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Peer Review

Review of: "Algorithmic Management as Private Labour Regulation: A Framework for Standards, Monitoring, Sanctions, and Worker Due Process"

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Disclosure. My research addresses algorithmic management, platform labour, and employee data governance. Some of the literature discussed below is my own. It is referenced because it bears directly on the conceptual issues identified in this review and may help the authors strengthen the manuscript.

Summary

This conceptual paper proposes a four-function framework for identifying when algorithmic management constitutes "private labour regulation": standard setting, detection and audit, sanctioning and escalation, and contestability through appeal and remedy. It combines enforcement intensity with contestability strength in a 2 × 2 typology, derives seven propositions, and offers an operational measurement scaffold. The paper's central intuition, moving from a surveillance-and-control framing toward a governance-and-regulation framing, is potentially productive. The framework is clear, the negative-case logic is useful, and the effort to specify observable indicators gives the manuscript practical value as a possible scaffold for empirical work.

The manuscript nevertheless remains conceptually underdeveloped in ways that matter. It conflates distinct governance domains, under-theorises behavioural and informational control, treats contestability too formally, and theorises worker responses too narrowly. It also offers too little explanation for why particular regulatory designs arise in the first place. The result is a framework that is elegant but overly simplified for the differentiated realities it seeks to explain.

Recommendation: Major revision.

What the Paper Does Well

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The paper has several real strengths.

First, the four-function architecture is well constructed. The distinction between high monitoring and genuine regulatory authority is analytically useful, and the attempt to specify necessary functions helps guard against conceptual inflation.

Second, the treatment of negative cases is one of the manuscript's strongest features. The paper is right to insist that monitoring intensity alone does not amount to regulation. That discriminant discipline is welcome.

Third, the operational table is genuinely useful. Translating the framework into observable indicators and possible data sources gives the paper a practical research-design payoff beyond abstract theory building.

Fourth, the manuscript takes contestability seriously. Even where the argument remains incomplete, the insistence that due process, review, and remedy belong at the centre of the analysis is an important contribution.

Major Concern 1: The Framework Conflates Distinct Governance Domains

The manuscript moves too freely between platform-mediated work and standard employment, as though both instantiate the same governance architecture. They do not.

In platform work, algorithms often constitute the primary governance infrastructure. Rule making, work allocation, incentive design, reputational scoring, and sanctioning are tightly interwoven. Workers' legal status is often ambiguous, formal contestability is structurally thin, and informational asymmetries are not incidental but foundational. Governance in these settings frequently operates through behavioural steering as much as through explicit rules.

In standard employment, by contrast, algorithmic systems usually supplement rather than replace managerial and organisational authority. Employees remain embedded in formal employment contracts, HR procedures, organisational hierarchies, and legal protections that shape contestability independently of employer design. The mechanisms of control also differ. Monitoring, loyalty enforcement, productivity scoring, background verification, and data-driven boundary policing often operate through institutional pathways that are not reducible to the platform model.

The current manuscript treats these settings as variations along a shared continuum. That move broadens the framework, but it weakens explanatory precision. A stronger version of the paper would distinguish which parts of the framework apply to platform governance, which apply to standard

employment, and which travel across both. Without that separation, the typology remains too coarse for the empirical terrain it seeks to organise.

Major Concern 2: Contestability Is Both Under-Specified and Over-Relied Upon

Contestability is the manuscript's most important concept, but it is not yet specified with enough precision.

The framework treats contestability as the feature that marks inclusion within the category of private labour regulation, yet also varies contestability within that category to generate the typology's normative and analytical leverage. That creates a problem. If contestability is what constitutes membership in the category in the first place, then variation within the category is not theoretically meaningful unless the paper specifies much more clearly what minimum contestability consists of.

Relatedly, the manuscript tends to treat contestability as a formal design feature: notice, explanation, review, and remedy channels built into the governance system. That is too formal. The more important distinction is often between **formal** and **effective** contestability. Firms may design visible channels of recourse that serve primarily to legitimate control rather than to correct injustice. Colling (2004), for example, showed that internal grievance systems can function less as corrective mechanisms than as instruments for managing dissent. This possibility bears directly on Proposition 6. Strong contestability in the paper's current sense may sometimes indicate not substantive worker power, but more sophisticated managerial co-optation.

