

Protecting Workers in the Age of AI: Addressing Workplace Surveillance

OVERVIEW

Artificial intelligence (AI) and automation technologies are rapidly transforming the workplace. Employers are increasingly adopting tools like machine learning systems, data-driven algorithms, and robotics to reduce their reliance on human labor and monitor worker productivity. Amazon, among others, is automating its facilities using AI-enabled systems that track worker performance through time-on-task metrics, productivity quotas, video surveillance, and gamified ranking boards.¹ While framed as efficiency-enhancing, these technologies raise significant concerns about worker privacy and safety.

Moreover, recent studies show that AI-driven automation is already reshaping employment patterns while contributing to job polarization and inequality.² Despite the creation of new jobs, many workers – especially those engaged in repetitive tasks – are at a high risk of displacement and increased workplace monitoring. This is especially concerning in regions like Southern California’s Inland Empire, where a disproportionate share of jobs (such as those in the logistics industry) face high exposure to automation.³

In response, labor groups are advocating for policies that limit how employers can use AI and workplace surveillance technologies, as well as measures that ensure workers have a voice in how employers implement these tools.⁴ As new technology adoption grows, policymakers are exploring ways to regulate how companies use surveillance technologies, protect workers’ privacy, and address the impacts of these new management practices.⁵

This policy brief examines how recent policy efforts in California are responding to the rise of

AI-related workplace surveillance. Drawing on academic literature, policy reports, and legislative proposals, we identify key labor concerns associated with AI-driven workplace monitoring and outline the primary policy approaches being considered to address them.

KEY FINDINGS

1. **AI-driven workplace surveillance is rapidly reshaping employer management practices across California**, but it is especially impacting workers in the transportation, distribution, and logistics industry, where Amazon and other major logistics employers in the Inland Empire increasingly rely on automated monitoring, productivity tracking, and robotics.
2. **Workers report worsening working conditions under AI surveillance systems**, including higher levels of stress, pressure to meet quotas, and fear of disciplinary action.
3. The rise of AI-enabled workplace surveillance raises **four main concerns: threats to worker privacy** through extensive data collection; **equity concerns linked to discrimination** and **disproportionate impacts on vulnerable workers**; **eroding working conditions and worker safety**; and **gaps in accountability** caused by limited transparency and oversight of employer use of automated systems.
4. **Policymakers in California and other states are advancing several core policy strategies** to address these concerns, including stronger employer disclosure requirements, expanded worker participation and collective bargaining rights over surveillance tools, shared governance structures, and clearer legal limits on high-risk AI and surveillance practices.

5. As workplace surveillance technologies become more widespread, **there is an urgent need for commonsense regulatory frameworks and enforcement mechanisms** that safeguard California workers' privacy and safety in the workplace, especially for those most vulnerable to displacement and intensive surveillance.

KEY CONCERNS WITH THE INCREASE OF WORKPLACE SURVEILLANCE

Brief History of Workplace Surveillance

Workplace surveillance is not new. Employers have long monitored and disciplined workers through methods such as time tracking, output measurement, hierarchical supervision, and payment by piece rate.⁶ Yet AI-driven tools have fundamentally reshaped surveillance practices by:

- enabling continuous, real-time monitoring of worker activity;
- integrating data across workplace systems and personal devices; and
- expanding beyond the physical workplace into digital and remote environments.

As a result, workplace surveillance is now more intensive, invasive, and opaque than before. Employers increasingly rely on automated decision-making systems (ADS) to monitor employees' work as well as aspects of their personal and digital lives, collecting data both within and beyond the workplace.⁷ AI systems also increasingly automate routine tasks central to many occupations, allowing firms to restructure work and decision-making processes.⁸ According to researchers, the COVID-19 pandemic accelerated the adoption of workplace monitoring technologies.⁹

Over-Surveillance and Loss of Worker Agency

AI-enabled surveillance often exceeds reasonable expectations, crossing established boundaries of privacy and transparency. Workers now navigate between traditional supervision and what researchers refer to as "controversial" surveillance practices.¹⁰ For example, many employers use "bossware" (software that tracks employees through computers or phone cameras,

Kinds of Digital Surveillance Tools Used in Workplaces



Source: U.S. Government Accountability Office analysis of public comments submitted to the White House Office of Science and Technology Policy (2024).

microphones, and keyboards), leading to a phenomenon known as "function creep," where these tools gather data beyond their original purpose.

