

The Legal and Ethical Grey Area of Skill Ownership in the Era of Generative AI

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ABSTRACT

The rapid integration of generative - AI into an organisation create a challenge for the workforce. AI based system become capable of replicating human technique ranging from complex into artistic style. The critical grey area has most regarding the ownership of human skill. This study examine the issue of skill ownership in the age of generative AI from legal and ethical perspective. Employee developed the knowledge & expertise after spending number of years. when their skills, work pattern and professional knowledge are used to train or develop organisational AI system, the boundary between the individual contribution and organisational ownership should become unclear. This practice leaves many workers feeling as though their life's work is being harvested to build their own automated replacements. It explore a clear question regarding the intellectual property, privacy, ownership, consent, and the moral responsibility of any organisation employee knowledge is converted into AI based system. Through qualitative approach, research aims to understand the experience and perception of employee and identify the challenges facing by the organisation to identify whether the work is completed by AI or it is done by employee. This ambiguity not only complicates performance evaluation, but it also creates an environment of mutual suspicion where human authenticity must constantly be proven. An organisation also faces challenges in balancing technological innovation with employee rights and ethical responsibility. The research considered for the employee may perceive the trust, job security, fairness, and psychological contract.

It concluded that the responsible AI adoption not only focus on organisational efficiency, but also recognise the human contribution behind the knowledge that makes the system valuable.

Keywords: Skill ownership, legal and ethical concerns , intellectual property, psychological contract, employee right, employment law, generative AI.

INTRODUCTION

The concept of grey area is given by John G Bruhn and Robert Jackall. The grey concept do not give the clear idea about right and wrong. It is basically the situation where the line between wrong and right are blurred (Jackall, 1988). The grey area of skill ownership plays a significant role in shaping how human skills are still recognised and valued in the era of generative AI (Budhwar et al., 2023).

In increasing reliance on generative AI has created a legal and grey area regarding skill ownership. AI is contributing much more in any task completion so it becomes difficult to judge whether the task is completed by human Competence or by AI. Ethical concern arises over fairness, transparency, academic integrity, workplace evaluation, and about potential of skills due to development of AI (Miao & Holmes, 2023; Dwivedi et al., 2023). Generative AI is also changing the nature of human-AI interaction and raising questions concerning control and ownership over work produced collaboratively with AI systems (Kadoma et al., 2024).

Therefore, it is mandatory to understand legal and ethical way of grey area of a skill ownership is essential for developing policies, rules, regulation, and framework that ensure responsible AI use while protecting the

human skills and accountability, innovation, creativity, and professional identity (Miao & Holmes, 2023; Budhwar et al., 2023).

LITERATURE REVIEW

An ethical grey area is a area of decision making in which there is no clearance about what is ethically right or wrong. It involves ethical dilemma that have both pro and cons. It is difficult for individual to determine what is right and wrong and choosing the solution because it has weighted both positive and negative consequences on decision. So it require a careful thought and consideration of the implication, their decision may have all the stakeholders involved (Johnson & Ecklund, 2016; Eleazar et al., 2023).

In this era, the use of AI is increasing day by day, but when it comes to decide it is very difficult to judge whether the task has been done by employee or AI. Generative AI such as ChatGPT, Gemini, way the people work or create content. AI makes work easier and faster, but it also raises important concern, ethical and legal question about who owns this skills and knowledge created with AI (Dwivedi et al., 2023; Budhwar et al., 2023). Generative AI is increasingly being used across different forms of work and creative activity, creating questions concerning human contribution, authorship, ownership, and responsibility (World Intellectual Property Organization [WIPO], 2024).

As earlier people uses their full time and effort to generate some information Knowledge but now in this era, AI makes the work so easier that human expertise is getting lesser with time. The increasing use of AI in the workplace has therefore created a need to examine how human skills, expertise, and professional roles are affected by AI-supported work (OECD, 2024; Budhwar et al., 2023).

Another important concern is intellectual property. If AI generated the content, which is already available or similar to that question about copyright in legally? The use of generative AI has created significant intellectual property questions concerning training data, copyright, originality, authorship, and ownership of AI-generated outputs (WIPO, 2024). Copyright owners and AI developers have expressed different positions regarding the use of copyrighted works for training AI models, while the legal status of AI-generated outputs continues to develop across jurisdictions (WIPO, 2024).

There also several concern about ethics. As in the organisation, the employer are asking employee to use AI, which is making it difficult to access human assistance. The increasing use of AI in organisations raises ethical concerns related to human oversight, transparency, fairness, employee autonomy, and the consequences of AI-supported decision-making (Andrieux et al., 2024; OECD, 2024).

The another concern is accountability. If the user, uses the AI for financial legal or operational work and the output is negative, then who takes the accountability of that, It remain unclear whether the responsibility lies with user, organisation or AI. Accountability is a significant concern in AI use because it may not always be clear whether responsibility for an adverse outcome rests with the developer, provider, user, or organisation. Human oversight and clearly defined responsibilities are therefore important for trustworthy AI use (OECD, 2023, 2024).

