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Book Review

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Abstract

In March 1964, the cover page of a popular German weekly magazine entitled *Der Spiegel* painted a frightening picture: An anthropomorphic robot with six mechanical arms commands an assembly line while a displaced human worker floats aimlessly in the foreground. Ejected from his station, the worker throws up his hands in despair next to a headline that reads, "Automation in Germany, the arrival of robots." Over fifty years later, a cover page from the same magazine evoked similar themes: A giant robot arm yanks an office worker away from his computer under the headline, "You're fired! How computers and robots steal our jobs – and which jobs will be safe." The more things change, the more they stay the same.

Book Review

Your Boss Is an Algorithm: Artificial Intelligence, Platform Work and Labour
by Antonio Aloisi and Valerio De Stefano¹

ZOÉ BERNICCHIA-FREEMAN²

IN MARCH 1964, THE COVER PAGE of a popular German weekly magazine entitled *Der Spiegel* painted a frightening picture: An anthropomorphic robot with six mechanical arms commands an assembly line while a displaced human worker floats aimlessly in the foreground. Ejected from his station, the worker throws up his hands in despair next to a headline that reads, “Automation in Germany, the arrival of robots.”³ Over fifty years later, a cover page from the same magazine evoked similar themes: A giant robot arm yanks an office worker away from his computer under the headline, “You’re fired! How computers and robots steal our jobs – and which jobs will be safe.”⁴ The more things change, the more they stay the same.

As technology continues to transform our world of work, modern discourse is replete with fatalistic reports of *Black Mirror*-esque environments and employment relationships. However, according to Antonio Aloisi and Valerio De

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1. (Hart, 2022).
 2. Juris Doctor 2024, Osgoode Hall Law School.
 3. Aloisi & De Stefano, *supra* note 1 at 10.
 4. *Ibid.*

Stefano, complacency must be avoided at all costs.⁵ While such fears are certainly understandable, those who forecast the end of human jobs overlook a crucial point: The future of our world of work is *not* inevitable.

In *Your Boss Is an Algorithm: Artificial Intelligence, Platform Work and Labour*, Aloisi and De Stefano argue that technology can and must be regulated to ensure that progress does not come at the cost of widespread exploitation, discrimination, and deterioration of the employment relationship. They set out to clarify misconceptions about technology in the workforce and suggest methods through which technological change can allow for economic growth while preserving human autonomy. In doing so, they focus on two classical dimensions of labour studies—the individual and the collective—to explore how three dynamic areas of debate have altered the world of work: automation, algorithms, and platforms. While the book draws on case studies from across the European Union, the United Kingdom, and the United States, it raises issues that seem universally relevant and will likely spark discussions in other jurisdictions.

Aloisi and De Stefano begin by rejecting widespread doomsday predictions about the future of human work.⁶ This approach is particularly engaging, as readers may recall Carl Benedikt Frey and Michael Osborne's 2013 study on the American job market's staggeringly high vulnerability to automation.⁷ Aloisi and De Stefano engage critically with the Oxford researchers' methodology, raising doubts about its results. Building on the findings of others whose work has greatly affected the automation debate (*e.g.*, David Autor, Karl Polanyi), the authors suggest many persuasive limits to automation and argue against the inevitable displacement of human labour.⁸ While this approach is merely the book's starting point, it defies many mainstream narratives about the "robocalypse" and encourages layperson readers—the author of this review included—to set aside what they thought they knew about technology and the workplace. Rather than replacing all human jobs, technological innovation is changing *how* we work and *what* kind of work we do.

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5. Aloisi is Marie Skłodowska-Curie Fellow and Assistant Professor at IE Law School, IE University, Madrid, Spain. De Stefano is a Canada Research Chair in Innovation, Law and Society and Associate Professor at Osgoode Hall Law School, York University, Toronto, Canada.
 6. Aloisi & De Stefano, *supra* note 1 at 7.
 7. *Ibid* at 13. Frey and Osborne claimed in 2013 that 47 per cent of total US employment was vulnerable to automation. See Carl Benedikt Frey & Michael Osborne, "The Future of Employment: How Susceptible Are Jobs to Computerisation?" (2013) Oxford Martin School Working Paper, online (pdf): <www.oxfordmartin.ox.ac.uk/downloads/academic/future-of-employment.pdf> [perma.cc/XTB9-K8PX].
 8. Aloisi & De Stefano, *supra* note 1 at 14-15.

