On October 16, 2024, the U.S. Department of Labor (DOL) published new [guidance](#) on the use of artificial intelligence (AI) in the workplace (the AI Guidance).

The AI Guidance is the most recent in a spate of federal, state, and local regulatory measures aimed at governing employers' use of AI tools, including, for example, [New York City's Local Law 144](#), which regulates the use of AI for hiring and promotion decisions. The AI Guidance includes a broad range of recommended best practices for employers, including that employers should (1) audit AI tools for disparate impacts across protected classes, (2) ensure that AI tools do not interfere with or monitor protected labor-organizing activities, and (3) not use AI as the sole decision-maker for significant employment decisions. Though the AI Guidance is not binding, it may serve as a framework for future enforcement actions and the development of future regulations. Accordingly, employers using or planning to use AI in the workplace should ensure that their AI tools and policies align with

the AI Guidance's recommendations.

Authors

Brian Turoff

Partner
BTuroff@perkinscoie.com   212.261.6930

Chris Katsimagles

Counsel
CKatsimagles@perkinscoie.com   212.261.6838

Explore more in

Labor & Employment

Related insights

Update

September Tip of the Month: New York's "Freelance Isn't Free" Act: New Compliance Mandates for Independent Contractor Agreements Effective August 2024

Publication

Labor & Employment Tip of the Month