

MMD

MONDAY MORNING DISPATCH

BY Chadwick Lawrence

This week on The Legal Alternative podcast, Sam & Nils discuss the first prosecution of a data processor following a cyber attack and debate whether the menopause is a protected characteristic under the Equality Act. In his latest video, Daniel explores whether employees can be paid in cryptocurrency. Our news article takes a closer look at the growing use of AI in the workplace, with a focus on how it's shaping recruitment practices and raising new employment law considerations.



THE LEGAL ALTERNATIVE



THE MEDIA HUB



WHAT'S GOING ON



UPCOMING EVENTS

THE LEGAL ALTERNATIVE PODCAST

9. Cyber Security, Prosecution of a Data Processor and is the Menopause a Protected Characteristic?

Sam & Nils are back discussing an update from the ICO regarding data protection, including the first prosecution of a data processor for a cyber attack. They also answer a question relating to the implications of the Equality Act concerning menopause.



[Watch on YouTube](#)

[Listen on Spotify](#)

THE MEDIA HUB

Can I pay my employees in cryptocurrency?

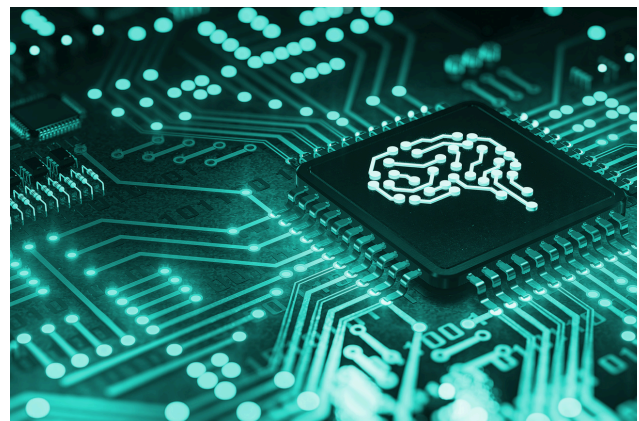
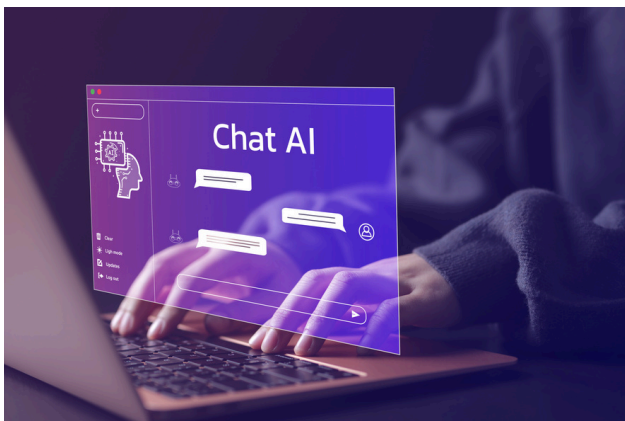


Employment legislation was not drafted with the possibility of alternative currencies being created which are not controlled by central Government. We now consider whether cryptocurrency can be used to pay salaries and, if not, what implications arise in relation to minimum wage and deductions from wages.

WHAT'S GOING ON

AI in the Workplace: The need for Legal Reform in a Digital World

This week's article has been prepared by our Work Experience student, Sumayyah. Sumayyah's article gives employers a rundown of what AI technology is and the key challenge it may pose for employers, especially in regard to their recruitment policies. If you have any concerns relating to AI in the workplace, please feel free to submit a question to our podcast or contact the employment team at boxhr@chadlaw.co.uk.



In recent years the world has seen a rise in the use of Artificial Intelligence (AI) particularly in the education and finance sectors. In the post-Covid era more workplaces have adopted the use of AI-powered technology to increase efficiency and to manage recruitment processes.

So, what is AI? It has been defined as a digital computer system designed with the intellectual processes of humans, such as rational thinking. It has become popular as it is able to perform tasks once reserved for human workers; managing to exceed the performance levels expected of human employees in many industries. The fascinating yet eerie aspect of AI is that it can be taught almost anything, from playing chess to developing computer programs. However, there are also significant limitations of AI.

This brings contemporary legal issues to light as employment law was not developed with AI software in mind. One such concern for employers is bias. AI is limited as it doesn't have the ability to think for itself making it vulnerable to perpetuating certain prejudices. Research has shown that AI feeds on biases in the data it is provided and it further repeats these biases in its own decisions. Amazon was made to discontinue an algorithmic recruitment tool as it was discovered to be favouring male applicants, feeding on historical recruitment data. This led the AI to deduce that male candidates were better than their female counterparts. Such cases highlight the concern with AI being influenced by hidden biases in the data. This can result in discriminatory hiring processes especially as more managers are using AI to review candidate profiles and to recruit new employees.

Another common use of AI being implemented by employers is monitoring employees' online activity to assess productivity. This has raised privacy concerns under the UK GDPR and Data Protection Act 2018. These laws govern how automated processing collects employee data and how this is used to make decisions directly affecting employees. The Trade Union Centre has warned that AI risks "spiralling out of control" after it was found that 60% of employees believe they have been subject to surveillance. There are worries that if more regulations are not put in place then there could be widespread discrimination and cases of unfair treatment in the workplace.

The lack of transparency has left many employees unaware of the extent to which they are being monitored. More workers are demanding amendments to the law which outline the regulations regarding AI technology used by employers. The EU has already implemented new legislation in this area with the EU AI Act entering into force on 1 August 2024. It is expected that the UK could follow by introducing legislation specifically addressing AI in response to growing concerns by employees. This would mark a significant shift in employment law, setting new standards for transparency and accountability in the modern workplace.

UPCOMING EVENTS

Seminars & Events

We're now on our summer break for seminars, but keep an eye out for our Autumn/Winter programme coming soon.



Mental Health Awareness Sessions

Mental Health Training

We're partnering with **Tailored Learning Solutions** to offer two day, in person, accredited Mental Health First Aid courses at our **Wakefield office**.

Accredited by MHFA England® and the Royal Society for Public Health, MHFAiders will improve knowledge and develop skills to support someone who may be struggling and what to do with crisis support.

25-26 June | 24-25 September



NEW

Neurodiversity in the Workplace Training

Tailored Learning Solutions will be running a 1 hour webinar – Neurodiversity in the Workplace Aware – on Tuesday, 02 September, at 9.30 a.m. This short webinar aims to increase awareness/understanding and explain the correct terminology to use whilst also looking at common myths around neurodiversity.

This will be followed by a one-day in-person workshop – Neurodiversity in the Workplace for Managers – which takes place on Friday, 05 September, at 9.30 a.m., Chadwick Lawrence, Paragon Point, Wakefield, WF1 2DF. The aim of the workshop is to gain understanding around neurodiversity and to gain practical tools to create a more inclusive workplace. For further details on this workshop, please contact: ken@tailoredlearningsolutions.co.uk or carolgledhill@chadlaw.co.uk.

Please note that, in order to attend the workshop you must register for and attend the one-hour webinar on 02 September. The cost for the webinar is £65 plus VAT and the fee to attend the webinar and the one-day workshop is £250 plus VAT. The course is CPD certified and, when completed, attendees will have access to the learning portal for 3 years.

Details & booking: [Tailored Learning Solutions](#)

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