The Future of Work: Today. Tomorrow. For All.

By Sarah Pearce, Suzanne Horne & Ben Parish

The European Commission has today held a high level conference in Brussels—'The Future of Work: Today. Tomorrow. For All.' The conference gathered Ministers, representatives from EU institutions and agencies, national governments, social partners, civil society, and academia and was hosted by President Jean-Claude Juncker, Vice-President Valdis Dombrovskis, and Commissioner Thyssen. The aim was to encourage an open discussion on the main transformations that are changing the world of work and European societies, and on how to reap the benefits of these changes for workers, businesses, society, and the economy at large. It considered issues such as governance, education, training, the blurring of lines in relation to employment status, opportunities and megatrends.

The conference prompted discussion, rather than provided solutions. Interesting suggestions included, legislators going out and speaking to employers to really get a sense of what is needed, recognition that AI and technology will exacerbate the division between the employed and the unemployed and creating sectoral social funds.

The head of the EPSC, the Commission's internal think tank, commented at the end of the conference that the key challenge is "*How do you prepare people for jobs that do not exist and that we do not yet know*". Identifying these issues as both a "*formidable challenge and a huge opportunity*".

This followed the Commission's announcement yesterday of a three step plan to take forward the development of its policy in relation to AI. The Commission's aim is to facilitate and enhance cooperation on AI across the EU in order to boost its competitiveness and ensure trust, all based on EU values. Furthermore, the plan shows a clear intention to ensure that any ethical guidelines established can actually be implemented in practice, which is of course key to their further success.

The three steps include: (1) identification of the essential elements for achieving trustworthy AI; (2) the launch of a pilot for stakeholders and partners; and (3) next action-items to build international consensus.

I.   Seven Essentials for Achieving Trustworthy AI

EU values are clearly present in the seven essentials identified by the Commission. In announcing these principles, the Commission stated: "Trustworthy AI should respect all applicable laws and regulations, as well as, a series of requirements; specific assessment lists aim to help verify the application of each of the key requirements:

- **Human agency and oversight:** AI systems should enable equitable societies by supporting human agency and fundamental rights, and not decrease, limit, or misguide human autonomy.

- **Robustness and safety:** Trustworthy AI requires algorithms to be secure, reliable, and robust enough to deal with errors or inconsistencies during all life cycle phases of AI systems.

- **Privacy and data governance:** Citizens should have full control over their own data, while data concerning them will not be used to harm or discriminate against them.

- **Transparency**: The traceability of AI systems should be ensured.

- **Diversity, non-discrimination, and fairness:** AI systems should consider the whole range of human abilities, skills, and requirements, and ensure accessibility.

- **Societal and environmental well-being:** AI systems should be used to enhance positive social change and enhance sustainability and ecological responsibility.

- **Accountability:** Mechanisms should be put in place to ensure responsibility and accountability for AI systems and their outcomes."

II. Large-Scale Pilot with Stakeholders

While the essential principles set out at step one may seem vague and aspirational, the pilot phase involving a wide range of stakeholders that is due to launch this Summer is intended to enable and drive practical implementation.

III. Building International Consensus for Human-Centric AI

The Commission will strengthen cooperation with named partners such as Japan, Canada, or Singapore and it plans to continue to play an active role in international discussions and initiatives, including the G7 and G20, involving countries together with companies from other countries and international organizations.

These latest initiatives by the Commission, follow a report issued yesterday on 'The impact of the Digital Transformation on the EU Labour Market', the AI strategy of April 2018 and the coordinated action plan published by the Commission and the Member States in December 2018.

It is evident that the Commission is clearly keen to lead the charge on AI and digitalisation—issues which we know will fundamentally alter the future of work. It also seems likely that the EU values discussed today and embodied in the AI guiding principles yesterday will underpin the development of EU-wide legislation going forward.

Please contact any of the authors, or your usual contact at Paul Hastings, to ask further about the ways we are helping our clients navigate their AI-related development, growth, and compliance strategies.

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If you have any questions concerning these developing issues, please do not hesitate to contact any of the following Paul Hastings London lawyers:

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