22 June 2026

Elizabeth Tydd
Office of the Australian Information Commissioner
GPO Box 5288
Sydney NSW 2001

AUSTRALIAN SERVICES UNION
By your side

Via: privacyreformtranche1@oaic.gov.au

Dear Ms Tydd,

RE: AUTOMATED DECISION-MAKING TRANSPARENCY OBLIGATION

On behalf of the Australian Services Union (ASU), I thank you for the opportunity to provide a response to this inquiry and the Issues Paper.

The ASU is one of Australia's largest unions, representing more than 135,000 members across local government, community and disability services, public services, airlines, energy, call centres, legal, IT, and administration workers around the country. ASU members power every community, delivering essential services, every single day. We are proud to be a progressive, growing and member-led union.

The ASU is made up of the people who support our local communities organised in union. We are a women majority and growing union. Whether it is at the local library, providing safe roads and pristine gardens, supporting community members experiencing homelessness, family violence or mental health crises, running schools or health services, delivering clear water and energy, responding to disasters, working in call centres, delivering reliable administration for organisations, or even keeping Australians flying – most Australians are bound to deal with ASU members almost every day.

Over recent months and years, the use of artificial intelligence (AI) alongside algorithmic management (AM) has become commonplace in Australian workforces. Given our diverse membership, the ASU has had the opportunity to understand the range of impacts of AI and its effects on Australian workers.

The ASU endorses the ACTU's submission to this inquiry. Our submission should be read in conjunction with the ACTU's response. Additionally, the ASU makes the following comments:

i. **Privacy laws and employment**: The principles in Australia's privacy laws may indirectly apply to employment relationships, despite the legislative carve out of employment. For example, ASU members have been subject to workplace surveillance and other monitoring software. As workers, they are affected by the decisions resulting in commercial contracts between the company providing the monitoring software and the employer purchasing the software. This is also true for AI and ADM software used in recruitment and other human resourcing decision making where there are real concerns about the discriminatory impacts of AI and ADM. As affected persons, workers should be able to access rights enshrined as part of any reforms pursued by the OAIC. Workers should be

able to access any data about them, regardless of whether it is stored by an employer or third party. There should be a designated person within an employing entity responsible for any decisions made by AI and ADM programs that affect employment or human resourcing.

ii. **Community sector work and protections for clients**: As representatives of community sector workers, the ASU is particularly concerned about any obligations placed on workers who collect and store information as part of, for example, case files and case note taking. Community workers have reported that they are concerned about storage of sensitive information on programs that use AI and ADM. For workers who support individuals dealing with family violence, homelessness, or drug and other alcohol addiction, protection of sensitive data is paramount. Workers must not be subject to any adverse actions where there were breaches of data protection, or where AI/ADM programs have wrongfully directed work or reflected case management. There must be guarantees that people who seek the services of community services will have their information protected.

iii. **De-skilling for administrative workers**: ASU members, especially those in the clerical and administrative industry report they have been directed to use AI by creating inputs into systems, only to find out later that in effect, they were training AI to take over their work. Ultimately this can lead to de-skilling and undermine rights and job security. There must be disclosures about the intended purpose of AI and ADM programs at work. Alongside these disclosures, there should also be obligations on employers to undertake workforce planning and upskill workers on how to positively utilise AI programs.

iv. **Occupational health and safety issues and disclosure obligations**: ASU members have reported that client and customer management systems have been forced upon them with little or no consultation. For example, our airlines members have told us of automated customer programs for flight changes, baggage drops and check ins. For some customers this can lead to negative outcomes, which can means workers can be subjected to customer aggression and occupational health and safety risks. Disclosure obligations on service providers should link with OHS regulators to ensure standards can be achieved. Consultation obligations under OHS laws must apply to the introduction of new services and programs affecting client and customer service.

Thank you once again for the opportunity to provide a response to this important inquiry. If we can provide any further details, please do not hesitate to contact [redacted] via [redacted]

Yours sincerely,

[redacted]

[redacted]

[redacted] Australian Services Union

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