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Peer Review

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

Beatrice Schutte[1]

1. University of Lapland, Finland

As more and more routine tasks are outsourced to AI/algorithms in many sectors and aspects of our daily lives, the paper addresses a relevant and timely issue. The management of employment relationships with the help of algorithms is a particularly sensitive area due to power asymmetries between employers and employees.

The authors identify conditions under which such management could amount to private labour regulation. This is relevant as rules and mechanisms designed to protect workers could be undermined.

The contribution is mostly well-researched and well-written; however, some points should be improved before publication.

It would be important to state clearly against the background of which legal system the research has been carried out.

The legality of algorithmic management, and thus its potential to serve as private labour regulation, depends on the regulations in force in the respective legal system. There are most likely laws on data protection, overarching labour regulations, and other applicable frameworks. This would be important information for the reader of the paper.

The authors elaborate on the conditions under which algorithmic management can amount to a form of private labour regulation. In view of the previous comment suggesting to point out the legal system against the background of which the research has been carried out, it would be worth showing in which regard the algorithmic management could clash with labour regulations in force. For instance, is there any legislation on audits or sanctions in employment relationships?

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With regard to the legal system in question, it would also be interesting to know whether there is any regulation or policy regarding the use of AI/algorithmic systems in place. This would be particularly interesting in relation to selected aspects addressed in the paper. The authors mention on page 8 ‘opaque control’ as a boundary case, so information on policies concerning transparency in the use of algorithmic systems could be useful for the reader. Are there any general rules on, for instance, algorithmic decision-making? This would also be relevant in relation to the aspect of contestability and remedy as per the table on page 9.

When the authors present a typology of regulatory designs, they use tables to facilitate understanding. The explanation of the content of the table on page 7 could be a bit more elaborate in the sense that it is currently written in a slightly bullet-point-like style in the first half of page 8. Making the text more coherent would improve the flow.

On page 12, a section titled ‘analytical approach’ begins and continues until page 14. This reads like the methodology section of the paper and should be moved closer to the beginning, as it contains essential information on how the authors systematize literature or bring forward their propositions.

The section on theoretical insights, currently beginning on page 14, would be most appropriate to have after the part containing the propositions.

Finally, the three short sections towards the end, titled ‘Limitations and Boundary Conditions’, ‘Implications for Future Research’, and ‘Contributions’, should be merged and be titled ‘Conclusion’.

Overall, I suggest accepting the paper with minor revisions.

Declarations

Potential competing interests: No potential competing interests to declare.