# Surveillance & Society

## Ajunwa's The Quantified Worker: Law and Technology in the Modern Workplace

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**Book Review**

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Ifeoma Ajunwa's *The Quantified Workers: Law and Technology in the Modern Workplace* (2023) provides a historical analysis of persisting structural biases and racism caused by the amalgamation of intrusive technologies, socio-cultural capitalism, and the legal incompetence to safeguard workers' privacy and social security in America. This book falls within the existing scholarship on data politics, data ownership, AI and data-driven exclusion, and the ethical usage of digital intrusive technologies on black people. To understand the modern workplace, the author adds to existing secondary sources by exploring archival records, legal statutes, lawsuits, and newspaper records to chiefly address the historical and contemporary accounts of racism in the process of quantifying workers.

Quantification is the process of keeping the records of human behaviour and their sociality. Over the centuries, there have been transformations going on in the workplace. This book shows the unleashing of these transformations caused by technological developments and their profound outcome on workers through quantification. For Ajunwa, quantification entails quantification of both workers' behaviours and attitudes in the workplace. It involves not just quantifying their work productivity for greater efficiency gains but also their health, psychological behaviour, and social behaviour in the workplace.

A major contribution of this book lies around debates surrounding race, law, technology, and workplace surveillance. As technological inventions intensified the process of quantification, they further increased the process of racialisation in different workplaces, particularly with the constant recording of real-time data. This book extends and complements Simone Browne's (2015) analysis in *Dark Matters: On the Surveillance of Blackness* that demonstrates how "racializing surveillance" and "blackness" can be perceived, seen, and observed in the structure of different institutional strategies and technologies of surveillance.

Ajunwa is critical about the consequences of data collection by these technologies in the form of exclusion of people of colour. However, she is not critical of large-scale data collection unless it encroaches on workers' and minorities' rights in the workplace. Her take on data gathering and its usage from a democratic perspective is a bold and fresh attempt, and it stands out in the existing scholarship on big data politics. She observes that "biased data" produce biased results in employment and data feeding in AI video interview

technologies. Instead of merely looking at data as tools of ruling, she argues that data should empower the workers. Technology has and will bring productivity along with a bleak future (greater surveillance, quantification, and higher possibilities of discrimination based on class, gender, race, and minority status).

The author further observes that "many workers face little to no legal protections as wearable technology erodes their autonomy and right to privacy" (286), including during the COVID-19 pandemic in the name of health wellness programmes. The book has found that numerous American laws and government agencies are recognising the exploitation of people of colour and minorities in workplaces. They even tried to establish labour rights, such as unionisation, collectivisation, and workplace privacy. However, technological inventions such as personality tests (the five-factor model, Unicru Personality test, and so on) and prejudiced notions towards people of colour, led to the status quo of past discrimination and exclusion still existing in the present with few changes. Therefore, the author advocates for a reasonable expectation of privacy in the workplace through legal protection to address the existing technology and data-driven exclusion of workers.

For Ajunwa, it is high time to bring workers a "Bill of Rights" (394–395) with both information-sensitive and industry-specific regulations; ethical and democratic norms should be implemented to secure workers' personhood and true democracy (348). She further argues that for the accountability of algorithmic mechanisms or mechanical managers in data gathering, selling, and usage, workers should also be part of the process along with the employer, private organizations, third parties, and state. Yet the author is optimistic and aspirational about democratic solutions despite these institutions' (state, corporate, and civil society groups) persistent lack of political will towards protecting weaker populations in society. She concludes her study on an optimistic note about the potential of advocating for workplace democracy:

> [W]e must envision a future in which workers' labour and employment rights are respected, workers' dignity and autonomy are valued, and technology is deployed to enhance the lives of workers rather than to control them. To achieve this requires concrete changes to employment law doctrine, such as a rethinking of the traditional deference accorded to employers and the adoption of the proposed discrimination per se cause of action, allowing workers to more easily bring suit when confronted with automated systems that have a disparate impact on minority workers. (398)

Ajunwa's suggestions regarding democratic norms, privacy, and workers' rights regarding data ownership in the workplace are necessary and indeed the need of the hour. However, the implementation of such principles is not so "easy" and "approachable" in at least some workplaces if we take into account the "political will" of the state, companies, law, and employers, as is evident from the analysis of David Lyon (2003), Graham Sewell and James R. Barker (2006), Karen Levy (2022), and other scholars on big data, surveillance, and labour rights in the digital age. These scholars have shown that, in the name of "social security" and "economic prosperity," state and private organisations infringe on the privacy rights of citizens, workers, and minorities at large.

In terms of AI's relationship with the workplace, Ajunwa argues that bodily surveillance technologies, particularly technologies that get injected (i.e., RFID) into the body, are more dangerous compared to devices attached to workers (e.g., Apple Watch, Fitbit, and so on). This is because such technologies record health data and violate workers' bodies, autonomy, livelihood, and personhood (292). Similarly, Levy's (2022: 148) idea of compelled hybridization (human and machines) shows how these technologies intensify monitoring capabilities. According to Ajunwa, such technology's design features can be "controlled" and "discrimination" can be ended. Therefore, such technology should fall under the purview of law because this matter is attached to human livelihood and personhood and, according to Ajunwa, should be seen as a higher priority (380, 388). For Levy (2022), almost all AI tech is dangerous; whereas, for Ajunwa, injecting technologies are more dangerous than wearable technologies.

Unlike the existing scholarship on the "reverse gaze" and data politics, Ajunwa has a different take. About reverse gaze, the author argues that "management no longer needs to be present to exert control; finding the fastest worker and creating the imperative for all other workers to match their speed has become the coercive force in the workplace" (176). However, Sewell and Barker (2006) contrarily observe that "reverse surveillance" is a form of resistance because it gives some form of power to the workers and makes their colleagues and superiors accountable in enclosed workplaces. Similarly, Rafaella Valsechhi (2006) argued that the collective gaze (external control, manager and internal control, workers by discipline) ensures the controlling and monitoring mechanism of management authority in the organisation.

*The Quantified Worker* is a major contribution to the field of surveillance studies. It particularly is a major addition to the growing field of workplace surveillance studies, unfolding fresh arguments to help us understand the identity politics of minorities and people of colour in the data-driven workplace.

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