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ARTIFICIAL INTELLIGENCE AND THE FUTURE OF LABOR LAW

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Abstract

The notion of work goes through major changes caused by the development of technology and it is assumed that the development of sophisticated robotization and artificial intelligence will undermine the existence of work. artificial and robotic intelligence will create more jobs, not mass unemployment, as long as innovation is guided responsibly. Guilds or collaborative robots are typically intended for physical interaction with people in a common works place.

There is no doubt that the world of collaborative robots is on the rise, so labour law will have to distinguish between non-human workers (dwarfs, industrial robots, etc.) and human workers, regulations in the field will evolve, meaning that provisions will be needed which will determine, at a minimum, what the relationship between the two categories of workers will be according to the specificity of the activity, as well as other aspects. ace. Romania still has a low density of 15 robots per 10,000 employees, with a national interest in these themes, which is a result of the adoption in 2015 of the National Strategy on the Digital Agenda Romania 2020. Replacing human labour with robots is no longer just a discussion, it's a reality, it's not just a SF issue, it's something society should think and anticipate by updating legislation and social protection in a way or else of the people.

Keywords: Artificial intelligence; collaborative robots; digital inclusion; electronic person.

Given that employers' needs are becoming more and more sophisticated, considering the new realities they face, the future of labour law can be more or less predictable. That is why we propose to look at one of the possibilities, not far away from employers, to resort more and more to industrial robots.

Guilds or collaborative robots are typically intended for physical interaction with people in a common workspace. More and more industries seek to replace employees with robots, who can work continuously and whose work is not taxed by the state.

The automotive and metalworking industries are the largest markets for nobility, followed by electronics, plastic, food and pharmaceutical processing. These robots work alongside laborers and are flexible, easy to program, secure and inexpensive. Romania had in 2016, according to the International Federation of Robotics, 11 industrial robots per 10,000 industrial workers.

A study by the World Economic Forum, entitled "The Future of Jobs", estimates that by 2020 more than 5 million jobs will disappear, affecting all industrial branches and Robotics geographical regions, such loss is to be partially offset by creating of new jobs in highly qualified fields.

The notion of work is undergoing major changes due to the development of technology and it is assumed that the development of sophisticated robotization and artificial intelligence will undermine the existence of work.

Artificial Intelligence (IA) and impact on jobs have been an important topic at the World Summit in Dubai in 2017. In a survey conducted by a US company, it appears that about 65% of the children who are today in their first years of school will have jobs that have not yet been invented.

However, fear of job cuts due to industrial robots is unjustified, as only less than 10% of jobs can be fully automated, with the remainder still being occupied by human workers. In an optimistic manner, artificial and robotic intelligence is thought to create more jobs, not mass unemployment, as long as innovation is guided responsibly.

A study by the European Center for Economic Research (ZEW) argues that the two aspects, the drop-in unemployment and the increase in robots, are closely linked and that robots are creating new jobs and not leaving unemployed workers, as many people.

The study confirms developments in Eastern Europe and Romania, where robotization has allowed unemployment to diminish and wage increases. In this context, the number of robots

installed per 10,000 employees in Slovakia and Slovenia is higher than the global average of 74 robots per 10,000 employees, with more than 130 units. The Czech Republic has a density of 100 robots per 10,000 workers, while Hungary has 60, and Poland 30 units per 10,000 workers. Romania still has a low density of 15 robots per 10,000 employees and needs over 10,000 robots in the coming years to remain competitive in the region.

At the Davos meeting in January this year (2018), at the World Economic Forum, the adaptability of companies to the new and revolutionary challenge of Artificial Intelligence was discussed. What has been made very clear is that the Fourth Industrial Revolution will eliminate millions of jobs.

There is no doubt that the world of collaborative robots is on the rise, so labour law will have to distinguish between non-human workers (dwarfs, industrial robots, etc.) and human workers, regulations in the field will evolve, meaning that provisions will be needed which will determine, at a minimum, what the relationship between the two categories of workers will be according to the specificity of the activity, as well as other aspects.

Social protection, if jobs are reduced due to re-technology and introduction of IA, could be offset by state-owned companies by introducing indemnities, permanent social benefits, to maintain a decent living standard for humanity. Thus, man should no longer be concerned about subsistence needs - shelter, hygiene, food, etc., but develop his creative part, educate and teach new generations in this regard, thus finding time for new inventions, forus solutions, new experiments and discoveries.

