

Managing Algorithms at Work: EU Regulation & OSH Implications Implications

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The impact of AI & AM systems on OSH

Opportunities

- Hazard detection & early warning
- Health & wellbeing monitoring
- Predictive risk analysis
- Automated incident investigation and reporting
- Reduced exposure to physical hazards
- Increased productivity & decreased workload
- Improved safety in robotics

Risks

- Heightened surveillance → distress
- Work intensification & time pressure
- Workers' isolation & weakened collaboration
- Reduced workers' autonomy and agency
- Opacity of algorithmic decision-making
- Stress, burnout, and related health outcomes
- Physical & hybrid risks in human-robot interaction

*AM is neither inherently beneficial nor harmful — its impact depends on the organisational and regulatory and regulatory context in which it is deployed. It is a **socio-technical process** rather than a purely technical purely technical system.*

Is the existing EU legislation fit for the new reality?

CORE CHALLENGES

- OSH framework not designed for AI/AI
- Growing regulatory fragmentation and complexity
- Important protections are embedded in social and digital acquis, but it's not OSH/employment specific

Parliament calls for a European day to commemorate the victims of work-related accidents

Press Releases [PLENARY SESSION](#) [EMPL](#) Yesterday

On Thursday, Parliament adopted its proposals to reduce the number of work-related accidents, diseases, and deaths in the EU.

In remembrance of victims of accidents at work and of occupational diseases, MEPs are asking for 8 August to be designated the European Day in Remembrance of the Victims of Accidents at Work and for the Protection and Dignity of Workers.

The day would aim to raise awareness, they argue, about the importance of prevention and safety at work at public, enterprises, and institutions, together with a roll-out of concrete initiatives in schools and workplaces. The text was endorsed by MEPs with 395 votes in favour, 12 votes against, and 41 abstentions.

Health and safety risks related to AI

Parliament also wants the Commission to assess and address occupational health and safety risks associated with AI and algorithmic management systems. MEPs say that workers engaged through digital labour platforms and those whose tasks, pace and performance are directed or evaluated by AI-based tools, can face heightened risks due to intensified work rhythms and abusive monitoring in algorithmic decision-making.

Further information

> [Committee on Employment and Social Affairs](#)

> [Report adopted \(21.5.2026\)](#)

> [Recording of the plenary debate \(20.5.2026\)](#)

> [Procedural file](#)

How are workers protected against AI/AM OSH- OSH-related risks?

- OSH Framework directive + 'daughter directives'
- EU Artificial Intelligence Act (AI Act)
- Platform Work Directive
- Machinery Regulation 2023/1230
- General Data Protection Regulation (GDPR)



OSH Framework Directive (89/391/EEC)

General Principles

- Prevention and protection of workers workers against OSH risks
- Duty of the employer to ensure safety and health "in every aspect related to the work"

Worker Rights

- Right to **training** when new technology is introduced
- **Consultation** regarding consequences of new tech for OSH
- Right to **appeal** to the authority responsible for OSH protection
- Right to **health surveillance** appropriate appropriate to OSH risks at work

EU Artificial Intelligence Act (AI Act)

Unacceptable Risks

- Complete Prohibition of harmful AI practices
- Focus on fundamental rights protection

High Risks

- Registration & documentation
- Transparency obligations
- Quality management
- Conformity assessment
- Risk management
- Reporting serious incidents

Systemic Risks

- Applies to general-purpose purpose AI models
- Model evaluations
- Adversarial testing
- Cybersecurity requirements

Limited or No Risks

- Transparency obligations
- AI literacy requirements
- Voluntary codes of conduct

Prohibited AI practice in the work context (unacceptable risk)

Art. 5 (1) (dc): AI systems designed to infer **emotions** of a natural person in the workplace are strictly prohibited.

- Does not apply to systems detecting **physical states (e.g., pain or fatigue)**.
- Prohibition is absolute for emotion inference in professional environments.

Exception: *AI systems placed on the market strictly for medical or safety reasons.*

High-risk AI systems in employment and monitoring monitoring

The General Rule (Art. 4 Annex III)

AI systems used for recruitment, promotion, termination, task allocation, monitoring, and evaluation are classified as high-risk.

- AI-enabled **profiling** in the workplace is always high-risk.

EXCEPTIONS (ART. 6 (3))

- Systems that do not pose "significant risk of harm" to health, safety, or fundamental rights.
- Narrow procedural tasks or improving results of previously completed human activities.
- Detecting decision-making patterns without replacing or influencing human assessment.

Providers' obligations under the AI Act

ENSURING AI SYSTEMS COMPLY WITH CHAPTER 2 AIA REQUIREMENTS

Risk & Quality Management

- Identification and analysis of known and reasonably foreseeable risks.
- Evaluation of risks from intended purpose or "reasonably foreseeable misuse".
- Adoption of targeted risk management measures to address identified threats.

