

arbeit.digital conference

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Rethinking the governance of algorithmic management

Do we need better regulation?

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The starting point

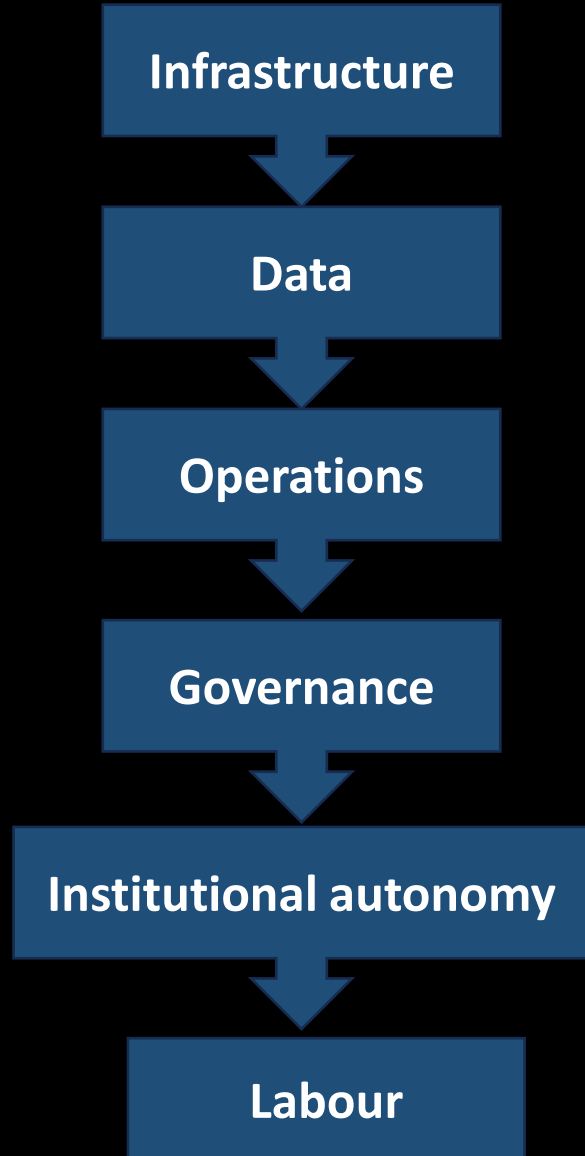
Rejecting algorithmic management exceptionalism

Algorithmic management is often presented as a **new form of managerial control**.

The empirical literature suggests a more nuanced picture (Wood 2025).

Algorithmic management often intensifies earlier forms of monitoring and managerial control rather than creating an entirely new regime.

Sociotechnical *assamblages*



*shaped through design,
organisational practices,
institutional contexts, and user
adaptation*

Algorithmic management across organisations

A case of governance dynamics: AI in the Higher Education and Research Sector



Universities provide or deploy AI systems in ways that affect the access to education, students, teaching, evaluation, and institutional decision-making.

