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EMPLOYMENT WITH THE USE OF ARTIFICIAL INTELLIGENCE: OPPORTUNITIES AND RISKS

Abstract

Human beings and artificial intelligence, although materially different, are never separate. Technology rests within man, in this resting it surpasses him. Technology draws the world and the human into itself and retains it. The opposites of man and artificial intelligence are in dispute. For an artificial intelligence system to be an artificial intelligence is to engage in a dispute between man and the essence of technology. What is the essence of technology? It lies in what the technology really is. It establishes this dispute in the form of an artificial intelligence system that makes it public. The human being, his or her rights, freedoms, duties, what appears to be inviolable, inalienable and unalienable in his or her being, what reaches him or her and is only given to him or her, without which he or she would not be a human being, is only experienced through the artificial intelligence system, being subjected to its influence. This article attempts to demonstrate that, in this dispute, technological development does not necessarily mean progress any more.

Słowa kluczowe: sztuczna inteligencja, system sztucznej inteligencji, algorytm, kod, godność człowieka, prawa i wolności człowieka, praca ludzka

Keywords: artificial intelligence, artificial intelligence system, algorithm, code, human dignity, human rights and freedoms, human labour

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Introduction

Artificial intelligence poses new challenges for labour law. Solution thereof may fundamentally change the shape of the basic premises of this law. These challenges are related to the various risks posed by artificial intelligence. The extent of these risks, or the scale of the threat they reveal, remains open. In order to properly grasp this problem, it is necessary to start with some questions—all of which revolve around what is most problematic about artificial intelligence: it is uncontrollable, it is beyond every scale, it is essentially non-human. The questions allow

entrance to the area of what legal science refers to as the risks caused by an artificial intelligence system. This area reveals a dangerous regularity: technology is the substrate that gathers everything, it is the substrate of the apprehension and understanding of humans, of work, of their rights and freedoms—of their being in the world.

Every attempt to define an artificial intelligence system, or AI, is an expression of the belief that artificial intelligence can be fully controlled. After all, these attempts are about being able to anticipate risks, to be able to prevent them and, above all, to gain the ability to eliminate them. And this is where first doubts arise, which need to be clarified: how is the appropriate use of an artificial intelligence system actually supposed to protect fundamental rights, how can this be verified and for what reason? And what about the multiplicity of artificial intelligence systems, the totality of this mode of organisation, its ubiquity? Does the definition of rules for the appropriate use of these systems create the possibility of controlling omni-organisation at all, or does it rather serve this organising of everything, and if it does, how does it ensure the protection of fundamental rights, does it protect rights, or does it ensure that the system operates in harmony with itself, with its essence. What, then, is the measure of this protection, from where does it derive its appropriateness? Is it not from some other order, is it not the technological order?

Analysing artificial intelligence from this perspective means that technology is imperceptibly beginning to appear to us as the measure of all measures, as something undefinable, and this opens up further threats, the explanation of which again requires questions: can what is happening here be inhibited (contained) by rules alone (e.g. data processing rules, risk management rules, data management rules, event recording rules, transparency and human supervision, robustness and accuracy of these systems).[1] What does man experience here? To what danger is man, his being in the world (his rights, freedoms and work) exposed? Can he successfully resist it?

This brings us to what constitutes the title of this article and what, in the context of what the title says, should be considered first and foremost: what in the world of work of the artificial intelligence era is the greatest danger to man (employee), the artificial intelligence system—the technical thing or perhaps the essence of the technology? Finally, which is the relevant threat and has it already affected man in its essence? As we approach the question of relevant threat, let us turn our attention to these words and try to think based on them:

> For almost 11 hours a day we are cordoned off by barriers, behind a multitude of gates and algorithms, attached to a scanner. We move like clockwork (...). There is no day or night here, the screen does not go blank, there is only one time: work (...). We are continuously being recorded. The scanner records our every step. We are made up of data. We do not need electronics. We are it. (...) we have 8 hours left to live (...) a 10-hour job takes up our entire lives (Staśko 2020).

What does it mean that a 10-hour job consumes an employee's entire life? Technology absorbs, takes root in the essence of man, grows into him, taking possession of his being in the world,

[1] Cf. Proposal for a Regulation of the European Parliament and of the Council laying down harmonised rules on artificial intelligence (Artificial Intelligence Act) of 21.04.2021, COM(2021) 206 final, hereinafter referred to as: "AI Act".

which grows out of it and which binds man by weakening his will. Technology captures absorbingly. The word introduces the essence of danger. At the same time, these words send us back to thinking about the essence of fundamental rights, they send us back to the way principles of law operate, not to the "how" they are, but to the "what" of their being when it associates with the force field of technology. These words expose the being of technology in the world of human labour, which is the most extreme danger for the being of man.