Accountability & Transparency

- Corrective actions and mandatory duty of information
- Formal conformity assessment and traceability of results
- Reporting serious incidents to relevant authorities

Deployers' (i.e., employers') obligations

- **Operational Compliance:** Use AI systems strictly according to instructions and intended purpose.
- **Data & Oversight:** Ensure the quality of input data and maintain continuous human oversight.
- **Monitoring:** Monitor the AI system's performance according to the provided instructions.
- **Safety Protocol:** Inform providers/authorities and suspend use if risks are identified.
- **Information:** Inform workers and representatives before introducing high-risk AI systems.
- **Registration:** Comply with EU registration rules as per Art. 26 AIA.

Platform Work Directive: OSH protection

1) RISK MANAGEMENT

- Evaluate AM risks to workers' safety and health
- Assess appropriateness of safeguards for identified risks
- Introduce appropriate preventive and protective measures

2) COLLECTIVE RIGHTS

- Ensure effective information and consultation in relation to OSH impact of AM on PWs



Illustration from Jack Brougham

3) RED LINE

- Platforms shall not use AM in a manner that puts undue pressure on workers
- Prohibition of systems putting safety or physical/mental health at risk

Broad scope: Automated systems affecting platform workers in any manner.

Towards a Directive on AM at work

17 Jan. 2025



Request for authorization
to draw up an own-
initiative legislative report

26 June 2025



Committee draft report

Sep. 2025



Revisions

17 Dec. 2025



Recommendation voted
voted during the EP
plenary session



European Parliament resolution of 17 December 2025 ([2025/2080\(INL\)](#))

- **Employer Integration:** Employers should integrate **AM risk evaluation** into OSH systems *in systems in cooperation with worker representatives*.
- **Wellbeing Focus:** AM systems must respect worker wellbeing and not risk safety or physical and mental health.
- **Mitigating Actions:** Employers must take **mitigating actions** where appropriate to address to address identified risks.
- **Review Rights:** Workers and their representatives can request a review of AM systems if there is a threat to health or safety (!)

European Parliament's draft report on psychosocial risks, stress and mental health at work (15 March 2026)

Mandatory psychosocial risk assessment (Article 5)

- **Frequency:** at least once per year and whenever significant organisational changes occur.
- **Evaluation Factors:** Assessment must evaluate **psychosocial risk factors, including being subject to automated decision-making or monitoring systems.**
- **Participation:** Effective participation of workers' representatives and trade unions should be ensured throughout the process.
- **Documentation:** The results of the assessment shall be documented and communicated to all workers.

Quality Job's Act Consultation Document

"Reconcile the need to improve worker protection in light of the digital transition, while transition, while avoiding unnecessary burden on companies and simplifying the the legislation."

Key Issues to be Addressed

- **Workplace Directive 89/654/EEC:** Potential extension to cover off-premises workplaces while ensuring while ensuring proportionate responsibilities.
- **Display Screen Equipment Directive 90/270/EEC:** Updating scope to include modern devices like laptops and tablets.

Psychosocial & Ergonomic Risks: Whether to require employers to explicitly assess and address these emerging risks.

Quality Job's Act Consultation Document (AM provisions)

Value Add & Consistency

- Any future action must demonstrate clear added value.
- Guarantee full consistency with the existing legal framework and avoid duplications.
- Providing further clarity and targeted complementary measures not covered by current rules.
- Effective implementation and enforcement of existing EU protections.

Objectives

- Support and enable the take-up of AI at work.
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- Protect workers from potential risks arising from the use of algorithmic management.

Australia: Work Health and Safety Amendment (Digital Work Systems) Bill 2026

REGULATION & DUTY OF CARE

- Expressly regulates OSH impacts of digital work systems (AI, algorithms, platforms)
- Employers must ensure that workers' health and safety are not at risk from digital work systems

RISK CONSIDERATIONS

- **Workload:** Excessive or unreasonable workloads allocated by digital systems.
- **Metrics:** Use of unreasonable metrics to assess and track performance.
- **Surveillance:** Excessive or unreasonable monitoring of workers.
- **Discrimination:** Discriminatory practices or automated decision-making.

UNION INVOLVEMENT

- Unions have the power to access and inspect digital work systems suspected of breaching obligations.
- Right to information about how AI systems work (explainability).

Outlook: The Future of AI/AM

- **Effective AM governance requires a coherent, multi-level regulatory architecture**
The fitness of the current legal framework remains untested; it has great potential if correctly enforced.
- Employers must integrate AM risk assessment into OSH management systems, treating AM systems as a workplace hazard to be managed.
- **Next Steps:** Future initiatives on AM at work, psychosocial risks, and the Quality Job Act will shape the regulatory landscape.
- **Collective Dimension:** Need to strengthen the collective dimension of regulation in the AM/AI-driven workplaces and to ensure meaningful participation (beyond information rights)
- **Research:** More research on the correlation between AI & OSH risks and clearer guidance on existing instruments is needed

**Thank you very much for your
attention!**

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Questions and feedback welcome :)