

No Robot Bosses Act of 2025

Background

Automated technologies, enabled by artificial intelligence (AI), are rapidly expanding in use, and have the potential to improve productivity, encourage creativity, and enhance skills among the American workforce. Despite these benefits, insufficient guardrails to accompany technology changes disproportionately harm low-wage workers and workers of protected classes. Without responsible implementation, rapid advancements in technology have a troubling precedent of displacing workers and contributing to job losses. Automated systems, broadly described as AI, have practical applications across industries and practices – including in hiring and employment – and present opportunities for streamlined hiring and work processes. They also pose serious risks if left unchecked.

Seventy percent of companies, including more than 99 percent of Fortune 500 companies, currently use some form of AI-based tool in their hiring processes. Because AI tools use and make predictions based on data that, when incomplete or poorly validated reflect existing bias, AI use in hiring can compound exclusionary hiring practices and employment discrimination against job applicants.

Because AI tools are increasingly used in hiring lower wage workers in sectors like retail and food service, the potential for discrimination stemming from this relatively untested technology is highest for lower-income workers. An April 2023 survey from Pew Research Center shows concerns among many Americans about the role of AI in hiring and employment, with 71 percent of respondents opposing the use of AI in final hiring decisions, and more than 60 percent of believing that AI will have a major effect on workers.

The Solution

The *No Robot Bosses Act of 2025* would mitigate discrimination caused by AI-based hiring tools by adding protections for job applicants and employees affected by automated decision systems, and would require employers to disclose when and how these systems are being used. Specifically, this legislation would:

- Prohibit employers from relying exclusively on an automated decision system in making an employment-related decision;
- Require pre-deployment and periodic testing and validation of automated decision systems for issues such as discrimination and biases before such systems are used in employment-related decisions;
- Require employers to train individuals or entities on the proper operation of automated decision systems;
- Mandate employers to provide independent, human oversight of automated decision system outputs before using the outputs to aid an employment-related decision;
- Require timely disclosures from employers on the use of automated decision systems, the data inputs to and outputs from these systems, and employee rights related to the decisions aided by these systems; and
- Establish the Technology and Worker Protection Division at the Department of Labor to regulate the use of automated decision systems in the workplace.