These words tell us what an artificial intelligence system is and how it works, they tell us about the mechanism, about the interaction, about what its autonomy is and how it is autonomous, and about what drives it and what it is caused by. They also confront us with the question: is artificial intelligence the same as an artificial intelligence system.

So how does technology exist? What should be the point of departure in the analysis, to look at the essentials of technology or to look only at the technical? How, then, should an artificial intelligence system be presented in order to be able to see into the essence of technology, rather than constantly moving past it?

These words tell us how, in the working environments of algorithmic enterprises, the instrumental (an artificial intelligence system) exists as a kind of causal item. What, in the face of this, becomes the working environment in which causality, understood in this way, plays out: tracing and predicting particular series and chains of causal relationships, what appears here, what is coming to light? What, then, is the instrumental itself? A necessary starting point for further analysis is an artificial intelligence system. Artificial intelligence has its system wielded by the essence of technology, which humans attempt to define. Does this mean, then, that artificial intelligence is a system, or perhaps a condition of the system's possibility as such?

1. Artificial intelligence system

The traditional approach to artificial intelligence systems perceives this creation only from the technical perspective. The same is true of artificial intelligence, which is presented as a theory of the technical (yes, e.g. Barr, Feigenbaum 1981). The dominant approach in science is the cybernetic approach based on the system method. This approach defines the essence of this tool by characterising what it consists of and how it works. It uses an interdisciplinary conceptual apparatus.

From the various proposals defining an artificial intelligence system,[2] it is clear what is intended by its creators to belong to an artificial intelligence system:

a) software—AI Act,
b) predefined techniques and approaches that can be used to develop software—AI Act (machine-based system—OECD),
c) human-defined objectives—AI Act (designed to operate at different levels of autonomy—OECD),

[2] Two key proposals were analysed: the proposal contained in Article 3 para. 1 of the AI Act and the proposal for a definition of an artificial intelligence system proposed by the OECD.

d) action aimed at generating specific content, predictions (forecasts—OECD), recommendations or decisions—AI Act (designed to act to generate output—OECD),
e) impact on the environment—AI Act (physical or virtual—OECD) with which it interacts.

These proposals imply that an artificial intelligence system is to be defined invariably in the same way. The measure of invariability is what it can be created with, how it is to operate, what is to be defined here by man (AI Act), who (AI Act) or what (OECD) can design it (in the OECD proposal, the place of human-defined goals is taken by a designed machine-based system with varying degrees of autonomy), what it is to generate and that it is to interact with the environment with which it interacts, that it is to operate autonomously, mechanically and machine-based. The elements of the system thus distinguished are to always belong to the system. The idea here, then, is that an artificial intelligence system can always be invariably defined. Definitions of an artificial intelligence system are thus based on the assumption of the unchanging constancy of its characteristics and properties. However, what if the system itself changes as a result of the development and implementation of new techniques and approaches that are not mentioned in the act, what if these techniques and approaches equip the system with the ability to act beyond the mechanism developed by man (AI Act), what if it is the system itself that begins to develop techniques and approaches (OECD), begins to change itself, begins to free itself and generate solutions that humans can neither comprehend nor, still less, master, and finally what if a system is created from which nothing can escape? Will such a system then still be an artificial intelligence system in the sense of AI Act or OECD? Perhaps it will not comply with the definition, which does not mean that it will not be an artificial intelligence system. This means that any attempt at a legal definition of an artificial intelligence system now belongs to the past—it will never be valid, as it concerns a fundamentally unmanageable phenomenon, a phenomenon that is essentially nothing technical, but which redefines the man and his relationship to being.

It is further evident from the proposals indicated that an artificial intelligence system is singled out for its functionality (usefulness). This is mentioned in each of the definitions. Usefulness is the basic feature from which an artificial intelligence system distinguishes itself and is thus this system. The function of the system is to generate results that are supposed to take a specific form; this is supposed to be certain content, predictions, recommendations, decisions (AI Act), which are called output (OECD); the generation of results (deciding, forming, using, compiling) is carried out in a specific environment in which the system is used; so it is not about any use of the system, but about such a use of the system that makes it possible to fuse it with the environment. Therefore, functionality reduces the AI system to a means, a tool (object), to objectives; it is to be used to achieve the desired goals, to build decision-making schemes based on analysis, on methods based on logic and knowledge, on learning, on modelling the environment. It must therefore be reliable—only then will it give man his own necessity and closeness. This means that it serves first and foremost as well as exclusively to create the local organisation zone, to control the processing of data and to secure this process. It is thus created (defined, designed) in order to be used, so that whoever

uses it benefits from it. It goes without saying, therefore, that man participates in the way an artificial intelligence system enters into being.