However, we have the power to determine whether technological innovation will serve as an antagonist or as an ally in the workplace; as stated by the European Economic and Social Committee, “machines remain machines and people retain control over them.”⁹ Aloisi and De Stefano adopt this approach, advocating for regulatory frameworks that protect fundamental rights and minimum standards.

By exploring both the advantages and disadvantages of various technological changes and workplace innovations, the authors toe the line between embracing technology and recognizing its exploitative potential. Their findings on surveillance in the remote work era are particularly interesting (and frightening) with respect to developments since the COVID-19 pandemic. Readers may be alarmed to discover that demand for tracking tools surged by 54 per cent in April 2020 and was on average 58 per cent higher in 2021 than it was before COVID-19.¹⁰ These tools include a wide array of applications that invade worker privacy, ranging from programs that monitor all worker data (*e.g.*, web history, bandwidth utilization) to others that take webcam snapshots of employees every five minutes or so to generate time cards.¹¹

Further negative effects of remote work include the fragmentation of worker communication and collective mobilization, less meaningful training opportunities for new hires, and the disproportionate impact on women who have had to carry out additional and unpaid education and caring duties while working from home.¹² Other workers, on the other hand, celebrate the convenience and flexibility of working from home. Freedom from the shackles of daily stresses (*e.g.*, commuting, unwanted interruptions) has allowed many to generate new professional opportunities and search for work–life balance.¹³ By exploring both the benefits and downsides of remote work (which would not be possible without technological development), the authors reinforce one of their key arguments: Technology is not neutral. Regulators and employers have the power to redesign managerial structures that prioritize trust and responsibility over mere attendance and micromanagement. According to the authors, employers should use technology to make remote work as “effective and authentic” as possible, in order to trigger a systemic re-evaluation of how we assess work performance.¹⁴ But this all must begin with a recognition that technology

9. *Ibid* at 19, 26.

10. *Ibid* at 40.

11. *Ibid.*

12. *Ibid* at 37.

13. *Ibid.*

14. *Ibid* at 42.

cannot be allowed to operate freely in our world of work; it must be regulated. This point is best exemplified by the authors' exploration of discriminatory algorithms in recruitment practices, which have been on the receiving end of significant criticism for many years now.¹⁵

Of all the topics addressed in this book, Aloisi and De Stefano's analysis of algorithmic powers and platform work is most engaging. Given that most other academic narratives on the future of work focus on whether automation will replace human jobs (and the degree to which said implications will affect certain professions and demographics), Aloisi and De Stefano's emphasis on how technology is being used to exploit human workers via platform work seems particularly novel.¹⁶

After arguing that automation neither will nor should replace all human work, Aloisi and De Stefano turn their attention to an issue that *is* revolutionizing work and merits further conversation: the digitization of managerial powers thanks to technological tools. While these tools are not all novel (*e.g.*, scheduling technologies have been around for decades now), the digitization of managerial powers has significantly escalated in recent years in an attempt to boost efficiency.¹⁷ More specifically, computerized tools are now used to track, record, and *make decisions* concerning workers. This lack of human intervention allows computerized managerial processes to be implemented irresponsibly and arbitrarily, in a way that undermines workers' rights, especially platform workers. For example, former Uber drivers filed lawsuits in the Netherlands claiming that "algorithms automatically determined which drivers should be 'deactivated' from the platform in a non-transparent way and with no meaningful human intervention."¹⁸

Platform workers are particularly vulnerable to the unregulated use of algorithmic technology because they are at the mercy of their respective platforms, yet receive minimal worker protections because they are often perceived to be "their own bosses."¹⁹ Aloisi and De Stefano disprove this perception, effectively arguing that platforms prevent genuine worker autonomy, facilitate exploitative,

15. *Ibid* at 43-48.