Implications for Workers, particularly in the Inland Empire

The effects of AI-driven workplace surveillance are widespread and especially pronounced within the transportation, distribution, and logistics industry, one of the most common sources of employment in the Inland Empire.¹¹ Amazon, now one of the largest private sector employers in the region, has been at the forefront of warehouse automation. Leaked internal memos in 2025 indicated that Amazon planned to replace as many as 600,000 U.S. warehouse and logistics jobs with robots by 2027.¹² Other surveillance concerns with implications for the Inland Empire include:

Privacy Risks: AI surveillance enables extensive data collection with limited transparency or consent, creating risks to workers' privacy. Employee data collection often includes productivity metrics, such as meeting quotas and time on and off tasks. However, it can also involve more intrusive monitoring: tracking real-time bathroom use, GPS location, audio and video recordings of personal conversations, social media activity, personal biometric and health data like movement and stress levels, and even union or political discussions inside and outside the workplace.

Many workers remain unaware of how this information is collected, used, or sold, and often do not give fully informed consent to such data collections.¹³ This is especially true in the United States, which lacks the data privacy regulations found in the European Union.¹⁴

As of 2025, California was the only state providing the same data privacy rights to workers as consumers, but these remain limited and require expansion.¹⁵

Equity Concerns: Algorithmic systems can embed bias and discrimination, particularly through performance metrics that disproportionately affect certain groups.¹⁶ Advocates have also raised concerns about surveillance-based data-sharing, including license plate information shared with Immigration and Customs Enforcement.¹⁷ AI related job displacement also disproportionately impacts vulnerable workers. Routine and data-driven jobs – common in logistics – are among the most exposed to AI disruption and displacement.¹⁸ Younger, lower-wage, Latino, Black, and American Indian workers also face heightened risks due to workplace automation.¹⁹

Erosion of Working Conditions: AI-related surveillance heightens worker stress, reduces autonomy, and can facilitate union suppression. Constant monitoring and pressure to meet algorithmic targets harm workers' physical and mental health.²⁰ Contrary to employers' claims that AI-related technologies improve workplace safety, research finds that the pressure to keep up with robots and work fast under electronic surveillance endangers workers. For example, an analysis of filings by the Occupational Health and Safety Administration reveals that injury rates among warehouse workers at Amazon facilities, which rely heavily on AI to electronically monitor workers' productivity, are nearly double the average injury rates in the warehouse industry across the United States.²¹ Other research finds that Amazon warehouse workers' injury rates were consistently higher, five years in a row, within robotic facilities when compared to non-robotic ones.²² Amazon workers have also

reported high levels of stress, pressure, and fear of discipline tied to these surveillance systems.²³ As Luis, an Amazon worker from the Inland Empire, explained, he quit his job because “I just couldn't deal with being [treated like] a robot.” Under constant surveillance, with every move he made being tracked, he felt pressure to work fast and constantly, unable to take breaks when needed or even ask coworkers for help when lifting heavy items. He suffered from physical pain and depression.²⁴



I just couldn't deal with being [treated like] a robot.”

-Luis, former Amazon warehouse worker from the Inland Empire

Accountability Gaps: Employers and managers often adopt AI related technologies and use them in ways that provide workers with limited mechanisms to challenge or even understand automated decisions. Research finds, for example, that workers in many industries are often not informed about, and lack rights related to, the algorithms, electronic data, and digital technologies that employers commonly use to hire, monitor, discipline, and fire them, underscoring the need for stronger regulation.²⁵

EMERGING POLICY LANDSCAPE AND STATE-LEVEL STRATEGIES

California's evolving legislative landscape reflects growing recognition of the risks posed by AI-driven workplace surveillance and algorithmic management. While California has often been a leader in regulating AI and digital technologies, workers still lack many basic protections, and some of California's policies lag behind more recent legislation in other states, such as Colorado, Illinois, and New York.²⁶

Other states are advancing both broad and targeted approaches. For example, Colorado's HB 25-1264 (Prohibit Surveillance Data to Set Prices and Wages Act) restricts the use of automated decision systems (ADS) to set individualized prices and wages based on surveillance data.²⁷ Illinois' SB 2255 adopts a

similar framework, prohibiting surveillance-based price and wage discrimination among workers.²⁸ Both Colorado and Illinois introduced forms of civil action penalties for violations.

Massachusetts and New York legislators have pursued a broader approach to tackling the issue of AI, ADS, and electronic monitoring. Massachusetts' FAIR Act (SB N.77) proposes comprehensive guardrails on these technologies, requiring employers to provide advance notice, transparency, data disclosures, and negotiations with labor unions.²⁹ New York's SB 185 (Bossware and Oppressive Technology Act) would directly restrict employers' use of electronic monitoring and ADS and mandate transparency and human oversight. It also grants employees the right to the data collected on them and prohibits employers from retaliating. Violators are expected to face some form of civil action penalty.³⁰ Both bills are still under consideration at the time of this writing.