In technical terms, therefore, the usefulness of an artificial intelligence system is expressed in the fact that it makes the objectives effective; in making effective, it actually defines the new system of subordination and supervision to be created; in defining, it brings out the most effective means of the transformation that is to lead to it; in bringing out, it makes use of the old, pre-existing system to be subjected to this transformation, so that a new system can be created.

An artificial intelligence system, in technical terms, is therefore a collection of elements and the relationships between them, linked together to form a whole, which is called a system. In this object, each of its elements is assigned a specific function of action, each of these elements forming a subsystem. It is therefore a concept that is general enough to be applied to any software, yet specific enough to allow the most far-reaching distinctions between software. Indeed, each of the proposals for the definition of an artificial intelligence system is based on linking the notion of a set of elements to the notion of relationships between elements. The notion of a set refers to a set of characteristics of that software and such a relationship between them that, because of them, it becomes a system that is described as autonomous and machine-based (software). These are the characteristics intended to be pertaining to every artificial intelligence system. They are its properties. For many this means that artificial intelligence is a system (so, e.g. Zalewski 2020, p. 3; Nowik 2023, pp. 4 ff). This is a circular understanding of an artificial intelligence system based on the system method as a method of presenting and solving problems—they are supposed to provide solutions. These definitions actually provide information about the behaviour of this system. That is, the technology informs us about the technology itself.

So, what follows from the definition of an artificial intelligence system when it captures artificial intelligence solely from the perspective of what is technical? The algorithm (software) as a formed code; an artificial intelligence system as a tool. The definition thus captures an artificial intelligence system as a means to ends, as an objective and as a human act (product). These terms belong with each other. In this sense, artificial intelligence turns out to be a thing (system), if it is a being at all.

Definitions of an artificial intelligence system therefore regard this system as an object and inquire exclusively from the perspective of man as its creator. The instrumental definition of an artificial intelligence system is what prevails here and by means of which the meaning of the phenomenon that is artificial intelligence is expressed. In this approach, the explanation of the operation of the system is based solely on what is visible at first glance. This way of understanding determines any attempt to create a proper relationship between humans and the artificial intelligence system. This relationship is defined by setting out a framework for the appropriate way of handling the artificial intelligence system as a means. The reason of appropriateness is respect for the fundamental rights of the individual. What, in turn, is an artificial intelligence system reason, what drives it? Is in fact an artificial intelligence system merely a cluster of features and properties from and through which the whole (the system) so understood is formed?

2. Artificial intelligence system as an arranging device

A scientific analysis of an artificial intelligence system shows us a fundamentally different (technical) state of affairs. From a scientific point of view, an artificial intelligence system means software that operates at different levels of autonomy and that interacts with the environment. These data are right, they show us how the system works and why it works that way as well as what it consists of. This is the actual, legally thought essence of an artificial intelligence system, but it is not a presentation of artificial intelligence per se. An artificial intelligence system is more than just code. What then is an artificial intelligence system when it is in the causal? In essence, we are dealing with system engineering, which includes making objectives effective by pointing them out, finding the most effective ways of how to achieve those objectives, applying the means, which involves determining from what, from what data, those objectives are to be achieved; determining the area of data is the cause of how to most effectively achieve what one wants to achieve. An artificial intelligence system is ruled by a causality that is, for its part, safeguarded everywhere, which itself becomes a controllable mechanism from which what it causes is extracted: a new model of subordination with a code of continuous supervision (Bąba 2024), the elements of which are the old system (normative, grounded in law) with orders from superiors and the new system (technological) with signals—the transformation that takes place here is the relationship that occurs between them. The instrumentality of the instrumental reigns in this system; causality reigns in its reign. An artificial intelligence system is therefore in the causal, is grounded in it. Causality is extraction, it concentrates causality and wields it, it wields the artificial intelligence system, it wields the whole multitude of these devices, the whole of this device.

