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AI: Promising and Problematic

Labor and Employment Law Conference


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AI
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Nute has advised governmental entities across the state on personnel matters, further counseling on the legal ramifications of generative AI on employee discipline, privacy concerns, and policy revisions.

Nute has specifically served public schools as both outside counsel and in-house counsel and bases his education and employment law practice in the Dallas-Fort Worth metroplex in the Plano Office of Eichelbaum Wardell Hansen Powell & Muñoz, P.C.



DEFINING GENERATIVE ARTIFICIAL INTELLIGENCE

AI

Promising and Problematic



Generative AI

Definition

A **large language model (LLM)**, like ChatGPT, is a type of generative artificial intelligence. These LLMs are trained on huge swaths of information from the internet and other sources to allow them to predict and produce responses to queries from users.

Generative AI can also produce high-quality artistic media for visual arts, concept art, music, fiction, literature, video, and animation. There are some inherent dangers or concerns for employees who access these tools and seek to use them for nefarious purposes. We'll explore "deep fakes" later, for example.



Generative AI – Promising

- Access universal human knowledge
- Conversational learning experience
- Substantive drafting capabilities
- Increases effectiveness and efficiency
- Empowers employees to do more

Generative AI – Problematic

- Data collection and privacy concerns
- Misinformation and bias
- Decreased critical thinking skills
- Decreased creativity and overreliance on technology
- Instrument for harassment of employees
- Deep fakes can be difficult to trace and remedy
- Audio and video creation is easy, cheap, and may cause substantial disruption in the employment setting if misused or create credibility and evidence concerns in litigation.



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