

Works Council AI Notification Packet

VERSION

v1.0

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Per-jurisdiction notification materials for EU AI deployments. Sized for early engagement at vendor-shortlist landing, which compresses deployment timelines from 12-18 months (late engagement) to 6-9 months.

Source explainer: <https://agentmodeai.com/resources/works-council-ai-notification-packet/> Holding-up tracking: <https://agentmodeai.com/holding/RES-004/>

Section 1: Pre-notification preparation (all jurisdictions)

#	Document	Source
1	System characterisation	First 2 pages of AI DPIA template (RES-002)
2	Risk classification (EU AI Act Annex III + GDPR Article 22 mapping + case-law citations)	Internal legal
3	Mitigation summary (technical + organisational + contractual, in bullets)	DPIA section 4
4	Reversibility statement (what happens if works council pauses or rolls back)	Internal

Section 2: Germany — BetrVG §87(1) point 6

Bundesarbeitsgericht broad interpretation: any technical equipment that captures, processes, or analyses employee work activity triggers co-determination, regardless of monitoring being primary purpose.

Notification letter to Betriebsrat — template structure:

[Date]

An den Betriebsrat

Betreff: Mitbestimmungspflichtige Einführung eines KI-Systems gemäß BetrVG §87 Abs. 1 Nr. 6

Sehr geehrte Damen und Herren,

hiermit informieren wir Sie über die geplante Einführung des folgenden KI-Systems:

1. System: [Name + Version]
2. Anbieter: [Vendor + Vertragsreferenz]
3. Foundation Model: [Modellname + Version]
4. Use Case: [1 Absatz]
5. Datenkategorien (Mitarbeiter): [Aufzählung]
6. Geplanter Rollout-Zeitpunkt: [Datum]
7. DSGVO Artikel 6 Rechtsgrundlage: [Begründung]
8. EU AI Act Risikoklassifizierung: [Annex III / limited-risk / minimal-risk]

Wir bitten um Aufnahme in die nächste Sitzung zur Besprechung der Einführung und zum Abschluss einer Betriebsvereinbarung.

Mit freundlichen Grüßen,
[Project lead]

Betriebsvereinbarung outline:

Section	Content
1	Geltungsbereich (deployment scope)
2	Verwendungszwecke (permitted uses)
3	Ausschlüsse (forbidden uses, e.g., individual performance ranking)
4	Mitarbeiter-Opt-Out (where applicable)
5	Audit-Log-Zugang für Betriebsrat
6	Review-Cadenz
7	Beendigung-Bedingungen

Pilot framework: 60–90 day pilot at one team with documented success criteria + Betriebsrat-attended review at the end. The pilot is the de-risking mechanism that makes the broader Betriebsvereinbarung possible.

Section 3: Netherlands — WOR Article 27

WOR Article 27 requires Ondernemingsraad consent before introducing or modifying systems that process personal data of employees. SER 2024 guidance + AP 2025 framework extend this to AI systems.

Adviesaanvraag aan de Ondernemingsraad — template structure:

[Datum]

Aan de Ondernemingsraad

Betreft: Adviesaanvraag invoering AI-systeem ex WOR artikel 27

Geachte leden van de OR,

Hierbij verzoeken wij u om advies over de voorgenumen invoering van:

1. Systeem: [Naam + Versie]
2. Leverancier: [Vendor + Contractreferentie]
3. Foundation Model: [Modelnaam + Versie]
4. Use Case: [1 alinea]
5. Verwerkingsdoeleinden (medewerkers): [Lijst]
6. AVG Artikel 6 grondslag: [Onderbouwing]
7. EU AI Act risicoklassificatie: [Annex III / limited-risk / minimal-risk]
8. Beoogde uitrol: [Datum]

Wij verzoeken om opname in de eerstvolgende OV-vergadering ter bespreking en – voor zover noodzakelijk op grond van de AVG – om uitdrukkelijke toestemming voor de verwerking.

Met vriendelijke groet,
[Project lead]

OR covenant outline: parallel to Betriebsvereinbarung but reflecting Dutch consent-rather-than-co-determination posture.

Section 4: France — Comité Social et Économique consultation

Code du travail Article L2312-8 requires CSE consultation on new technologies with consequences for employees.

Convocation au CSE — template structure:

[Date]

Aux membres du Comité Social et Économique

Objet: Consultation sur l'introduction d'un système d'intelligence artificielle

Mesdames, Messieurs,

Conformément à l'article L2312-8 du Code du travail, nous vous consultons sur l'introduction du système suivant:

1. Système: [Nom + Version]
2. Fournisseur: [Vendor + Référence contractuelle]
3. Foundation Model: [Nom du modèle + Version]
4. Cas d'usage: [1 paragraphe]
5. Catégories de données (salariés): [Liste]
6. Base légale RGPD article 6: [Justification]
7. Classification AI Act: [Annexe III / risque limité / risque minimal]
8. Calendrier de déploiement: [Date]

Nous sollicitons l'inscription de ce sujet à l'ordre du jour de la prochaine réunion du CSE.

Cordialement,
[Project lead]

Délais de consultation: the legal minimum periods for the CSE to render its avis + the practical timeline French case law treats as good-faith engagement. Run DPO consultation in parallel with CSE consultation.

Section 5: EU AI Act Article 26(7) overlay (active 2 August 2026)

Article 26(7) requires deployers of high-risk AI systems to inform workers and their representatives before deployment when the system makes decisions about them or affects them.

Article 26(7) notification template:

[Date]

To: [Affected workers + their representatives]

Re: EU AI Act Article 26(7) notification – high-risk AI system deployment

In compliance with EU AI Act Article 26(7), we are notifying affected workers and their representatives of the following deployment:

1. System: [Name + Version]
2. EU AI Act Annex III classification: [Category + rationale]
3. Decisions or effects on workers: [Description]
4. Worker rights: [Article 86 right to explanation; internal review mechanism; GDPR Article 22 review where solely automated decision-making is involved]
5. Deployment date: [Date]
6. Contact for questions: [Internal contact]

This notification supplements (does not replace) consultation with [BetrVG / WOR / CSE / equivalent].

[Project lead]

Worker information note (plain language): what the system does, what data it uses, what decisions it influences, what rights employees have to seek human review. Distribute to all affected employees.

Recordkeeping: retain notification + acknowledgement evidence for the lifetime of the deployment + 6 years.

Section 6: Multi-jurisdiction parallel workflow

Step	Action	Owner	Time
1	Prepare four pre-notification documents (Section 1)	Project team + DPO	Week 1-2
2	Draft per-jurisdiction notifications	Project team + local legal	Week 3
3	Local HR + legal review per jurisdiction	Local teams	Week 4
4	Request parallel notification meetings (4-week window)	HR	Week 5-9
5	Consolidate per-jurisdiction outcomes into deployment-go decision	Project lead	Week 10
6	Execute Article 26(7) notification	Project lead	Week 11

For European Works Council representation: engage EWC at step 1 (pre-notification preparation) so local councils are not surprised by a different EWC position.

What this packet does not do

The packet does not argue for bypassing works-council engagement. It does not provide minimisation language. It does not suggest withholding the foundation model name or vendor identity. The editorial position: early, complete engagement produces faster deployments with more durable agreements.

Frameworks referenced

- BetrVG §87(1) point 6 + Bundesarbeitsgericht case law (broad interpretation)
- WOR Article 27 + SER 2024 guidance + AP 2025 framework
- Code du travail Article L2312-8 + CSE doctrine 2024
- EU AI Act Articles 26(7) + 86 + Annex III
- GDPR Articles 22, 35, 88 (employment context)

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