An artificial intelligence system is an *arranging* device: it is (still) arranged by man with the algorithm and its drafting, the code and its extraction from nature, the data and their processing, individuals and their being in the world as information, the needs and purposes (mechanisms, schemes, procedures) they serve belong to it.

The algorithm reveals the energy rooted in nature, the source of which is in the code. In the making of an algorithm, a code is used which disappears into the usefulness of the algorithm, the code is a creation, an extraction from nature—it brings out the energy rooted in nature into an object, encapsulates it in a formula which, properly applied, produces a mechanism in which the energy necessary for its self-perpetuating action in the form of: learning, programming, deduction, symbolic reasoning, deep learning, processing; owing to the ability to make decisions, this mechanism produces a local organisation zone (subordination) around itself, serves to set and add: it makes the processing of setting up and adding possible, makes this process an essential feature of human's being, of understanding his or her rights, freedoms and duties. This mechanism makes it possible to trace a certain pattern of behaviour in the necessity of its course, it can thus be made manageable in advance as it can be embedded in the causality by which it is determined and which secures the operation of the system. The procedure sets itself increasingly to the possibilities of behaviour that it has itself produced. This gives rise to a necessity to focus itself exclusively towards the results that the mechanism delivers, to submit to the decisions it produces, to the recommendations it formulates.

We find the being of an artificial intelligence system not through the description and explanation of some actual artificial intelligence system, not through its manual, the instruction of how the code works, also not through the observation of a use case of an artificial intelligence system, not through the rules of transparency, but only in the right approach to the technology. It is the technology that speaks to us. It provides the knowledge of what artificial intelligence really is, through it and only in it does the being of artificial intelligence reveal itself. So, what truth happens in artificial intelligence, in the code, in the algorithm, is it deposited in the processing of data, in the technical, in the artefacts? Is the technical actually what is real? Or is there something else in artificial intelligence than just the code (algorithm)?

Every artificial intelligence system is made software, but there is no doubt that artificial intelligence means something else than software itself. It acquaints us with the operation of something else, which itself has the feature of producing and causing. It is, in its essence, producing. The fundamental question is: what does artificial intelligence produce? What does it allow to occur?

3. Extractive causation vs. challenging causation

Martin Heidegger draws attention to this distinction primarily in his question about technology (Heidegger 2002). If one were to transfer what his question about the essentials of technology says to the area of artificial intelligence systems (algorithms) and capture it in the question about the shaping of contemporary technology, nothing of what the question about technology reveals to us loses its relevance today. On the contrary, it gains even more relevance. Today we are also asking the same thing: what is the thing that shapes technology. The starting point of this question, captured in the question about technology, remains equally valid: technology is not the same as the essence of technology. Technology, like technique, is a mode of discovery. Unlike technology, however, it is focused exclusively on challenging discovery, which, according to Heidegger, sets the real to yielding energy, reducing it to being a resource. What is the basis for this relationship between these two modes of discovery. Where does the difference lie and why is it so important. After all, an artificial intelligence system is treated as a high-risk system. So, what is this risk based on, what is it caused by, what is its essence, that one tries to classify artificial intelligence systems according to its degree? Is that what is instrumental to technology really the essential feature of this risk? Does everything take place exclusively in an area where the end and the means belong, where causality rules, where the rules of cause and effect rule? Is all happening, the entire process of human work, to be unequivocally predetermined?

Modern technology is mastered by discovery, however, not in the sense of extraction, which, in Heidegger's question about technology, uncovered its mode of being, which meant: to protect, to nurture, to guard, but in the sense of a challenge that demands the energy of nature for purely exploitative purposes. It is a challenge for the sake of exploiting something. It sets man up in a certain way. It sets him on treating everything that is perceived as a resource; from the perspective of resource, man is dependent. This means: in this system, the individual