While California may be behind some states, it has enacted significant laws regarding personal data privacy and disclosure rights. The California Consumer Privacy Act of 2018 (CCPA) and the California Privacy Rights Act of 2020 (CPRA) give consumers rights over their personal information collected or sold by for-profit businesses and employers, including the ability to opt out and require disclosure notices (within limits). California is notably unique as it is the only state that explicitly extends these consumer privacy protections to workers, job applicants, seasonal and temporary workers, and job contractors by defining them under the "consumer" label. The CCPA and CPRA grant residents the right to know, delete, opt out, correct, limit, and ensure equal treatment regarding their personal data.³¹ In addition, the California Privacy Protection Agency recently updated the act to include consumers' rights to access and opt out of a business's use of an automated decision-making technology (ADMT).³² These laws serve as foundational policy models, shaping current and future responses to the growing trend of employers and large companies surveilling and collecting workers' personal information. They also provide

a framework for policymakers developing new legislation on AI and surveillance tools that aligns with existing California consumer and privacy protection laws.

Recent proposals within California and across the country thus address the need for greater transparency, worker protections, and regulatory oversight. While these laws and bills vary in scope, they collectively illustrate three core policy strategies: (1) advance disclosure requirements, (2) worker participation and shared governance, and (3) clear limits on permissible technologies. These approaches align with research emphasizing the importance of policy in shaping equitable labor market outcomes in the face of workplace automation.³³

Advance Disclosure Notifications

A central approach in current legislative efforts is to require employers to disclose the use of workplace surveillance and AI systems. Key features or characteristics associated with this approach include:

- written notice to workers before implementation;
- disclosures of the number and type of tools deployed, their function, scope, and purpose, and the categories of data collected and how they are used;
- reporting requirements to state and local agencies to enable oversight, auditing, and enforcement; and
- ongoing updates when technologies change or expand.

Legislative examples of this approach include California Senate Bill 238³⁴ and Senate Bill 951.³⁵ California SB 238 (Workplace Surveillance Tools) would require employers to provide written notice to employees detailing the surveillance tools they use, their collection of personal information on both workers and consumers, how they will use the data collected, and if workers and consumers have the option of opting out of personal information collection. Amendments made to the bill include clearer definitions of "personal information" and "significant updates or changes,"

as well as which tools employers are not required to report. SB 238 would require employers to give annual written notice and information, made publicly available on the website of the California Department of Industrial Relations³⁶ within 30 days of the employer's notice.³⁷ In July 2025 the bill was postponed by a legislative committee.

California Senate Bill 951 (Worker Technological Displacement Act)³⁸, currently under consideration, would expand advance notice requirements for layoffs driven by technological displacement. This bill builds upon the current WARN Act by extending the advanced written notice period from 60 days to 90 days. It also strengthens worker protections by limiting unjust terminations during the notice period and imposing penalties for noncompliance.

Worker Participation in AI and Surveillance Governance

Another major policy approach emphasizes incorporating worker voice into the development and deployment of workplace technologies. Key features and characteristics of this approach include:

- worker consultation in the design and implementation of AI and surveillance systems;
- formal governance structures, such as worker-management committees and/or a council or committee within state labor agencies tasked with identifying industries impacted by automation, and supporting training and protections for high-risk workers;
- mandates for human oversight in employment decisions; and
- expanded collective bargaining rights to explicitly include digital surveillance and algorithmic management.

A legislative example of this approach is California SB 947 (No Robo Bosses Act).³⁹ This revitalized version of SB 7 addresses Governor Newsom's critiques from his 2025 veto letter.⁴⁰ This bill would require employers to give written notice when using ADS, define permissible applications, mandates human oversight in key

employment decisions, and grants workers access to data used in decision-making. It also prohibits undisclosed data collections and requires compliance with existing labor and civil rights laws. Governor Newsom ostensibly vetoed SB 7 for not specifically addressing the issues of employer misuse of ADS systems, imposing "unfocused notification requirements," and failing to "directly address incidents of misuse."⁴¹ In light of this, SB 947 incorporates clearer and more practical rules of written notification of employer ADS usage in the workplace to workers and the state of California.