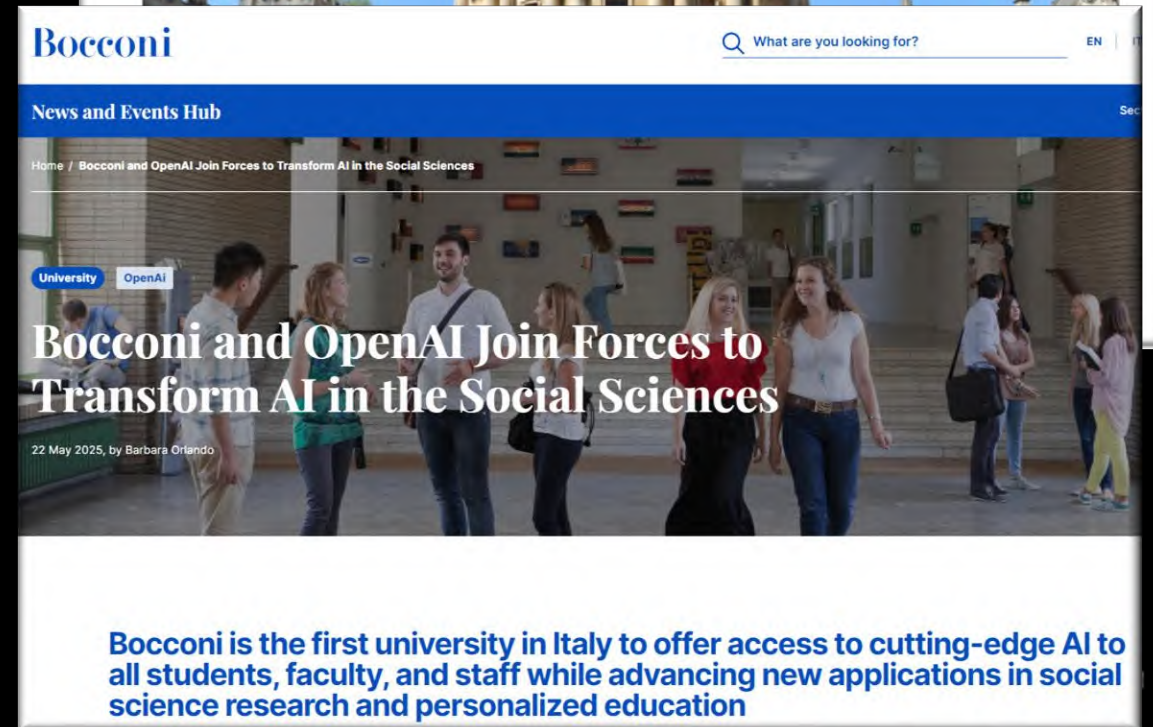
1. Corporate partnerships:

Procurement contracts:

- Who decides?
- Under which conditions?

Consequence:

- Vendor dependency and lock-in effects.
- Institutional governance impacts: data governance, academic autonomy.
- Sociotechnical systems reshape and decentralise organisational governance.



2. Distributed accountability:

The technology provider designs the system.

↓
The institution procures it under T&C

↓
Departments decide how to use it

↓
Impacts on individual workers.

The consequence: fragmented governance that can marginalise workers and their representatives.



3. Soft law guidance:

- Guidelines: implementation?
- Consultation and participation?
- Agreed safeguards?
- Risk management

Who governs the AI systems?

Los Angeles Times

WORLD & NATION

Big Tech and teachers unions are teaming up for training on how to use AI in classrooms



Northside American Federation of Teachers President Melina Espiritu-Azocar, right, speaks with middle school teacher Celeste Simone during a Microsoft AI skilling event in September. (Darren Abate / Associated Press)

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Pictured: Michael Mulgrew, President of UFT; Randi Weingarten, President of AFT; and Sam Altman, CEO of OpenAI, signing an agreement to launch the National Academy for AI Instruction on June 10, 2025.

4. Alternatives exist:

- National, open LLMs
- National digital sovereignty

/danish-foundation-models-dfm

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Danish Foundation Models - DFM

Danish Foundation Models – Empowering the Danish Language in the Digital Age

[Danish Foundation Models](#) (DFM) is a cooperative national initiative aimed at creating high-quality, open-access AI foundation models specifically tailored for the Danish language. Through collaboration with leading academic and industrial partners, DFM will support the pre-training, fine-tuning, and evaluation of advanced AI models for both text and speech technologies. This initiative addresses the challenge that smaller languages like Danish may be underrepresented in the global AI ecosystem, which might negatively impact future application of AI in for example education and the public sector.

