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MAY 2023

AI and the Future of Work

The Honourable Prime Minister Dr Keith Rowley, at the Launch of the Ministry of Education's Digital Transformation Programme on 21st March 2023, assured the audience that while there were 'deep-seated concerns over the extent to which Artificial Intelligence (AI) will make many jobs redundant' that 'new jobs are emerging at an even faster rate'. This has been a common position taken by policy makers everywhere as the jobs lost to technology are clear and apparent and the conversation cannot be avoided. However even as there is this attempt to pacify and allay genuine fears there needs to be a deeper assessment of the future of work and new job creation. The notion that 'jobs will come' is an oversimplification of an extremely complex situation which requires a much more robust interrogation.

In other words, are the correct questions being asked? The debate on automation and more recently digitisation has been very narrowly confined to a focus on the quantitative changes in the world of work. There seems to be less emphasis on the qualitative transformations. For example, in 2014 economists at the consultancy Deloitte sought "to shed new light on the relationship between jobs and the rise of technology by trawling through census data for England and Wales going back to 1871." The findings revealed two major sectors where job increases were most apparent; in the care economy and in the knowledge-intensive sectors. The study concluded that during the period under review labour had "switched from its historic role, as a source of raw power, to the care, education and provision of services to others."

This then begs the question as to whether a similar assessment has been done here in Trinidad and Tobago. There has been an expansion of jobs in the services sector and an increase in the informal sector. The data does not suggest an increase in intellectually intense sectors. Does this represent an alignment with the vision for the future of work in Trinidad and Tobago? Is there work being done to assess the impact of AI and our preparedness to maximise the positive potential and to mitigate the risks associated with some AI

programs. As we make the blanket claim that new jobs are being created, can we say with any degree of certainty what these jobs are and in which sectors? And is work being done to ensure that even as the quantitative analysis is done even if only anecdotally that some emphasis is being placed on the qualitative impact on the future of work and on the workers themselves.

While it is commendable that there is now a Ministry of Digital Transformation, has the legislative framework been created for this digital transition to be properly monitored? In April 2021, the European Commission presented its proposal for a Regulation of the European Parliament and of the Council laying down harmonised rules for AI, also known as the AI Act of the European Union. Is there a similar mandate in the scope of work for the newly formed Ministry? The inevitability of AI being integrated into the world of work is a reality to be faced head on however there is a need to be prepared. The AI Act of EU for example classifies different AI tools according to their perceived level of risk, from low to unacceptable. It should be obvious that not all AI will be desirable and as such there must be a mechanism to filter these tools and where they can be used. The design and development of these filters while obviously being the remit of the Government must be done utilising an inclusive social dialogue approach.

Even as the EU presented the AI Act, some deficiencies were pointed out during dialogues with labour. The integration of social dialogue in the legislation is critical as workers and their representatives must be part of the implementation processes at all stages. There must be strong parallel legislation which protects workers' data rights. Jamaica is ahead in the regard having already passed their Data Protection Act which 'defines and establishes the general scope and principles for the treatment of personal data and provides for transparent oversight that will enable all sectors to strengthen personal data protection'.

Christina J. Colclough stated that there is the need to en-

sure that the developers of new digital systems and the companies/workplaces deploying them must have the necessary competencies to govern these technologies from a human rights' perspective. We must ensure that workers and their unions have the competencies needed to truly engage in human rights and workers' rights governance.' Colclough also noted that the AI Act did not legislate consultation with workers on workplace systems.

It is clear however, that in spite of the deficiencies identified in the AI Act, its mere presence is a clear signal that AI implementation should not be approached as a *fait accompli*. The regulation and management of how we transition to a more digitised world of work is the remit of those in authority and those who are responsible for the protection of workers' rights must demand a seat at the table during the formulation of these regulations.

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