The framework would therefore benefit from distinguishing at least:

1. minimum versus robust contestability,

2. formal versus effective contestability,

3. employer-designed versus externally guaranteed contestability.

Without these distinctions, the manuscript risks treating the appearance of procedure as analytically equivalent to meaningful worker recourse.

Major Concern 3: Worker Responses Are Theorised Too Narrowly and Too Passively

The manuscript theorises worker responses largely through individual-level frameworks: exit, voice, legitimacy perceptions, avoidance behaviour, compliance, and turnover intentions. Those are relevant, but insufficient.

Algorithmic governance also generates collective responses. Workers build solidarities, share interpretations, develop counter-narratives, coordinate resistance, and create forms of contestation that do not depend on formal grievance channels. These collective dynamics are especially important where employer-designed contestability is thin or symbolic.

Parth, Bathini, and Kandathil (2023), studying app-based cab drivers, show how workers create phygital spaces that enable solidarity and collective action beyond managerial visibility. That insight matters here because it suggests that contestability is not only a feature built into governance systems from above. It can also be generated from below through self-organisation, legal mobilisation, public pressure, and digitally mediated worker communities.

More fundamentally, the manuscript treats workers too much as subjects of regulatory design rather than as participants in its ongoing production and negotiation. Burawoy (1979) showed that workers are not simply disciplined by control regimes; they also help reproduce and reshape them through accommodation, game-playing, and the manufacture of consent. Thompson (1989) and Knights and Willmott (1989) further demonstrated that control is always contested, partial, and negotiated. The current typology, by contrast, tends toward structural determinism: design is specified first, worker response follows after. That is too static.

A stronger framework would recognise that algorithmic governance is not simply imposed upon workers. It is also gamed, interpreted, resisted, normalised, and partially co-produced in practice.

Major Concern 4: Behavioural and Informational Control Exceed the Rule-Enforcement Model

The framework is built around a sequence that runs from standards to detection to sanctions, moderated by contestability. This captures one important form of algorithmic governance, but not all of it.

In platform settings especially, compliance is often produced through personalised nudges, incentive signalling, gamified dashboards, dynamic pricing cues, and asymmetries of visibility rather than through formally codified rules backed by explicit sanctions. These mechanisms may not fit comfortably within the paper's categories of standard setting or sanctioning, yet they can shape worker behaviour and earnings just as powerfully.

This form of behavioural steering — what Parth and Bathini (2021) call *microtargeting control* in their analysis of platform-mediated cab driving — operates through profiling, segmentation, and calculative asymmetry rather than through codified rules and explicit sanctions. It occupies a field of algorithmic

governance that sits between pure monitoring and formal regulation. The present manuscript moves too quickly from one to the other.

The informational dimension is also under-theorised. Contestability depends not only on the existence of appeal channels, but on workers' ability to access the data, profiles, and decision bases through which they are governed. Without informational access, the right to contest often remains merely formal. The emerging literature on employee data protection (e.g., Bathini, 2023) shows that data governance structures — who holds worker data, on what terms, and with what rights of access and correction — shape workers' capacity to challenge algorithmic authority in ways the framework does not yet account for. This informational layer is one of the few governance dimensions that cuts across both platform work and standard employment, making it especially important for a framework that claims to travel across both settings.

A stronger version of the manuscript would treat behavioural steering and informational asymmetry not as peripheral complications, but as central features of algorithmic governance.

Major Concern 5: Legitimacy Is Treated Too Procedurally

The manuscript's most normatively attractive category is the "legitimated regulation" cell: high enforcement combined with strong contestability, expected to generate higher legitimacy, lower conflict, and more institutionalised voice. This is a reasonable hypothesis, but it is too cleanly stated.

Legitimacy in algorithmic governance is not only a product of review quality, visible remedies, or procedural fairness. It may also be strategically produced through rhetoric, institutional positioning, and the managed appearance of accountability.

