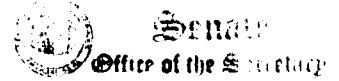


NINETEENTH CONGRESS OF THE)  
REPUBLIC OF THE PHILIPPINES )  
Second Regular Session )



23 SEP 12 P12 :40

SENATE  
P.S. Resolution No. 791

RECEIVED BY: \_\_\_\_\_

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Introduced by **SENATOR IMEE R. MARCOS**

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### RESOLUTION

#### **DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ALLEGED FAILURE OF ARTIFICIAL INTELLIGENCE (AI) COMPANIES TO ABIDE BY THE LABOR STANDARDS OF THE PHILIPPINES FOR THE FILIPINO WORKERS**

**WHEREAS**, Section 3, Article XIII of the 1987 Constitution provides that "*The State shall afford full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all. xxx They shall be entitled to security of tenure, humane conditions of work, and a living wage. xxxx*";

**WHEREAS**, Article 3, Chapter 1 of Presidential Decree No. 442, as amended, otherwise known as the "Labor Code of the Philippines", further states that "*The State shall afford protection to labor, promote full employment, ensure equal work opportunities regardless of sex, race or creed and regulate the relations between workers and employers. The State shall assure the rights of workers to self-organization, collective bargaining, security of tenure, and just and humane conditions of work.*";

**WHEREAS**, artificial intelligence (AI) is one of the technologies that is beginning to transform business organizations in this age of rapid digitalization. With its various capabilities, AI is starting to be utilized in several sectors, and its growing potential is being acknowledged and maximized in many markets;

**WHEREAS**, while AI is often thought of as human-free machine learning, the technology actually relies on the labor-intensive efforts of a workforce spread across much of the Global South and often subject to exploitation;

**WHEREAS**, as AI technology continues to change the business landscape, it is alleged to have a substantial impact on labor and employment particularly the company's compliance with labor laws and standards;

**WHEREAS**, due to advances in technology, it is now possible for labor trafficking to happen without leaving our national borders, and inside the private homes of our domestic labor force;

**WHEREAS**, there have been several reports uncovering labor exploitations allegedly committed by AI companies;

**WHEREAS**, in an online article dated 23 January 2023, an investigation by Time revealed how OpenAI, one of the world's most valuable AI companies and ChatGPT's creator, employed Kenyan workers to label tens of thousands of snippets of text from the "darkest recesses of the internet," depicting violence, hate speech, and sexual abuse. These labeled samples were used to train ChatGPT's models, helping the chatbot learn to identify and filter such content. The investigation also uncovered that these data labelers were paid low wages, ranging from around USD 1.32 to 2 per hour, depending on seniority and performance. In an interview conducted by Time, one Kenyan worker disclosed that he suffered from recurring visions after reading a graphic description of a man having sex with a dog in the presence of a young child. *"That was torture,"* he said. *"You will read a number of statements like that all through the week. By the time it gets to Friday, you are disturbed from thinking through that picture."*;

**WHEREAS**, on 13 July 2023, the Kenyan workers called for an investigation into the operations of companies like Samasource, registered in Kenya, to whom big tech companies like Google, Meta, and OpenAI outsource their content moderation and AI work. They emphasize that the outsourcing model employed by big US tech companies often hurt the rights of the Kenyan citizens against exploitation and fail to provide safe employment conditions. They have also complained that the workers are paid poorly and are mostly "*disposed of at will*";

**WHEREAS**, more than 2 million people in the Philippines perform this type of "crowdwork," according to informal government estimates, as part of AI's vast underbelly;

**WHEREAS**, on 28 August 2023, The Washington Post published an investigation into the country's "digital sweatshops" where Filipino workers train AI model for often below minimum wage pay. In the said report, San Francisco-based tech company Scale AI was accused of failing to adhere to labor standards for its workers in Cagayan de Oro, Philippines. Scale AI, which is valued at USD7 billion, is among several American AI companies that employ workers from other countries through its platform called Remotasks.;

**WHEREAS**, Remotask gained popularity in the country during the height of the COVID-19 pandemic. The Washington Post said that Smart Ecosystem Philippines Inc. (SEPI), a domestic company established by Scale AI to operate Remotask in the country, has enlisted Filipino freelancers to work in at least seven (7) locations in Mindanao which "*included a room above a computer equipment store, a narrow five-story building where some 900 taskers worked in shifts and the corner unit of a strip mall, still adorned in July with banners advertising an "official training boot camp" for Remotasks.*";

**WHEREAS**, while Scale AI claims to pay a living wage to its Filipino workers, interviews with the workers bared that they were paid at extremely low rates, either routinely delayed or withheld payments. For instance, 23-year-old Filipino worker

Charisse told The Washington Post that Remotasks only paid her USD 30 cents, instead of USD 2, for four (4) hours of work. Jackie, 26, said he received USD 12 for working on a project for three (3) workdays, thinking that he would earn USD50. On the other hand, Benz, 36, said he collected more than USD 150 in payments when he was suddenly booted from the platform and never received his money. The company also provided few channels for workers to seek recourse;

**WHEREAS**, Oxford Internet Institute, which scores digital work platforms on labor standards, gave Remotasks a score of 1 out of 10 due to the platform's failure to fully pay its workers;

**WHEREAS**, the Washington Post further reported that the country's government officials were alarmed by its findings "*but admitted they weren't sure how to regulate the platform*";

**WHEREAS**, there is an urgent need for the Department of Labor and Employment (DOLE), Department of Information and Communications Technology (DICT) and other relevant government agencies to come up with regulatory protective measures to ensure the protection of the rights and welfare of Filipino workers in digital sweatshops, specifically those who are struggling to find work and are left with no choice;

**NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED**, directing the appropriate Senate committee to conduct an inquiry, in aid of legislation, on the alleged failure of AI companies to abide by the labor standards of the Philippines for the Filipino workers.

*Adopted,*

  
**IMEE R. MARCOS**