derives his or her state solely from being a piece of data, from being an information system, from being able to be added with what is itself able to be added, i.e. to other data and information systems. Technology is a challenging discovery, a challenging insistence, which challenges man exclusively to exploit, by challenging them it also adds them, thus also making them part of the resource. In the artificial intelligence era, all that is becomes an object of processing, an object which, as M. Heidegger noted long ago, disappears into the non-objectivity of the resource. In it a stability of a different kind emerges. Hence, following what M. Heidegger says: technology, like technology in his question, is not a mere human act. This challenging claim, which focuses man on adding something discoverable as a resource, which entraps man in adding as the supposedly only means of discovery, he calls s-et. Martin Heidegger argues that the s-et is not something invented and produced by man. Rather, it is something that admits man, needs him and uses him, that sets him up and touches him in his being, it is finally something that transcends him and brings him into a dependence that he has not created and that he obeys. This means: all addition of resources, all discovering, is s-etting, it sets the addition exclusively to the exploitation of what is. The s-et, as M. Heidegger noted, is nothing technical, and therefore the essence of technology, that which rules it, is nothing technical. This means: the danger it causes and sets to operate all artificial intelligence systems, cannot be tamed either technically or normatively. All devices called artificial intelligence systems, algorithms, techniques and approaches to the creation of programmes only respond to the call of the s-et to transform something real into data, into information systems, but they neither constitute it nor cause it—they are not its types or instances; they belong to it, each in its own way. According to M. Heidegger, it is man who performs the challenging setting, but not he who disposes of this mode of discovery—the s-et. And it is this mode of discovery that introduces us to what the question asks: on what is the high risk of artificial intelligence systems based, and by what is it caused, as well as where does it take place?

This discovery, discovered by M. Heidegger in his question about technology, is precisely the essential feature of contemporary technology—danger that increases the uncontrollable risk of losing control, it is what develops the processing of representation into a mechanism, permeating it, from which new ways of adding data into systems of information are developed, new ways of producing, extracting and accumulating, which set human work into a pre-calculated relationship of forces that can be triggered, extracted to accumulate resources and which can be controlled to use them. Permanent control and supervision safeguard this process. In it, the employee is oriented solely to the output of energy. In this system, the employee is exploited—exposed to a mechanism that sets the enterprises' operations to rushing towards the highest possible productivity and efficiency with the least possible energy input from the employer, who is driven by an algorithm. Data processing is focused on the delivery of collected information that is intended to control a work process that challenges the enterprise to operate more efficiently.

Artificial intelligence systems are nothing more than an apparatus for intensifying the use of time, which rules the interlocking of consequences in this area. An artificial intelligence system incorporates the temporal dimension into the exercise of control and the practice of domination. It transforms the work into a mechanism, entangles the individual in norms,

averages it into an informational variable from which it emerges as an element, as an algorithmic being fused with others of its kind into a single mass, a single structure, a single mechanism, a single closed circuit of data. The employee is embedded in the operation of this apparatus. He concerns the employer only as a resource. He is what he is now as an employee, a piece of data and a system of information, in the context of the essence of technology. In the working environments of algorithmic enterprises, this means the reduction of the employee to the status of a "human resource", "human capital", "human factor", for whom the highest value becomes solely efficiency; these environments are ruled by data processing. What happens here does not happen according to the measure of a human being and only in him. What happens here does not present itself in the light of a cause-and-effect relationship, it is not determined according to the causality of causation alone. It is not man who is the causal cause of this state of affairs.

It is therefore necessary to ask, as M. Heidegger asked, what the instrumental is itself, what the artificial intelligence system itself is, why there are such things as means and ends, why it is an arranging device of subordination. Where the instrumental reigns, there causality rules. An artificial intelligence system is rooted in the causal. Causality, in fact, causes something, reveals something—it brings out the being of technology, which wields causality, wields means and ends, the instrumental.

An artificial intelligence system is based on the primacy of method captured in the formulation: techniques and approaches. They only allow for the establishment of a relation of objects that has a statistical character. The relation thus acquires a purely adding character, into which man and his being-in-the-world, his rights, freedoms, duties, his work, all that is, are drawn as resources. The relationship becomes imperceptibly a resource in need of addition. It is predetermined by the set—by what shapes technology. This is how it gains its dominion. The rights and freedoms of an individual expose themselves to the objectification wielded by the essence of technology. This objectification can never fully encompass the essence of human labour, individual rights and freedoms. The statistical nature of the relationship of objects means that all relationships and analyses are based on simplifications. The algorithm does not sense that there is something that belongs to the incalculable, that escapes the optimising grasp of the code as something inaccessible to simplification. That is to say: an artificial intelligence system cannot encompass the full essence of human labour, nor the full essence of individuals' rights and freedoms, of their being, since technological objectification is only one way of exhibiting reality. The individuals' rights and freedoms, their work, exhibit themselves in different ways. The digitality of the digital is only one of them. Thus, since it is beyond the reach of technology to penetrate its essence, it is even less able to penetrate the essence of an individual's rights and freedoms. They are as this inescapable thing, inaccessible to and by technology.