It remains to be seen how collective bargaining will be the future of industrial robots, can unions or employees' representatives force the employer to use only a limited number of industrial robots? Will employers be able to replace the work of human workers with industrial robots in case of strikes or the absence, for other objective reasons, of workers?

These questions, as well as many others, are awaiting a firm response from the legislator, the only one able to ensure a reasonable balance. The Fourth Industrial Revolution, or Industry, “blurs the boundaries between physical, digital and biological spheres, “starts with the already existing digital revolution to advance the economy in new, surprising directions based on robotics, artificial intelligence, nanotechnologies, biotechnology, the internet things, 3D printing of autonomous vehicles, so that industrial relations will change as robotization

progresses.

In this context, the European Parliament Resolution of 16 February 2017 containing recommendations to the Commission on civil law on robotics (2015/2103 (INL)) should be noted. According to this document, the implications are direct, both on jobs, "the widespread use of robotics may not automatically lead to the replacement of jobs, but less skilled jobs in intensive occupational sectors could be more vulnerable to the expansion of automation "and on the structure of society, by excessive polarization and increasing the gap between the rich and the poor" in the face of growing divisions of society with a declining middle class, it is important to bear in mind that the development robotics can lead to an acute concentration of wealth and influence in the hands of a minority "

As far as Romania is concerned, we note a national interest in these themes, which is materialized by the adoption in 2015 of the National Strategy on the Digital Agenda Romania 2016 which, although not addressing the issue of robotics directly according to the European Parliament model, has an important economic component through Action 3 - ecommerce, Research, Development and Innovation in ICT, it is estimated that "the implementation of measures under Action 3 will generate by 2020 an estimated impact on the Romanian Economy of around 3% to GDP and 2% to jobs".

The importance of this Strategy is once again reinforced by the Governance Program 2017-2020 which has a distinct component Communications Policies. Digital convergence. "Fast and unlimited access to information and facilities of the information, communication and computing tools for the better use of human energies, the modeling of a fair and creative society that contributes to the economic development and the increase of Romania's Competitiveness". Digitization is also one of the pivotal concerns of the European Union.

The Digital Single Market, an integral part of the 2020 Strategy, is built around new principles and ideas, such as 'digital inclusion' (correlated with social inclusion), ideas designed to allow all categories of people to take part of the technological changes that digitalization brings with it.

Europe is considering granting rights and responsibilities to robots with artificial intelligence, so that the European Parliament adopted a resolution in 2017 providing for a special legal status

of "electronic people" for autonomous robots. "We are in the age of human intelligence along with the artificial one," argues the report. Such a new category of legal subjects that might have rights and obligations would be added to traditional ones, legal entities and individuals who might be present at a certain moment in the labour market.

It was said that "the humanoid robot Sophia, the first robot who acquired citizenship (Saudi Arabia decided in October 2017), is considered a thing, and not a person, and must be dismantled and brought into luggage to travel by airplane, for example, and granting human rights to humanoid robots, even if they are much reduced at an early stage, would be a major error in the thinking of any legislator. It will be just a step towards eliminating people ... ". This robot is legally recognized as his own personality, but starting from the idea that a humanoid robot is a man-made thing, it does not allow it to be regarded as a legal entity, not even on the basis of a legal fiction, as it is made in the nineteenth century with legal entities, entities made up of individuals and that cannot exist independently of individuals.

Even if it can be argued that humanoid robots cannot function without the software of the physical person that creates it, there is still the fear that they will be able to "update" to the point that they will no longer need software and thus recur to the elimination or dominance of human intelligence.

Creating a register for intelligent autonomous robots, as proposed by the European Commission, would only solve the patrimonial responsibility of the intelligent robot, which would obviously come to the owner, and could not be a document for the recognition of an "electronic person", a distinct subject.

However, the stronger presence of intelligent robots in Germany cannot be ignored, for example, at the beginning of 2018 there were the largest number of robots per 10,000 workers in Europe, namely 30924, and employers would be tempted to use more and more much to these non-human workers, because they can work without being limited to a work program to make use of union claims or to need health and safety measures at work.

If an Artificial Intelligence has discernment, "we can say that it can do legal acts and acts, manifesting its external consent in one way or another, written or by mutual consent, depending on the nature of the legal act or the deed. Therefore, it may even conclude contracts, thus

replacing even the manager of a company. There were between 1.5 and 1.75 million industrial robots worldwide in 2017, according to the International Federation of Robotics.²⁶ The car industry employs about 39% of them, followed by the electronics industry (19%), the metal products sector (9%) and the plastics and chemicals industry (9%).

