No Direction Home: Labor Rights and Geospatial Data
Tuesday June 1, 2021, 11 am NY, 4 pm London, and 11 pm Beijing

This webinar will focus on issues surrounding the use of geospatial data and labor rights, domestically and internationally. It will examine the use of geospatial technologies and data by employers, and their impact on the human rights of workers under international and domestic laws and protocols. See this link to find out more and register.

Panelists

Jenny Chan

Dr. Jenny Chan is an assistant professor of sociology and a committee member of the China Research and Development Network, The Hong Kong Polytechnic University. She is the coauthor, with Mark Selden and Pun Ngai, of *Dying for an iPhone: Apple, Foxconn, and the Lives of China's Workers* (Haymarket Books & Pluto Press, 2020). She also serves as a vice president of the International Sociological Association's Research Committee on Labour Movements (2018-2022). Her research, currently funded by the Early Career Scheme of the Research Grants Council of Hong Kong, focuses on labor, class, and the Chinese state in an era of oligopolistic globalization.

Presentation: Buy with 1-Click: Independent Contractors in China's Last-Mile Delivery
China's e-commerce boom is fueled not only by Alibaba, JD, and Amazon but also by 4 million parcel express delivery workers. To make their deliveries in the shortest possible time, rather than navigating online, they devise their own routes and build social relations to facilitate successful deliveries. They also often cover the cost for the self-service lockers that are required for reliable deliveries and draw upon their family members to help with delivery and pickups. While these strategies may enhance delivery workers' market competitiveness, it also generates massive profits for the parcel express industry. Human workers, rather than delivery robots, are still the major source of the flexible workforce. This talk sheds light on informal contract work among a male rural migrant workforce, and analyzes the technology involved in highly labor-intensive delivery services in which workers are subject to management both by their supervisors and their customers.

Christina J. Colclough

Dr. Christina Jayne Colclough, a thought leader on the futures of work(ers) and the politics of digital technology, is a strong advocate for the workers' voice. She has extensive global labour movement experience and was the author of the union movement's first principles on Workers' Data Rights and the Ethics of AI. Christina created the Why Not Lab as a dedication to improving workers' digital rights. She is in the all-time Hall of Fame of the world's most brilliant women in AI Ethics; a Member of the Steering Committee of the Global Partnership on AI; an Advisory Board member of Carnegie Council's AI and Equality Initiative; a member of the OECD One AI Expert Group; and the UN's Secretary General Roadmap for Digital Cooperation. She is currently affiliated with FAOS, the Employment Relations Research Center at Copenhagen University.

Presentation: In Defense of the Right to be Human – Why Workers Need Much Stronger Collective Data Rights.
The increasing datafication of work and workers is threatening worker autonomy and human rights. Yet across the world, workers are often exempt from data protection regulations, leaving workers with no rights over the personal data extracted from them and used in algorithmic systems and inferences. To prevent the irreparable commodification of workers, Dr. Christina Colclough urges worker collectives and labor unions to negotiate for much stronger collective data rights through collective bargaining and/or law. Dr. Colclough will be presenting her Data Life Cycle at work – a model for unions that includes demands across four phases of data at work: collection, analyses, storage, and offboarding. Without these rights, Dr. Colclough argues, the quest to ensure inclusive and diverse labour markets for generations to come will fail.

Dragana Kaurin

Dr. Dragana Kaurin is the 2013 founder and Executive Director of Localization Lab and has worked at the intersection of technology and human rights for over a decade; she believes that making civic tech truly available for everyone requires designing with end users, and not for them. Prior to entering the Human Rights Program at Columbia University, where she did research on civic tech and refugee rights, she worked in Crisis Information Management and Communication For Development (C4D) at the UN and UNICEF. She has also served as a program officer at the Open Technology Institute, and worked as a data analyst at Ushahidi. Her research focus at the [Berkman Klein Center](#) for Internet & Society at Harvard University is on data protection and digital rights of refugees and asylum seekers, and has presented this research at the 2019 Oxford Media Law & Policy Institute.