Artificial intelligence is presented from the technological perspective of the presentation of happening, and happening as a logically determinable sequence of causal relationships. We insert work, humans, their rights and freedoms, their responsibilities, employment, autonomy, justice, the concept of decent work into the field of happening understood in this way, instead of thinking about the essence of artificial intelligence from the perspective of the essence of technology, which is not something technical at all.

4. Three areas: reason—causality—dominance

In each of the proposals for the definition of an artificial intelligence system, one can basically distinguish three relevant areas. The area of reason: artificial intelligence vs. artificial intelligence system, the area of causality: techniques and approaches, and the area of environment: interaction vs. domination.

The first area reveals to us the fundamental question of the relationship between artificial intelligence and an artificial intelligence system. Are they one and the same? Is artificial intelligence an object, a tool, is it actually something made by man, is it a self-oriented human act and therefore something that exists, something that is used, or is it just software? Or perhaps what is referred to as artificial intelligence is only introduced into the system, i.e. it is encased in code, it is defined by an algorithm (techniques and approaches). This introduction gives rise to the creation of a mechanism—a machine (which we refer to as a system). Is it not then the one that becomes to exist? What, then, one is trying to control? Over a mechanism-machine (e.g. a platform), or over artificial intelligence? If we reduce the understanding of artificial intelligence to created software, then we answer the question of what an artificial intelligence system is and how it is (how it works). This means: artificial intelligence is expressed in the compatibility of the software with its features. So, is the compatibility of software with its features artificial intelligence? Is compatibility, so understood, already artificial intelligence? Compatibility means that the action of that which is causal achieves the desired objectives, that it achieves them independently at different levels of autonomy. And nothing more than that. Is what is accomplished in this way already artificial intelligence? Or is an artificial intelligence system an instrument in which something else lies, and is an artificial intelligence system therefore that something else, not a thing, something that cannot be defined? Perhaps, then, there is something else in artificial intelligence than just code? By asking in this way, we are touching on what is ambiguous and puzzling in this relationship.

The area of the environment reveals to us the power of interaction. Are we sure it does. What does interaction actually bring out, what does it allow to occur? How does code interact with language. How do we determine this influence, in what and by what is it caused? An artificial intelligence system is a system that is supposed to influence the working environment because it is used in it. It is not, therefore, any use, but only one that causes influence. It is therefore about influencing, which means having effect, forming the environment anew and changing it, making it fit for use in a technological way, using it. That is to say: technology influences the working environment by introducing the employee to participate in the processing of data, teaching them to behave according to the generated patterns (norms), thus making them fit for use. It turns out imperceptibly that what is expressed in code interjects the work environment and the employees into a dependency, changing their essence. Interaction brings out domination as the technology's way of being in the world of work.

What is the interaction grounded in, what is its reason, what rules it? This reveals to us the area of techniques and approaches that causality rules. Techniques and approaches organise what is logical, i.e. all formal structures of thought as we know them, into a mechanism. This mechanism becomes a system—and as a system leads to calculability and disposability. The

essence of what is logical in a mechanism is calculability and disposability. By means of logic, the system counts and calculates everything that is, i.e. it also treats the uncountable (being of being) in the manner of calculation. Calculability and disposability are the structure of the world of human labour. Calculability and disposability do not mean any device, instrument, tool, any particular system. The function of this structure is to subordinate and add what is to the results, i.e. to orient the explicability in such a way that the reliability of the result is essentially ensured. The mechanism counts. What rules human labour is contemporarily grounded in "if—then" relationships in the form of "when—then". Within this organising, a new type of employee is enforced. The employee is treated quantitatively. The employee becomes a "quantitative" thing.

Therefore, what is logical is a certain structure common to all artificial intelligence techniques and approaches that lead to computability and disposability. Computability and disposability send itself into data processing, it enters everything that is. Embedded in this entry is the essence of technology, which rules computability and disposability and which is nothing technical.

What does this mean for the world of work? The basic way of proceeding in any signalling of how the employee is to be used in the working environment of algorithmic enterprises is to follow and predict particular series and chains of causal relationships—calculability and disposability is what prevails here. Calculability and disposability now represent what is logical, in the context of the essence of technology. This means: in the working environments of algorithmic enterprises, the employee only exists in the causal relationship of everything to everything. An artificial intelligence system thus reveals causality in its machinic essence, which demands to think exclusively in terms of causal relationships. The employee is subject to the power of this mode of explanation alone—he is calculable and disposable. His work, rights and freedoms, his duties are made available to the artificial intelligence system by means of techniques and approaches for causal verification, and it is only in this that it sees what is true, what is objectively verifiable, what makes it possible to ultimately fire and hire, what allows platforms and algorithmic enterprises to persist imperturbably. Everything here becomes machinically useful—it places the employee in an ever-closer dependence on current performance and on constantly improving it. Employees are left up to artificial intelligence systems that tie them, deceive them and torment them, that outgrow their will and decision-making capabilities.