As the research paper, highlight the transparency and a quality of the work. Transparency and explainability are considered important principles for trustworthy AI, particularly where AI systems influence workplace decisions and the quality or consequences of work performed by employees (OECD, 2022, 2024).

The organisation must develop ethical guideline to ensure AI support human skills rather than replacing them completely. They must ensure intellectual property and encourage responsible AI use and ensure that employees are motivated and creative towards their work and their skills continue to be valued. Organisations therefore need appropriate ethical guidelines, human oversight, intellectual property safeguards, and responsible AI practices to ensure that AI complements human capabilities while maintaining accountability, creativity, and the value of human skills (Budhwar et al., 2023; OECD, 2023, 2024; WIPO, 2024).

RESEARCH GAP

- The psychological contract between an employee and a company when the company clones close their cognitive skills.
- At what point does corporate data ownership, violate individual, intellectual property or employee psychological safety?

RESEARCH OBJECTIVES

- To analyse the impact of AI based cognitive skill cloning on the psychological contract between employee and employer
- To recommend, legal and organisational measure that ensure the typical legal rules of AI while protecting employees, right an interest

RESEARCH METHODOLOGY

Teleperformance Introduces AI Accent Neutralization for Indian Call Centers. Teleperformance, the world's largest call center operator, has unveiled an AI-driven solution designed to "neutralize" the accents of Indian customer service agents. This technology, developed in collaboration with Sanas, a Palo Alto-based startup, aims to enhance clarity and improve customer interactions by modifying agents' speech in real-time. Beyond accent adjustment, the software also reduces background noise, ensuring a superior call experience (Teleperformance, 2025; Sanas, 2025).

Teleperformance has invested \$13 million in Sanas and secured exclusive resale rights for this innovative solution (Teleperformance, 2025). While the rapid advancement of AI poses challenges to human-operated call centers, Teleperformance emphasizes that this technology is intended to support, not replace, its workforce (Teleperformance, 2025). Currently, the accent neutralization feature is available for Indian and Filipino accents, with plans to expand to other regions. This initiative reflects Teleperformance's commitment to integrating AI in ways that enhance human performance and customer satisfaction (Teleperformance, 2025; Sanas, 2025).

Interpretation

As for my research, I have used secondary data of Teleperformance organisation. This data clearly state that how organisation is using AI for the benefit of employee and organisation (Teleperformance, 2025).

There is mixed thought in mind of employee as they are in fear of losing their job. If the framework is not clear then employee have anxiety about whether their knowledge and cognitive skills are being used to train AI without adequate recognition. Concern, uncertainty, data, ownership, privacy, and career security is at risk. The increasing use of AI in the workplace has raised concerns regarding job security, employee autonomy, privacy, transparency, and the changing value of human skills (OECD, 2023, 2024; Budhwar et al., 2023). In addition, concerns regarding the use of employee data and the extent to which human contributions are recognised become particularly important when AI systems are integrated into workplace processes (OECD, 2023).

In the positive note, employees can focus on complex tasks rather than repetitive one. AI improve the service quality and reduces the error and give real time assistance to customer. AI can complement human workers by taking over or supporting routine activities, thereby allowing employees to concentrate on tasks requiring human judgement, problem-solving, creativity, and interpersonal capabilities (OECD, 2023, 2024; Budhwar et al., 2023). In the Teleperformance–Sanas case, the technology is presented as a tool intended to enhance human performance and customer interactions rather than replace the workforce (Teleperformance, 2025).

FINDINGS

- AI will be more effective when it augment rather than replace human cognitive skills and intellectual property (OECD, 2023; Budhwar et al., 2023).
- Existing framework is not that much clear, so the employees do not impose their trust on employee (OECD, 2023; UNESCO, 2021).
- Legal framework do not clearly defined ownership of AI trained employee knowledge. The existing legal and intellectual property frameworks continue to face challenges concerning authorship, ownership, copyright, and the use of human contributions in AI systems (World Intellectual Property Organization [WIPO], 2024).

CONCLUSION

This qualitative study, shows how an organisation manage AI driven knowledge capture while examine its effect on work, trust, perceived, honour, contract and employee retention in the organisation (Budhwar et al., 2023; OECD, 2023). After examine the real world scenario the research find that there must be a legal framework with concerned and organisation in current regulatory frameworks. By creating a clear transparent AI policies, fair knowledge, practises and legal safeguard that protect both human innovation, creativity and employees rights (UNESCO, 2021; OECD, 2023; WIPO, 2024). When employees feel that their unique crafts are respected rather than silently harvested, they are far more likely to stay engaged, loyal, and committed to their work. Therefore, this study, conclude that AI can enhance employee performance if it can be used responsibly (OECD, 2023; Budhwar et al., 2023). True progress is achieved not by replacing the human touch, but by pairing technological capability with genuine empathy, shared respect, and ethical stewardship.

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