DFM follows a sustainable, inclusive, and transparent approach to AI development by ensuring privacy, ethical use, and open-documentation. It seeks to empower researchers, and private companies by ensuring that Danish AI models meet sector-specific demands and are usable across a wide array of applications from public administration and healthcare to education and commercial



Deliverables MultiSynt

Blog

A series of foundation models for transparent AI in Europe

TRULY OPEN

including data, documentation, training and testing code, and evaluation metrics; including community involvement

COMPLIANT

under EU regulations, OpenEuroLLM will provide a series of transparent and performant LLMs

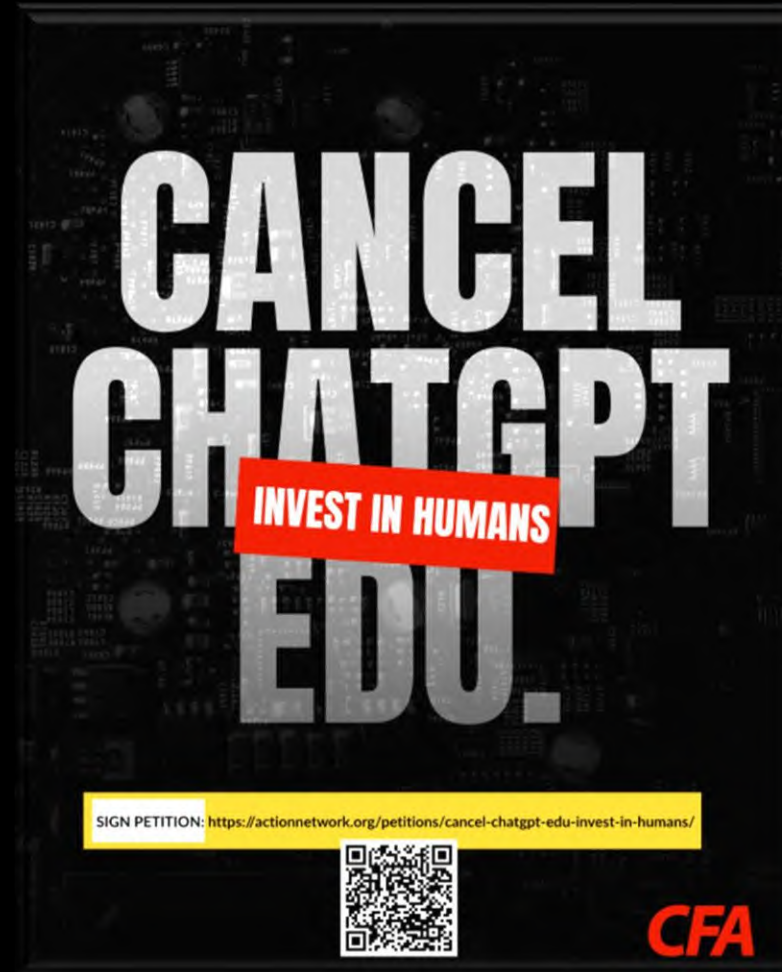
DIVERSE

for European languages and other socially and economically interesting ones, preserving linguistic and cultural diversity

etui.

4. Alternatives exist:

- Agency of academic staff & students
- Modes of resistance



CANCEL CHATGPT EDU.

INVEST IN HUMANS

SIGN PETITION: <https://actionnetwork.org/petitions/cancel-chatgpt-edu-invest-in-humans/>

CFA

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In February 2025, the California State University system announced a \$17 million contract with OpenAI to provide ChatGPT Edu to all faculty, staff, and students on its 22 CSU campuses as part of a larger "AI-Empowered University" initiative. This is the largest contract ever established between a university system and an artificial intelligence company.

Despite the name, ChatGPT Edu is not educational technology.

Recent polling shows that CSU students share these concerns, with the majority of students expressing that they are worried about the negative impacts of generative AI on human creativity and the environment.