The machinic essence of technology (artificial intelligence) situates itself in its consequences, through which it imperceptibly takes over as righteousness, as certainty, as the sole measure of righteousness and truth. It hides behind objectiveness and objectivity. The principles of labour law, the methods of interpretation, the law, its entire institutions, are irrevocably embedded in this process. This is how technology becomes the only reliable knowledge—it validates its necessity and perpetuates the degeneration of the appearance of a cause justifying dismissal. In fact, the objectification of the employee comes to the fore, sucking in all the materiality of being. Man's work becomes pointless and insubstantial, while he himself is used and exploited. In the face of this machination, the employee is defenceless. In the "is", his being, which has thoroughly abandoned him, is denounced, leaving him, his rights and freedoms to the machination of use, which is ruled by calculability and disposability.

This is how artificial intelligence comes into its own.

The machinic essence of artificial intelligence presses towards calculation, use, regulation, exploitation, handiness, addition. It presses towards domination, rules limitlessly, permeates all that is. Thus, these three areas essentially belong together. Reason, causality, interaction in themselves and in their mutual relationship, are thanks to something else, which is the grounding thing here, namely that from which artificial intelligence takes its name—owing to technology. Artificial intelligence, therefore, stands for something else than what the software (system) itself is—so it is not just a question of the software conforming to its characteristics. By asking and answering in this way, we are only asking from the perspective of man as the creator of this system, not from the perspective of what has grown into it and in which it is grounded, not from the perspective of its reason. This approach thus ignores the belonging of the artificial intelligence system (understood as an object, a means, a tool) to the essential (machinic) of technology. It is only in the allocated space of the environment with which it interacts that the artificial intelligence system reveals directly, what is material in it, its existence, and therefore, what is most problematic and functioning in secret—the being of artificial intelligence (technology), which is not at all technical. In fact, the question is not what an algorithm is, what artificial intelligence is, but what the being of an algorithm is, or what the being of artificial intelligence systems is in the contemporary world of work. How it is tells us a lot about an artificial intelligence system understood as an object, as a tool, as a means, it tells us a lot about what it is. The being of technology is pronounced in the "is".

These three highlighted areas merge into one, into "something else", which is not made up. It is therefore something that cannot be defined. This "something else" reveals to us what artificial intelligence allows to occur—danger and what actually rules it: in danger, calculability and disposability rule it. This means: an artificial intelligence system as a high-risk system is dangerous, it is a danger. The being of technology—the machination of its essence is pronounced in the "is". This means: artificial intelligence familiarises us with the functioning of "something else", which itself has the nature of producing and causing. It is, in its essence, producing. It produces the omnipotence of cause-and-effect relationships. The omnipresence of this phenomenon intensifies the danger of artificial intelligence systems, while the absolute omnipresence authenticates its being.

5. Relevant threat—extreme danger

Technology establishes itself as the measure of all measures. When man becomes the object of representation by a system then his essence is transformed. It may seem that it is possible to counteract this by learning about the very way in which a tool such as an artificial intelligence system works; after all, with this knowledge we can extract from the artificial intelligence system's representation of man's work, his rights, duties and freedoms, everything that comes from the artificial intelligence system itself and thus obtain an answer as to what it is and how it works, how it can protect itself and how it can monitor risks. However, where a system leads and manages, there is always the possibility of degenerating into a formality, into a crafted system

that not only reacts to change but, above all, induces change itself, becoming imperceptibly the environment in which what is plays out (Bąba 2022, p. 5).

The fundamental question is: what does artificial intelligence capture and how? What is capturing in artificial intelligence, is reality? How does artificial intelligence's reality capture? It captures by tracking the effects of something real in its time course as what is being processed; capturing is what it is as processing. Algorithm and code, that which is logical, take on the capturing. The real thus appears only in the light of causality. In this way, the reality of the real is transformed into the digitality of the digital, into a new order in which succession, and with it the temporal course, comes to the fore. Something real is exhibiting something present. This means: calculability and disposability are the present, altered reality of the real that captures. In this strictly controlled order, processing slowly becomes so obvious that it is without why.

