

EU AI ACT · DRAFT GUIDELINES · 19 MAY 2026

# High-risk AI in HR and employment

For HR, recruitment, people analytics, platforms and organisations using AI in workforce processes.

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- Annex III point 4
  - Practical high-risk classification
  - Commercial readiness briefing for governance teams



## CLASSIFICATION LOGIC

# 3 questions decide the route

Use this as a starting point for AI inventory, gap intake and roadmap.

01

## Intended purpose

What output does the system produce, in which context and with what effect on people or operations?

02

## High-risk route

Does the use case fall under Annex III point 4, or should Article 5 or Annex I be checked first?

03

## Readiness roadmap

Translate the classification into obligations, evidence, training and supplier actions.

**Intake question: Could this AI affect a person's job opportunity, evaluation or working conditions?**

# What falls in scope?

This domain version helps turn a first AI Act gap check into concrete review questions.

**AI in HR becomes high-risk when it influences recruitment, selection, employment terms, promotion, dismissal, task allocation or monitoring.**

- Recruitment and selection of natural persons.
- Targeted job ads, filtering, matching and candidate assessment.
- Decisions on work relationships, promotion, termination and terms.
- Task allocation, monitoring and performance or behaviour assessment.

# When does this become a readiness question?

You do not need a final legal conclusion before starting governance work.

## Review first

- CV screening, ranking or interview analysis.
- AI that steers promotion, dismissal or performance management.
- People analytics that affects individual opportunities or warnings.
- Task allocation based on behaviour, traits or predicted performance.

## Define first

- Rewriting job vacancy text without targeting or selection.
- Administrative HR chatbot with general information.
- Aggregated workforce analytics without individual decisions.
- Scheduling tools without profiling or performance assessment.

## USE CASES

# 3 situations for the intake

These examples help identify the right stakeholders, documents and evidence path.

01

## Recruitment

AI filters applications or ranks candidates for interview.

02

## Monitoring

A tool assesses individual performance or behaviour patterns.

03

## Task allocation

AI assigns work based on predicted productivity or suitability.

**Use this as a scoping aid, not as a final legal conclusion.**

# What a readiness track should produce

Classification should end in actions, ownership and reviewable documents.

## Core deliverables

- AI inventory and risk classification
- Provider/deployer role split
- Gap analysis on obligations and evidence
- 30/60/90-day roadmap
- Management summary and next routes

## Domain focus

- Selection criteria, validation and adverse impact testing.
- Human review, contestability and candidate communication.
- Supplier evidence, model updates and audit rights.
- Role split between employer, vendor, provider and deployer.

**SOURCE STATUS**

# Based on the Commission draft guidelines

Use this as an intake and classification framework. Check final guidance before legal decisions are completed.

## Status on 8 June 2026

- The Commission published the draft guidelines on 19 May 2026.
- Annex III contains 8 areas. This briefing works out 1 area practically.
- The formal AI Act text remains leading.

Commission draft guidelines

Annex III official text

Article 6

Gap intake

**For decisions with legal consequences, a full system and context review remains necessary.**



NEXT STEP

# Classify your hr and employment AI before the roadmap gets stuck.

Embed AI helps turn a loose AI list into a defensible classification, gap analysis and concrete 30/60/90-day roadmap.

Start gap intake

View Readiness Sprint

Book a call



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