Chancellor Mildred García approved

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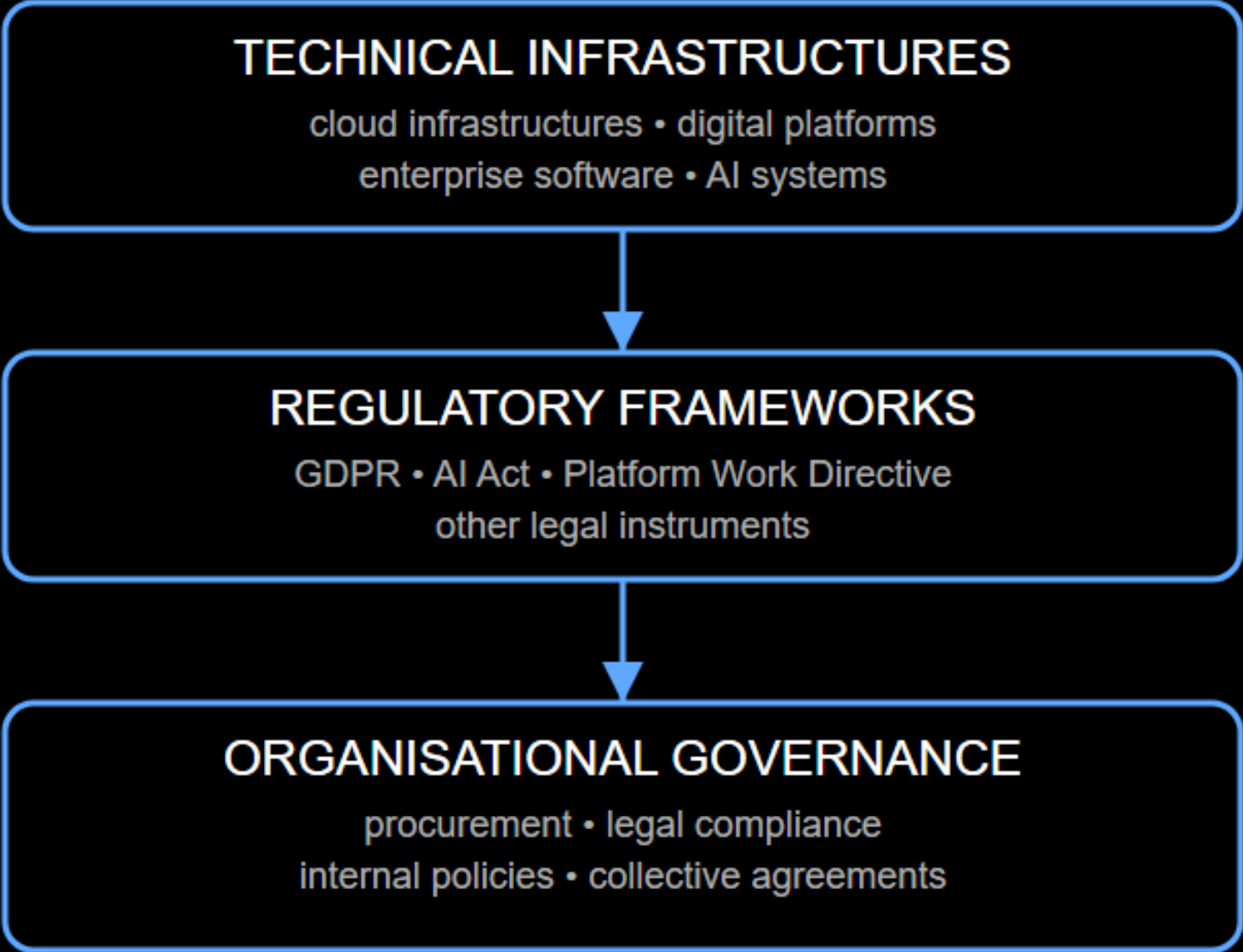
January 31

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Distributed & shifting governance

Where does governance of algorithmic management take place?

interaction of multiple layers:



There is no single governance regime for algorithmic management.

upstream control

Governance emerges from the interaction of multiple legal and non-legal layers, such as upstream-control: co-produced