Artificial intelligence captures reality by encapsulating it in code and, in the form of artificial intelligence systems, produces it as what is capturing. By producing it, it defines what is real. The reality of artificial intelligence determines all that is. The real now appears as an object for processing. The system transforms it into a mechanism that allows it to continuously calculate, track, correct and collate the effects of assumed causes, which it freely and autonomously disposes of. The artificiality of artificial intelligence is therefore not in the code, but in the reality produced, which captures by exposing itself to the objectification ruled by the essence of technology. Technology rules the objectification in which the digitality of the digital turns, as well as the theory of the digital (technical), and with it the entire essence of modern science. What is the artificial in artificial intelligence? What is artificial intelligence in itself? What and how is it? This cannot be experienced from the mere construction of an artificial intelligence system, from the perspective of what is technical, as well as from the perspective of the theory of what is technical.

So, what does the word "artificial" mean in the phrase "artificial intelligence system"? What is the artificial? Artificial shows us the appearance in which something present shows what it is. Something present is subjected to the control of a system (mechanism). The system sets something that is real exclusively so that the something present always presents itself in the light of causality. Something real is something present that exhibits itself. This means: calculability and disposability are the present, altered reality of the real that captures. The rights and freedoms of the individual, human labour, are blurred in calculability and disposability, which concentrates the working life of the employee. It is in calculability and disposability that all employee existence is played out. Thus, imperceptibly, everything presents itself "only in the unconcealment of a resource" (Heidegger 2002, p. 44), with this "only is everything, the one, the only" (Heidegger 2001, p. 154). Does such an established order guarantee freedom, is privacy even possible in such an established order? Order and freedom do not coexist, the more order the less freedom; in this tightly controlled order the employee becomes a piece of data, without even noticing to what extent he is subject to control by a higher system of elusive control.

This brings us to the relevant threat, the extreme danger of artificial intelligence: technology, its essence, becomes here unspoken in declarations, resolutions, regulations and directives as

a template for interpreting, capturing and comprehending the rights and freedoms of individuals, their work, their ways of being in the world. This means: objectiveness imperceptibly sends itself into law, which thus secures the self-security of technology. It begins to define the essence of the individuals' subjectivity by dissolving their freedom completely in objectivity, "liberating" man towards a new freedom. The determination of the essence of subjectivity is carried out according to how technologically organised man conceives himself and what he wants himself to be. Liberation creates the illusion that he himself can determine what is obligatory, that he can define it in various ways. Meanwhile, it is not man, not law, but technology that redefines the bond with what is obligatory.

Conclusions

Changes are taking place in the foundations of labour law. These changes are a sign of profound transformations in the foundations of man's being in the world. In the modern science of labour law, they are causing a revision of these foundations. Artificial intelligence is bringing the science of labour law into areas that have been unknown to its institutions in traditional terms.

Processing and calculating of data are nowadays a fundamental law of behaviour. It is ruled by the machinic interpretation of rights, freedoms and duties. It produces a scheme of universal calculable explainability of values. The autonomy and duties of individuals are ruled by numbers and calculation, which assume power as certainty. This certainty of thought develops within organising and disposing. A grounding of this type supplies the law and its principles with a basis that is not in fact a basis and with a sense that lacks reflection.

The use of technology (artificial intelligence systems, algorithms) to human work does not leave it as it is for itself, but forms and changes it; the same applies to the rights, freedoms and duties of employees. This means that work, duties, rights and freedoms are what they are owing to and in technology.

The rights and freedoms of individuals, their work, the law, become the subject domains of artificial intelligence which secures their unity. They are subjected to the mechanism that produces measuring procedures—they are measurable, processable, subject to addition, calculable and disposable, they are processed until they fit into the reliable context of artificial intelligence in which they are embedded and for the sake of which they are laid out and in which they are supposed to last.

Man's work, his rights and freedoms remain essentially unguarded and ungrounded. They are marked by calculability and disposability. In this marking, the being of each as it is emerges.

Artificial intelligence eliminates all values from the principles of law. It features human labour exclusively within the limits of logical processing values. Work appears exclusively in the light of causality as being woven from the reviewable effects of assumed causes; the consequence of this way of being is the reign of logicality over materiality. Logicality conditions reality,

which is subordinated to it and which captures. The correlation of techniques and approaches with the environment is a structural necessity of artificial intelligence systems. This structure is ruled by the essence of technology. Its dominance is absolute.

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