Romania will be the first country to have Artificial Intelligence as ambassador. She will answer questions about Romania, all foreigners, make recommendations for visiting certain tourist areas in the country, talk about people's habits and their way of life.

In areas exposed to industrial robots between 1990 and 2007, both employment rates and wages decreased significantly compared to other areas, suggesting two solutions: vocational reorientation programs for those whose jobs are taken over robots and reforming the education system.

In a very short time, jobs will be drastically suffered and there will be no question of raising them in the next period, but it will even be a drastic reduction of them, because the implementation of Artificial Intelligence in social life is imminent and rapid, depending only on its ability to learn and adapt.

The optimistic variant that "robots will have a complementary role and will not replace humans" is criticized by Stephen Hawking and Elon Musk who continue to warn that artificial intelligence is a fundamental risk to the existence of human civilization.

Companies will prefer Artificial Intelligence because there are much lower costs and efficiency increases considerably. IA does not get tired, does not need a meal break, does not need rest and does not have to work 8 hours a day; more, it does not need salary.

The Industrial Revolution 4.0 is a natural step in the evolution of humanity, a new challenge for human civilization, which should not restrain itself from using robots in economic activity, they will never be able to fully replace human intelligence, artificial intelligence even superior to human will always be dependent on the latter who will have the lead role.

Replacing human labour with robots is no longer just a discussion, it's a reality, it's not just a

SF issue, it's something society should think and anticipate by updating legislation and social protection in a way or else of the people.

Some examples of the replacement of the human workforce at international level are relevant. A New York Hotel, Yodel, which is fully automated and assisted by IA. It hashes check-in and check-out automatically, adjustable and comfortable, motorized bedding that folds to benefit in the extra space room, a robot permanently prepared to help luggage customers, etc.

China announced in November 2017 the planning of the opening of police stations without human staff, fully automated and assisted by IA.

Another example of the IA that took the place of people is Amelia, who works at the Local Council. Amelia is scheduled for customer service and administration; she is able to analyze natural language, understand the context, apply logic, learn, solve problems and even feel emotion.

AI IN INDIA AND THEIR IMPACT

AI is profoundly impacting Indian labor laws, creating both opportunities and challenges. AI can streamline compliance, automate monitoring, and improve efficiency in areas like payroll and HR processes. However, it also raises concerns about job displacement, discrimination, and the need for new worker protections. Existing laws may need to be updated to address these changes, ensuring fair treatment, job security, and ethical AI implementation in the workplace.

Here's a more detailed look:

Opportunities:

Enhanced Compliance:

AI can automate tasks like monitoring compliance with wage laws and workplace safety regulations, helping businesses stay on top of their obligations.

Improved Efficiency:

AI can streamline HR processes like hiring, payroll, and leave management, saving time and resources.

Predictive Analytics:

AI can help predict potential labor disputes or identify high-risk work environments, allowing

for proactive measures.

Challenges:**Job Displacement:**

Automation driven by AI could lead to job losses in various sectors, requiring adjustments to labor laws to provide support for displaced workers.

Bias and Discrimination:

AI algorithms can perpetuate or amplify existing biases, potentially leading to discriminatory outcomes in hiring, performance evaluations, and other HR decisions.

Data Privacy Concerns:

AI systems often collect and analyze large amounts of employee data, raising concerns about privacy and the need for strong data protection measures.

Lack of Accountability:

It can be difficult to determine accountability when AI systems make decisions that have negative consequences for employees.

Workplace Safety:

As AI and robots are introduced, there may be a need to revise safety regulations to protect workers from potential hazards.

Addressing the Challenges:**Updating Labor Laws:**

Indian labor laws need to be updated to address the specific challenges posed by AI, including provisions for retraining, job security, and fair treatment in the face of automation.

Promoting Ethical AI Development:

It's crucial to develop and implement AI systems in a way that is fair, transparent, and accountable, with mechanisms to address potential biases and ensure worker rights.

Empowering Workers:

Workers need to be equipped with the skills and knowledge to adapt to the changing nature of work, through retraining programs and other support initiatives.

Strengthening Grievance Mechanisms:

Existing grievance mechanisms may need to be strengthened to allow workers to contest AI-driven decisions and seek redress for any unfair treatment.

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