


# Navigating the Intersection: AI, Labour Law, and the Future of Work in South Asia

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## **ABSTRACT**

*This article examines the evolving landscape of labour law in the context of increasing integration of artificial intelligence and algorithmic management systems in workplaces across South Asia. The region, known for its concentration of affordable labour, faces unique challenges as AI technology adoption accelerates, impacting worker rights and protections. Drawing upon existing literature and legal frameworks, this article explores how AI affects fundamental worker rights, focusing on non-discrimination and privacy. It highlights the inadequacy of current labour laws in addressing the risks posed by algorithmic tools and proposes solutions to bridge these gaps, including specific legislative amendments inspired by the French Labour Code and the establishment of a comprehensive regulatory framework for AI in South Asia. By addressing these concerns, this article contributes to the ongoing discourse on AI, labour law, and the future of work in South Asia, advocating for balanced, inclusive approaches that prioritize both technological progress and human welfare.*

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## 1. INTRODUCTION

Artificial intelligence (AI) refers to the domain of computer science and engineering focused on developing intelligent agents or systems capable of evaluating their surroundings, engaging in logical thinking, and executing actions to accomplish their objectives (Hutter & Hutter, 2021). AI encompasses various subfields, including machine learning and deep learning, which emulate human-like decision-making and cognitive processes (Manikanth, 2023). Algorithmic management systems, a subset of AI, are increasingly being integrated into workplaces globally, including in South Asia, to optimise operations, enhance productivity, and streamline decision-making processes.

The integration of AI into workplaces carries significant implications for labour law, particularly in South Asia (AI in the Global South, 2023). AI systems can displace human labour, raising concerns about the duties of employers to provide prior notice, exercise reasonable restraint, and offer alternative employment (Robot workers will lead to surge in slavery in south-east Asia, report finds, 2018). The co-existence of human and machine labour is expected to reshape employer-employee relationships, affecting trade unions and collective bargaining modes. Additionally, the use of AI in recruitment and surveillance has raised privacy concerns, necessitating adequate regulation to prevent arbitrary invasions of privacy.

South Asia, comprising countries such as India, Pakistan, Bangladesh, Afghanistan, Nepal, Sri Lanka, Bhutan, and the Maldives, is a region of significant economic and social importance. The region accounts for nearly 11.5% of the global Gross Domestic Product (GDP) and represents 25% of the world's population. Despite its economic significance, South Asia faces challenges such as lower literacy rates and weaker economic conditions compared to more developed regions, which impact the region's ability to effectively regulate and integrate AI technologies into the workplace. The economic landscape is characterised by a high reliance on labour-intensive industries, making the integration of AI particularly transformative (How AI can accelerate growth in developing countries, 2024). AI technologies have the potential to enhance productivity and efficiency in these industries, but they also pose risks of job displacement and increased inequality (How Technology Affects Jobs in Asia, 2018). These economic conditions necessitate a careful and balanced approach to AI integration, one that maximises the benefits of AI while mitigating its adverse effects on the labour market.

Labour holds immense social significance in South Asia, where a large portion of the population is employed in informal and unorganised sectors (Ullah, 2019). The introduction of AI into these sectors can lead to significant social changes, affecting the livelihoods of millions of workers (Frank et al., 2019). Labour laws and policies across the region must adapt to address the unique challenges posed by AI, ensuring that workers' rights are protected and that the transition to an AI-enabled workplace is smooth and equitable (Furman & Seamans, 2019). The social implications of AI integration extend beyond the workplace. AI systems used in social media and other platforms can influence public opinion and social dynamics, raising concerns about ethical considerations and potential biases. The sensitivity of the region's population to religious and cultural beliefs further complicates the regulation of AI, as biased algorithms or deepfakes can have devastating consequences. South Asian countries must therefore adopt a cooperative and forward-thinking strategy towards AI regulation, involving partnerships among governmental bodies, commercial enterprises, and non-governmental organisations (Chakrabarti & Sanyal, 2020).

AI systems can automate routine tasks, enhance decision-making processes, and improve overall efficiency. Yet the integration of AI also brings challenges such as job displacement, changes in employer-employee relationships, and privacy concerns (Faishal et al., 2023). In South Asia, these challenges are com-

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