Future legislation modeled on this approach should draw on the policy recommendations of the UCLA Latino Policy and Politics Institute, which call for worker-centered governance structures — particularly for vulnerable populations concentrated in high-risk sectors.⁴² The case for such structures is reinforced by growing empirical evidence of both worker exclusion and unmet need. A 2026 national survey by Jobs for the Future found that 56% of workers report their employers have not consulted them about how AI tools are used in their work, and that just over one-third say they have received the training, guidance, or opportunities necessary to effectively engage with AI on the job — a figure that has fallen nearly 10 percentage points in a single year.⁴³ Meanwhile, the Brookings Institute has documented that women and people of color are disproportionately concentrated in clerical, administrative, and low-wage service roles that face elevated exposure to AI-driven displacement — the very populations that worker-centered governance mechanisms are designed to protect.⁴⁴ Taken together, these findings affirm that incorporating meaningful worker participation into the design and implementation of automation policy is not merely an equity consideration; it is a structural prerequisite for legislation that is effective, durable, and broadly protective.

Defining Lawful and Unlawful Surveillance Technologies

A third emerging policy approach focuses on establishing clear legal boundaries around the

use of workplace surveillance technologies. Key features and characteristics of this approach include:

- explicit definitions of unlawful practices (e.g., invasive biometric tracking without consent, off-duty monitoring);
- establishing clear restrictions on employers' use of high-risk technologies (e.g., fully automated employment decisions without human review) and permissible uses subject to safeguards; and
- establishment of oversight bodies or committees to monitor emerging technologies, update regulatory standards over time, and provide enforcement and complaint channels.

Examples of proposed legislation using this approach are SB 947 and related proposals, which call for regulating high-risk uses of ADS. If passed, such legislation would establish clear, enforceable standards for employers regarding the use of ADS and AI surveillance technology and consequences for employers violating these labor laws. This type of legislation aligns with broader calls for stronger labor protections in AI governance.⁴⁵

CONCLUSIONS AND FURTHER INQUIRY

As AI adoption accelerates, policymakers could learn from labor organizations to recenter worker protections in legislation. AI and surveillance technologies are already reshaping key industries that employ Inland Empire residents, such as retail, education, and healthcare, as well as warehousing, logistics, and trucking. Many workers have experienced intensified monitoring, where every action and minute at work is precisely tracked electronically, or outright displacement.

Unions and worker centers remain critical in protecting workers' privacy, safety, and dignity through the use of collective bargaining and organizing. Legislative efforts increasingly reflect the high need for greater common-sense regulation and fairness in employers' use of AI and workplace surveillance. Rather than relying on a single intervention, policymakers are

advancing a multi-pronged strategy that includes:

- **Transparency** through requirements for advanced disclosure and consent to collect personal information, including the ability to opt out;
- **Participation** through worker engagement and governance mechanisms; and
- **Protection** through enforceable limits on surveillance technologies.

This integrated approach is necessary for addressing the many challenges posed by AI and workplace surveillance, including increased data extraction, function creep, and the normalization of intensive monitoring.⁴⁶

Regulation alone, however, is insufficient to protect workers' rights in the age of AI. Expanded funding for transitional assistance and retraining is essential for workers displaced through AI-related automation.⁴⁷ Enforcement also matters. For example, in 2024 the California Labor Commissioner's office required Amazon to pay a \$5.9 million fine for over 59,000 violations of AB 701 (the Warehouse Quota law, enacted in 2022) found at two of its warehouses in Moreno Valley and Redlands.⁴⁸ This ruling sent a strong message to all warehouse employers to comply with California's Warehouse Quota law. This pathbreaking law, which inspired similar bills and laws in other states, and a Congressional bill (the U.S. Warehouse Worker Protection Act), requires employers to disclose productivity standards (or quotas) to workers and to keep these quotas reasonable so that the pace of work does not compromise workers' rights and safety.⁴⁹

Given the gaps and limits in state and federal regulations, unions must take a proactive role in shaping how AI and surveillance technologies are deployed through collective bargaining agreements. Evidence from the UC Berkeley Labor Center, which documents over 175 union contract agreements, shows the potential of this approach to rebalance power between workers and employers.⁵⁰ Worker involvement and engagement will remain vital to improving the outcomes and mitigating the harms associated with workplace automation.

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MISSION STATEMENT

The Inland Empire Labor and Community Center at UC Riverside brings together workers, students, faculty, labor and community organizations, and policymakers to address critical issues facing working people and their communities in the Inland Empire and California. By Inland Empire, we refer to the communities within Riverside and San Bernardino Counties, including High Desert communities and other areas. Through our research and our engagement with local communities and UCR students, we seek to promote good jobs and to improve employment opportunities for all workers in the region and state and to do so in ways that are beneficial to our communities and are environmentally sustainable. Through our activities, we also strive to educate and empower the next generation of community and labor leaders, to promote diversity, equity, and inclusion within our regional and state economy, and to expand and improve the rights of workers and immigrants.

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