

Position Paper

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Algorithmic management in the workplace

On 11 November 2025 the European Parliament's Committee Employment and Social Affairs adopted its legislative initiative report »Digitalisation, artificial intelligence and algorithmic management in the workplace – shaping the future of work« (2025/2080 (INL)). The report calls on the European Commission to carry out an impact assessment complemented by a Competitiveness and SME Test and submit a legislative proposal on algorithmic management in the workplace.

Ahead of the plenary vote, Bitkom would like to argue for the rejection of report 2025/2080 (INL) for the following reasons:

In Bitkom's view there is currently no need for additional AI specific labour legislation.

Existing legislation – notably the AI Act, the General Data Protection Regulation (GDPR) and the Platform Work Directive (PWD)¹ – **already provides comprehensive rules for the deployment and use of AI in the workplace, offering sufficient safeguards for workers' rights and safety.** In this context, the well-established *acquis* on working conditions, occupational health and safety, and equality also play a relevant role².

New legislation on algorithmic management would duplicate regulatory requirements where the scope of different legislative instruments overlaps. This is particularly the case with regard to **transparency and information rights** (Art. 13, Art. 26 (7), Art. 26 (11), Art. 50 AI Act; Art. 12-15 GDPR; Art. 9 PWD), **human oversight** (Art. 14, Art. 26 (2) AI Act; Art. 22 GDPR and Art. 10 PWD) and **the protection of workers' personal data** (Art. 88 GDPR and Art. 7-8 PWD).

¹ AI Act Regulation (EU) 2024/1689, General Data Protection Regulation (EU) 2016/679 and Platform Work Directive (EU) 2024/2831.

² Directive on Transparent and Predictable Working Conditions (EU) 2019/1152, Working Time Directive 2003/88/EC, Information and Consultation of Employees Directive 2002/14/EC, European Framework Directive on Safety and Health at Work 89/391 EEC, Equal Treatment Directive 2006/54/EC.

Ultimately, duplication leads to incoherence and legal uncertainty, as well as placing an administrative burden on businesses and public organisations striving to ensure compliance with multiple layers of regulatory requirements.

Given the implementation timelines for the AI Act and the Platform Work Directive, introducing further AI legislation at this stage would be premature.

The obligations set out in the AI Act for high-risk workplace systems will apply from August 2026, or later if the Commission's proposed Digital Omnibus Package is adopted by co-legislators. Important accompanying guidelines and standards for the AI Act are not yet available. The Platform Work Directive must be transposed into national law by December 2026. National laws are not yet in place.

Before introducing new legislation, these frameworks must first be fully implemented and evaluated in terms of their effectiveness, practicality, and impact on European digital innovation and competitiveness. Evidence-based policymaking requires a thorough impact assessment of any further measures aimed at addressing potential gaps in workers' rights protection in the context of AI and algorithmic management.

The EMPL Committee Report calls for a broad-scope legislative proposal that would also cover algorithm-based digital tools which have been in use for decades without posing a risk to workers' rights or safety. For example, shift schedules in larger industrial companies have not been created using pen and paper for decades, but rather with computer programmes. Introducing new, extensive regulatory requirements would significantly complicate the use of such applications and ultimately hinder further take-up of digital technology.

Finally, new legislation on algorithmic management would undermine the EU's efforts to simplify regulation and promote competitiveness.

Bitkom represents more than 2,200 companies from the digital economy. They generate an annual turnover of 200 billion euros in Germany and employ more than 2 million people. Among the members are 1,000 small and medium-sized businesses, over 500 start-ups and almost all global players. These companies provide services in software, IT, telecommunications or the internet, produce hardware and consumer electronics, work in digital media, create content, operate platforms or are in other ways affiliated with the digital economy. 82 percent of the members' headquarters are in Germany, 8 percent in the rest of the EU and 7 percent in the US. 3 percent are from other regions of the world. Bitkom promotes and drives the digital transformation of the German economy and advocates for citizens to participate in and benefit from digitalisation. At the heart of Bitkom's concerns are ensuring a strong European digital policy and a fully integrated digital single market, as well as making Germany a key driver of digital change in Europe and the world.

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