Consulting the works council (CSE) on bringing in AI

What French law requires, what to present, a model agenda and a model note to employees. Version of 17 November 2026.

This guide is for a company in France that is bringing an artificial intelligence tool to its teams. It brings together what the French Labour Code, the GDPR and the EU AI Act require, what the courts have decided since 2025, and templates to reuse. It does not replace advice from your employment lawyer on your situation; you are free to copy and adapt it.

1. The five steps, in order

1. Choose the use. A precise use (answering questions on procedures, drafting, reading figures, first-line IT support) can be presented, measured and explained.
2. Consult the CSE when the company has at least 50 employees and the tool changes working conditions, before the decision to deploy.
3. Inform every employee before first use: what the tool does, what it reads, what it keeps.
4. Write the usage policy: authorised tools, data that never goes in, what is reviewed before it leaves.
5. Train and keep a record of actions, for Article 4 of the EU AI Act.

2. What the law requires, by company size

	Fewer than 11 employees	11 to 49	50 and more
The CSE	No CSE required.	Narrower remit (grievances, health, safety, working conditions): no consultation on a project.	Consulted before the decision on introducing new technologies (Labour Code L2312-8, II, 4°) and on means of monitoring employees' activity (L2312-38).
Each employee	Informed before a tool collects information about them (L1222-4).	Same.	Same.
GDPR	Legal basis, information, an impact assessment where the risk is high.	Same.	Same.
EU AI Act	Article 4: take measures to develop AI literacy (an obligation of means since 27 July 2026, Regulation 2026/1744).	Same.	Same, and for a high-risk system linked to employment, informing worker representatives, postponed to 2 December 2027.

3. What the courts have decided (as of 17 November 2026)

Decision	Tools	What was decided
Nanterre court, summary proceedings, 14 February 2025	AI applications in a pilot phase.	A pilot open to all the employees concerned is a first deployment: suspended until the consultation ends.
Créteil court, summary proceedings, 15 July 2025 (no. 25/00851)	Drafting, transcription, summaries at a trade press publisher.	AI is a new technology under L2312-8: use suspended until the CSE gives its opinion.
Paris court, summary proceedings, 10 February 2026 (no. 25/57412)	Copilot 365, four-month trial with volunteers.	Not a major project: a voluntary trial, no decision to deploy, very limited effect. The CSE's resolution was annulled.
Paris Court of Appeal, 21 May 2026 (RG 25/13232 and 25/13234)	ChatGPT and a writing assistant.	The tools change the nature of tasks: suspension upheld, for lack of prior consultation (L2312-14).

Sources: analyses published by CMS Francis Lefebvre (4 September 2025 and 12 March 2026), Voltaire Avocats (25 February 2025) and Kohen Avocats (29 June 2026). The emerging line: a tool that changes tasks requires consultation before deployment; a short, voluntary trial with no role targeted does not yet.

4. The file to give the representatives

- The intended use, the teams concerned, the number of people.
- The tool: its vendor, the model provider, where it is hosted.
- The data it reads (documents, software, email) and what it does not; what is sent to the model provider.
- Who sees what: profiles and permissions, human review before an answer goes to a client.
- What changes in the roles: tasks that get lighter, tasks that appear.
- Planned training, the usage policy, the timetable, the review planned after a few months.
- Answers to the two questions that always come up: is the tool used to assess or monitor employees? and what becomes of each person's work?

5. Model agenda

Meeting of the social and economic committee on [date].
Item [n]: information and consultation on the plan to introduce [tool name], an artificial intelligence tool for [use], for [teams concerned].
Documents provided on [date]: project presentation, usage policy, training plan, impact assessment where applicable.
Committee opinion expected by [date], within the period set by agreement or, failing that, by Article R2312-6 of the Labour Code.

6. Model information note to employees

Subject: [tool name] is coming to our work.

From [date], [tool name] will be available to [teams]. It is used for [use]. It reads [sources: our procedures, our software documentation…] and does not read [what is excluded]. Questions and the useful extracts are processed by [model provider]; your conversations are kept for [period] and visible to [whom].

It is not used to assess your work. An answer sent to a client is reviewed by a person, or signed as automatic. The usage policy is attached; an introduction session is planned on [date]. Your questions: [name, contact].

7. Training and its record

Article 4 of the EU AI Act, as applicable since 27 July 2026, requires measures to develop the AI literacy of the people who use it, in proportion to the uses. A simple proof: an inventory of uses (tool, team, purpose), a list of dated actions (introduction session, policy reminder, update when the tool changes), and a named person who keeps this record.

This guide is published by IntraIA, the company's internal AI platform: intraia.fr/en/in-detail/deploying-ai-at-work. It is reviewed at each significant decision; check its date before using it.