Presentation: Tracking People and Movement: Use of Geospatial Data in Workplace Immigration Raids
One of the largest workplace immigration raids in U.S. history took place at seven chicken plants in central Mississippi in 2019, resulting in 680 people detained *en masse* and separated from their families. Part of the investigation that led to the raids relied on geospatial data from undocumented migrants, and the lack of transparency in how the data is collected and used is creating a bigger human rights crisis for people who already have little visibility and access to legal protection mechanisms. Undocumented migrants and asylum seekers in the US and EU face a number of surveillance threats from both governments and sophisticated commercial actors like Cellebrite and Palantir who use location-enabled technologies and other surveillance mechanisms. This talk will focus on the impact this has had on immigrant and refugee communities beyond crossing borders, and the emerging human rights issues in surveillance using geospatial data.

Ariana Levinson

Ariana Levinson is a Distinguished Teaching Professor at the University of Louisville Brandeis School of Law. Her scholarship focuses on labor and employment law issues. She has authored a book chapter and seven law review articles about work law and technology and has presented on the subject numerous times, including in a media interview with [Bloomberg Businessweek](#). She is also a fellow in the Rutgers School of Management & Labor Relations Institute for the Study of Employee Ownership & Profit Sharing and a member of Kentucky Equal Justice Center's Workers' Rights Task Force. Prior to entering academia Professor Levinson practiced union-side labor law, including serving as a fellow for the AFL-CIO's Legal Department. She earned her J.D., magna cum laude, from the University of Michigan Law School.

Presentation: Workers' Rights, Legislation, and Creative Litigation
To the extent we have stronger worldwide labor rights, we will have better legal protections to address privacy and other concerns with surveillance and tracking technologies. Unions, worker-owned co-ops, worker centers, mutual aid, and solidarity movements provide ways for workers to work together to address privacy-related employment issues. In the United States, unionization guarantees workers some voice in decisions about surveillance and tracking technologies: labor law requires that any change to terms and conditions of employment, including surveillance or tracking, must be bargained, and some union contracts specifically provide protection from surveillance. Unlike Europe, however, the U.S. lacks a comprehensive data protection regime, although some state statutes provide protections that could be adopted by other states or the federal government. Creative litigation can also be used to protect workers from surveillance and tracking technology. This talk analyzes a number of state and federal laws, cases, and other efforts that can be drawn upon to expand address privacy protections for workers.

Co-Moderators: Richard P. Appelbaum & William Herbert

Dr. Richard P. Appelbaum is Professor at Fielding Graduate University's School of Leadership Studies, and Research Professor Emeritus and former MacArthur Chair in Global and International Studies and Sociology at the University of California, Santa Barbara. He has served as faculty representative on the University of California President's Committee on Trademark Licensing, where he helped to draft the UC's code of conduct governing working conditions in factories that make apparel for brands and retailers that sell licensed items across the ten UC campuses. He chairs the Advisory Council of the Workers' Rights Consortium, a Washington-based NGO that oversees the implementation of similar codes of conduct for 181 colleges and universities. His more than a dozen books include *Behind the Label: Inequality in the Los Angeles Garment Industry*, *Achieving Workers' Rights in the Global Economy*, and *Innovation in China: Challenging the Global Science and Technology System*.

William A. Herbert is a Distinguished Lecturer at Hunter College, City University of New York and Executive Director of the National Center for the Study of Collective Bargaining in Higher Education and the Professions. He is also a Faculty Associate at the Roosevelt House Institute of Public Policy at Hunter College and a Fellow of the College of Labor and Employment Lawyers. His research and scholarship focus on labor law and history, collective bargaining, unionization, higher education, and workplace technologies. His published works over the past two decades include seven law review articles concerning new technologies and workplace law, and he is co-author with Jerome Dobson of a recent chapter titled "Geoprivacy, Convenience, and the Pursuit of Anonymity in Digital Cities" in Wenzhong Shu, Michael Goodchild, Michael Batty, Mei-Po Kwan and Anshu Zhang (eds.), *Urban Informatics* (Springer 2021).