16. Aloisi and De Stefano define platform work as "a form of employment that uses an online platform to enable organisations or individuals [workers] to access other organisations or individuals [clients] to solve problems or to provide services in exchange for payment." *Ibid* at 90.

17. *Ibid* at 61.

18. *Ibid* at 62.

19. *Ibid* at 94.

unstable working conditions, and impoverish labour markets.²⁰ However, when arguing against the digitization of managerial processes, the authors make the following claim: Just because an outcome is statistically correct and consistent with past outcomes does not mean that it is desirable.²¹ This may well be true for workers and for readers of this book, who are presumably concerned with the future of work, but what is desirable for “us” may not be desirable for high-level employers. As the authors themselves observe, “algorithmic management systems are becoming very affordable and easy to use.”²² While the majority of the population likely does not wish to be “bossed around” by algorithms, a reader might wonder whether there are any incentives for employers to forfeit the economic benefits of algorithmic management.

The authors devote a brief chapter to the relationship between regulation and innovation, arguing that modern employment and labour law facilitate innovation by providing vehicles for flexibility and involvement in the workforce.²³ Attention is also paid to the overall long-term benefits of secure employment relationships, the societal consequences of losing human autonomy, as well as the implied downside of frequent litigation (which is demonstrated by the book’s mention of various cases involving employment claims against well-known platforms). But are these deterrents strong enough to persuade the most powerful members of society to change their ways? If the book claimed to focus only on regulation by external bodies, employer incentives would not have been a necessary point of discussion; however, in their opening pages, the authors write that businesses should also take on the task of targeting the book’s concerns because “[i]t is not enough...to offload this responsibility to political authorities.”²⁴ If Aloisi and De Stefano believe that external regulation is not enough and businesses themselves have a role to play, a deeper exploration of the employer’s perspective (and how even the most powerful employers may be incentivized to adopt the authors’ suggested changes) would have heightened the book’s practical applications in a world where powerful employers seem untouchable.

Further, while the book’s overview of the automation debate is enlightening and persuasive, readers may be left with the following question: If the authors get their wish and human autonomy is preserved by increased regulation, would this development not incentivize profit-driven employers to circumvent regulations by

20. *Ibid* at 100.

21. *Ibid* at 63.

22. *Ibid* at 64.

23. *Ibid* at 117.

24. *Ibid* at 11.

automating? In other words, while the current automation debate seems to have slowed since *Der Spiegel's* third robot cover in 2016, might heightened regulation trigger the seemingly dormant robocalypse and create significant backlash?

Perhaps the greatest strength of this book is its tone, which thematically reflects its main arguments. The development of uncontrolled technology (and its resulting impact on worker exploitation) is certainly cause for alarm, but the authors skilfully convey urgency without sacrificing careful consideration of the key factors involved. While the authors' arguments necessitate emphasis on the negative effects of unregulated technology in the world of work, the book dedicates a decent amount of space to the recognition that technology is not inherently bad. This balanced approach sets the book apart from other narratives that predict the robocalypse and the end of work as we know it. Rather than seeming fearful about the future, the authors focus on how we may harness technology to *protect and improve* human work.

Stylistically, Aloisi and De Stefano's work is both accessible and thorough throughout. Readers need not have any knowledge of employment law or technology to understand and enjoy this book's contents. It is peppered with personal anecdotes that humanize its authors (very on-theme, given the book's focus on preserving human autonomy), while maintaining a strong foundation in research-based analysis. The authors rely on both primary and secondary source research, studies covering both sides of relevant tech- and work-related debates, and countless examples of recent reform in the European Union, the United Kingdom, and the United States. This focus allows the book to make practical suggestions for change and to break free from merely hypothetical discussions about the future of work.

Readers can expect to gain a concrete and comparative overview of recent reform attempts, where such attempts have fallen short, and what gaps remain to be filled. *Your Boss Is an Algorithm: Artificial Intelligence, Platform Work and Labour* is an enjoyable read from cover to cover and addresses issues that are relevant to readers from all professions, whether they have an interest in law or not. We are all impacted by the world of work, and Aloisi and De Stefano's book makes a meaningful contribution to the conversation.