If legitimacy can function as dark institutional work — rhetoric deployed to manage appearance rather than to deliver accountability — then the paper's distinction between coercive and legitimated regulation requires a much sharper test. Bathini, Parth, and Kandathil (2026) develop precisely this argument for the platform economy, showing how firms publicise fairness claims and formal pathways of recourse while ensuring that substantive contestability remains weak. The implication for the present framework is that the distinction between coercive and legitimated regulation cannot rest on the presence of review channels alone; it requires evidence of substantive remedy.

At present, the manuscript assumes that the presence of review channels and remedy structures is sufficient to move a regime toward legitimacy. That is not always the case. Contestability may be performative rather than substantive. If the framework does not theorise that possibility explicitly, it

risks lending analytical respectability to governance arrangements that are coercive in effect but procedurally polished in appearance.

Major Concern 6: The Framework Needs a Stronger Theory of Design Choice

The manuscript identifies as a future research question why firms choose particular regulatory designs, but it offers little theory that would help answer that question.

This omission matters because algorithmic management is, among other things, an attempt to close the indeterminacy gap through technical and organisational means. Without a clearer account of why firms adopt one configuration rather than another, the typology remains descriptive rather than explanatory.

This problem appears in at least three places.

First, the manuscript gives too little attention to within-firm variation. Different business units, occupational groups, or managerial coalitions may prefer different mixes of discretion, automation, and review. Competing institutional logics inside firms are likely to matter.

Second, the manuscript under-specifies jurisdictional contingency. Proposition 5 suggests that fissured settings intensify coercive regulation, but similar platform intermediaries may behave differently across jurisdictions depending on labour law, enforcement institutions, and prevailing institutional logics.

Third, the framework lacks a theory of why firms would ever adopt robust contestability where doing so constrains discretion and raises the cost of sanctions. Without a clearer account of strategic incentives, the typology risks becoming normatively attractive but causally thin.

The paper would therefore benefit from engaging more directly with the labour process problem of indeterminacy and with institutional accounts of conflicting logics, jurisdictional variation, and managerial choice.

Concern 7: Citation and Assembly Quality Require Attention

The manuscript would benefit from closer editorial consolidation.

There are citation inconsistencies, most notably around Rosenblat and Stark (2016), which appears in the body in ways that do not align cleanly with the numbered reference apparatus. Relatedly, the prose register is uneven. Some sections are analytically precise and persuasive; others are repetitive, awkwardly phrased, or insufficiently advanced beyond earlier claims. The discussion section, in particular, often reiterates the theory section rather than extending it.

The literature coverage is also narrower than it should be for a 2026 conceptual manuscript. The reference list is anchored heavily in canonical, highly cited works, but it misses strands of empirical and conceptual scholarship that would complicate the framework productively. A broader engagement with the literature — particularly on behavioural control, collective contestation, and data governance — would reveal tensions the current framework does not yet accommodate.

These issues do not invalidate the paper, but they do suggest that the manuscript needs more systematic integration and closer source reconciliation before it is ready to serve as a stable conceptual scaffold.

Overall Assessment

This paper has the basis of a meaningful contribution. The central intuition, that some forms of algorithmic management are better understood as variable regulatory regimes rather than as generic surveillance, is sound. The four-function architecture is useful. The discriminant validity safeguards are welcome. The operational scaffold is potentially valuable for future empirical work.

However, the manuscript currently simplifies a differentiated field too quickly. It collapses platform governance and standard employment into a single architecture, under-specifies behavioural and informational control, treats contestability too formally, treats worker responses too passively, and offers too little theory of why particular governance designs emerge.

The paper would be substantially improved by:

1. distinguishing more clearly between platform-mediated work and standard employment;

2. specifying minimum, formal, and effective forms of contestability;

3. incorporating collective and extra-organizational forms of contestation;

4. theorising behavioural steering and informational asymmetry alongside formal sanctions;

5. separating nominal from substantive legitimacy;

6. building a clearer account of design choice, within-firm variation, and jurisdictional contingency.

With revision along these lines, the manuscript could make a useful conceptual contribution. In its current form, it remains a promising but incomplete framework.

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Declarations

Potential competing interests: Disclosure. My research addresses algorithmic management, platform labour, and employee data governance. Some of the literature discussed in the review is my own. It is referenced because it bears directly on the conceptual issues identified in this review and may help the authors strengthen the manuscript.