio.org/reports/workers-first-ai>; Center for Labor and a Just Economy, *Worker Power and Voice in the AI Response*, Harvard Law School (2024), <https://clje.law.harvard.edu/worker-power-and-voice-in-the-ai-response>.

would include, for example, ensuring that workers understand performance standards under which they are assessed.<sup>33</sup>

- Human-in-the-loop: Significant decisions that impact workers should be made with human oversight.<sup>34</sup> Workers should be able to understand, review, and appeal automated decisions, without fear of retaliation. Decision-makers need training and understanding of how the algorithm operates and its limitations.<sup>35</sup>
- Impact assessments and testing for AI used in employment: Employers deploying AI for hiring, wage determination, or worker management should test systems and conduct impact assessments, checking for bias and harms, before deployment and regularly while using digital technologies in the workplace. Workers and their unions should have a role in this process.<sup>36</sup>

Additionally, policymakers should consider which types of uses should be banned because of their privacy implications, inaccuracy, or other harms. They should ensure protections for the collection and use of workers' data, a private right of action, and protections from retaliation.

In addition to comprehensive legislation, policymakers can also regulate specific impacts on workers of the use of algorithmic management and wage-setting systems, such as through fair workweek laws, surveillance wage laws, warehouse worker protection laws, and specific policies to protect workers' labor rights in a digital age.<sup>37</sup> There are several federal bills that have been introduced that include such policy priorities, including *The No Robot Bosses Act*,<sup>38</sup>

---

<sup>33</sup> See, e.g., Mishal Khan & Annette Bernhardt, *The Current Landscape of Tech and Work Policy in the U.S.: A Guide to Key Laws, Bills, and Concepts* (Updated Dec. 2025), <https://laborcenter.berkeley.edu/tech-and-work-policy-guide/>

<sup>34</sup> Id.

<sup>35</sup> Annette Bernhardt, Lisa Kresge, & Reem Suleiman, *Algorithms at Work: The Case for Worker Technology Rights*, UC Berkeley Labor Center (Nov. 2021), <https://laborcenter.berkeley.edu/wp-content/uploads/2021/11/Data-and-Algorithms-at-Work.pdf>.

<sup>36</sup> Annette Bernhardt, Lisa Kresge, & Reem Suleiman, *Algorithms at Work: The Case for Worker Technology Rights*, UC Berkeley Labor Center (Nov. 2021), <https://laborcenter.berkeley.edu/wp-content/uploads/2021/11/Data-and-Algorithms-at-Work.pdf>.

<sup>37</sup> See, e.g., Center for Labor and a Just Economy, *Worker Power and Voice in the AI Response*, Harvard Law School (2024), <https://clje.law.harvard.edu/worker-power-and-voice-in-the-ai-response> (proposing banning employers from embedding messages about workers' exercise of their collective bargaining or concerted activity rights in mandatory AI tools workers use in the workplace and including the deployment of AI in the workplace as a subject of collective bargaining).

<sup>38</sup> No Robot Bosses Act, H.R. 6371, 119th Cong. (2025).

*The Stop Spying Bosses Act,*<sup>39</sup> *The AI Civil Rights Act,*<sup>40</sup> *The Empowering App-Based Workers Act,*<sup>41</sup> and *The Stop AI Price Gouging and Wage Fixing Act.*<sup>42</sup>

### C. Protect State-Level Progress

Many states have enacted laws addressing AI-related workplace issues, including protections against algorithmic bias in hiring, requirements for transparency in automated employment decisions, and safeguards for workers subject to algorithmic management. California has enacted laws that touch on AI transparency, safety, discrimination, and privacy.<sup>43</sup> Colorado has passed an AI Act requiring developers to publish information on the systems they sell and how they are tested for bias and requiring transparency and disclosure aimed at protecting individuals from algorithmic discrimination.<sup>44</sup> In Illinois, it is now a civil rights violation to fail to notify employees or applicants when AI is used in employment decisions or when AI is used in ways that cause unlawful discrimination.<sup>45</sup> These state-level efforts represent important progress in establishing baseline protections for workers.

There have been efforts, however, to prevent states from enacting new protections and to nullify existing state safeguards—leaving workers vulnerable when employers deploy discriminatory and exploitative AI systems in the workplace.<sup>46</sup> Any federal legislation should be a floor, not a ceiling. This legislation can and must meet the dynamism required of our modern workplace, while also establishing robust protections for workers across the country.

### III. Conclusion

The accelerating use of AI in the workplace continues to present opportunities and significant risks for workers' livelihoods, rights, and privacy. The appropriate design and deployment of AI, informed by workers, has the potential to augment working conditions. Without thoughtful policy choices and action, however, workers will continue suffering at the hands of robot bosses

---

<sup>39</sup> Stop Spying Bosses Act, S. 262, 118th Cong. (2023).

<sup>40</sup> Artificial Intelligence Civil Rights Act, S. 3308 / H.R. 6356, 119th Cong. (2025).

<sup>41</sup> Empowering App-Based Workers Act, S. 2488, 119th Cong. (2025).

<sup>42</sup> Stop AI Price Gouging and Wage Fixing Act, H.R. 4640, 119th Cong. (2025).

<sup>43</sup> Devin Von Arx, *California's Approach to AI Governance*, The Center for Security and Emerging Technology (Nov. 2025), <https://cset.georgetown.edu/article/californias-approach-to-ai-governance/>.

<sup>44</sup> Matt Scherer, *FAQ on Colorado's Consumer Artificial Intelligence Act (SB 24-205)*, Center for Democracy & Technology (Dec. 2024), <https://cdt.org/insights/faq-on-colorados-consumer-artificial-intelligence-act-sb-24-205/#h-why-do-we-need-legislation-on-ai-driven-decisions>.

<sup>45</sup> Illinois Human Rights Act, Illinois General Assembly (2024 amendments).

<sup>46</sup> Sara Steffens & Samantha Sanders, *How Banning State Regulation of AI Harms Workers*, Economic Policy Institute & We Build Progress (Nov. 2025), <https://webuildprogress.org/how-banning-state-regulation-of-ai-harms-workers>.

and AI will entrench and deepen societal inequities, further tilting the imbalance of power between workers and employers.

Congress has a powerful role to play in protecting workers' opportunities, safety, and economic security. It can make sure worker protection agencies are enforcing existing laws that address the harms of AI in the workplace, strengthen those laws, and enact new guardrails. I welcome the opportunity to work with partners, this Committee, and Congress on policies that will safeguard workers' rights and ensure the fair and equitable use of AI in the workplace.