TECHNICAL INFRASTRUCTURES

cloud infrastructures • digital platforms • enterprise software • AI systems



REGULATORY FRAMEWORKS

GDPR • AI Act • Platform Work Directive • other legal instruments

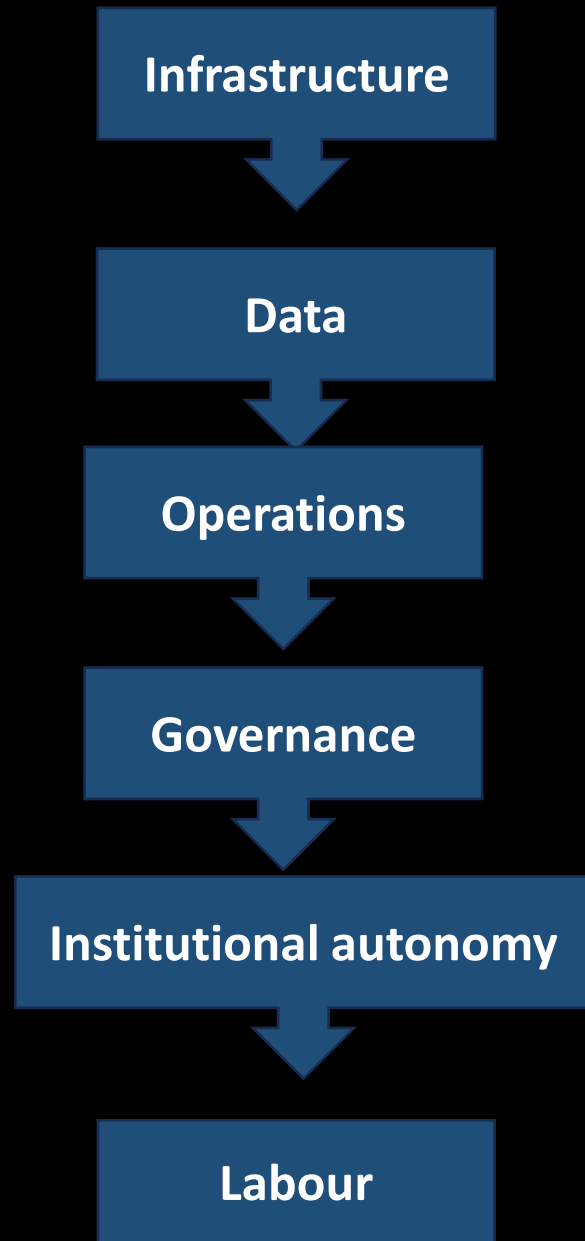


ORGANISATIONAL GOVERNANCE

procurement • legal compliance • internal policies • collective agreements

ENFORCEMENT AND OVERSIGHT

Data Protection Authorities • Market Surveillance Authorities
Labour Inspectorates • Courts and tribunals



Governance is layered and distributed across law, organisations, and providers.

Key parameters are often fixed upstream, limiting downstream intervention

Worker participation must be connected to these points, not only limited to downstream consultation on labour impacts only.

Rethinking governance

Algorithmic management should be understood as a socio-technical system, in which control is distributed across legal frameworks, organisational practices, and provider infrastructures.

Governance cannot be reduced to compliance or internal guidelines. It requires identifying and targeting the points of control, which cut across both technical and institutional layers.



Algorithmic management targeting points of control

The key issue is in which points of control
can trade unions and works council
exercise *effective agency*.



Thank you

Aida Ponce Del Castillo

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Tensions between different regulatory directions in the EU

Commission's Digital Omnibus initiative signals the opposite tendency

Social Europe EBOOKS NEWSLETTER

The Digital Omnibus: Eroding Worker Protection and Rights

The European Commission's "simplification" package is, in fact, a deregulatory intervention that weakens workers' data rights.

Aida Ponce Del Castillo

4th February 2026

The **Digital Omnibus Package** has been consistently framed by the European Commission as a **technical simplification exercise**. This argument is difficult to sustain: the Omnibus operates in substance as a **deregulatory intervention**, reshaping EU digital law in ways that weaken existing safeguards.

Structural disadvantages for workers and their representatives

Formally speaking, the Digital Omnibus does not amend the EU labour acquis. EU labour protection is constitutionally shaped by collective participation and representation. Articles 152–155 of the Treaty on the Functioning of the European Union recognise social partners and institutionalise social dialogue, while Articles 27 and 28 of the Charter of Fundamental Rights protect information, consultation and collective bargaining. Article 31 of the Charter anchors fair and just working conditions.