



Human Rights and Technology Project Submission form

This form must be completed and sent to us with any submission.

Part A collects information on the person or organisation making the submission.

Part B includes questions that you may respond to. You do not need to answer every question.

Submissions can be emailed to tech@humanrights.gov.au or sent by post to GPO Box 5218 Sydney NSW 2001.

If you have any questions about accessing or using this form or if you would like to make a submission in a way not mentioned here, please contact us at tech@humanrights.gov.au or Ph (02) 9284 9600 or TTY 1800 620 241.

Part A: Personal Information

Contact Details

Name	[REDACTED]
Address	Level 8, 321 Pitt Street Sydney, New South Wales, 2000
Email address	[REDACTED]
Telephone number	[REDACTED]

Organisation Details (where applicable)

Is this submission presented on behalf of an organisation:	<input checked="" type="checkbox"/> Yes / <input type="checkbox"/> No
If yes, name of organisation:	Australian Services Union
Position in organisation:	Assistant National Secretary

Nature of submission: public or confidential

I have read the information about this Project concerning publication, confidentiality, and privacy obligations at <https://www.humanrights.gov.au/submission-policy>.

Your submission will be treated as public and may be placed on the Commission’s website, unless you ask for it to be confidential.

I would like my submission to be treated as confidential

Part B: Submission

1. Introduction

The Australian Services Union (ASU) is one of Australia’s largest Unions, representing approximately 135,000 members.

The ASU previously made a submission to the Australian Human Rights Commission White Paper in March 2019 and we are pleased to see the Commission include in its Discussion Paper our proposals around ‘just transition’ principles and the need to fund relevant education and training for workers who are likely to have their employment disrupted or displaced as a result of the rise of artificial intelligence.¹

2. Comments on the Discussion Paper

We commend the Commission for recommending significant policy proposals including: creating a *National Strategy on New and Emerging Technologies*; the introduction of an AI Safety Commissioner and expert body; and creating new laws and enforcing existing ones to ensure all Australian’s human rights are protected.

We are disappointed that no workforce information or recommendations are contained in the Discussion paper especially as the Commission acknowledges “the future of work in Australia and the impact of automation on jobs, including reviewing the impact on social inequality”² is important and would “benefit from dedicated research, analysis and consultation”³.

We do note in Chapter 8, National leadership on AI there is the potential for workforce issues, including the impact of emerging technologies in the workforce of

¹ Australian Human Rights Commission, Human Rights and Technology Discussion Paper, December 2019

² Ibid.

³ Ibid.

the future, to be considered by the new expert body overseen by the AI Safety Commissioner. Once established we urge the new AI Commissioner and expert body to examine the following workforce challenges surrounding the impact of new or emerging technology and the broad implications for society as a whole.

Just transition

We note in Chapter 8, p. 138 the ASU's proposal to ensure 'just transition' principles be at the centre of government regulation could be a core purpose of the proposed expert body that may include civil society representation such as union leaders.

As per our previous submission, a just transition needs to be well managed and include a framework that anticipates AI impacts on employment as well as adequate and sustainable social protection for job losses and displacement along with the upgrading of jobs through skill development.

We must invest more thought and effort to ensure the future labour market works for all workers and promote a constant learning mindset that includes reskilling incumbent workers, making skill development financially accessible to all, expanding traditional education programs and support any displaced workers through incentives such as a subsidised employment programs or expanding income supports for workers in low wage or insecure employment.

In addition a just transition needs to maximise positive impacts of AI and minimise negative impacts on workers and communities. Ensuring that every affected worker can make a 'just transition' is a significant task that will require comprehensive planning and the just transition framework will need to be developed in close consultation with unions and other civil society representatives.

Skills development and training

Focusing on skills development and ongoing workplace training and by preparing the workforce ahead of time will help to combat employee's fear of losing their jobs to new technology.

Advanced training and retraining of employees will be essential as will labour market programs that encourage workers to update their skills constantly and habitually as part of work or alternatively match skills and not just jobs so that greater attention is paid to transferable skills.

There will also be a need for Government measures to help displaced workers retrain and find new employment. The latest McKinsey report released this week affirms "without a concerted effort to support displaced workers to retrain and re-enter the

workforce, unemployment could rise by up to 2.5 percent and income inequality could widen by up to 30 percent.”⁴

Further the report warns that without a strong governmental response, AI has the potential to widen our already moderate levels of income inequality. This will depend on how much Australia increases its efforts to retrain and redeploy surplus workers.⁵

Ethical frameworks

Proposal 2 of the Discussion Paper suggests ethical frameworks could form part of the new AI Safety Commissioner and expert body. Should this occur, we believe the new independent body should have regards to the work being conducted by other countries in relation to ethical guidance and frameworks for AI.

Whilst self-regulation by the industry itself (i.e. Google, Facebook, Amazon etc.) plays an important role there are limits to the efficacy of voluntary self-regulation and as such government led measures should be supplemented that prioritise transparency and trust.

The 'Gig' Economy

Digitalisation and automation of the workplace has already led to an increase in the number of non-standard workers - including part-time employment, temporary employment, contractual arrangements involving multiple parties, or even ambiguous employment relationships such as undeclared work.

These types of non-standard work arrangements have already led to some negative implications for workers' wellbeing compared with that of standard workers with the potential for these new forms of work to undermine existing collective bargaining practices.

It is imperative the government take into account these non-standard working arrangements and develop labour and employment legislation to safeguard against the rising "gig economy".

In addition, the AI Commissioner and expert body should be mindful of the wider societal consequences of a growing 'gig economy' that may not enjoy the security of

⁴ McKinsey Report, Australia's automation opportunity, Reigniting productivity and inclusive income growth [online] Accessed at: <https://www.mckinsey.com/~media/mckinsey/featured%20insights/future%20of%20organizations/australias%20automation%20opportunity%20reigniting%20productivity%20and%20inclusive%20income%20growth/australias-automation-opportunity-reigniting-productivity-and-inclusive-income-growth.ashx>

⁵ Ibid.

paid leave, superannuation, qualification for loans and mortgages etc. that secure employment brings.

We therefore propose it is essential that workers are able to pool their entitlements such as long service leave, annual leave and sick leave, through a portable leave scheme, and take them with them as they move jobs. Workers who experience insecure work should still have the opportunity to save for employment and insure against sickness or other risks.