



Lunedì 01/12/2025 • 06:00

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## At what point does your AI Assistant need an Employee Handbook?

It is now common to read about **errors and malfunctions of AI assistants** and chatbots that have impacted the **professional or work environment**; but when will we come to say that **artificial employees** must follow the **same rules** as their human counterpart?

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The **AI revolution** is unfolding before us at lightning speed - its **integration into the business world** perhaps even faster as the development of chips that power this new technology becomes not only more powerful but also more widespread, as AI starts to spread into new industries - even in non-tech companies.

We are increasingly seeing **AI assistants and AI chatbots** stepping in to support workflows in business automation processes where humans once stood, even providing customer support and programming assistance. Our interaction with these new technological tools for business (and even professional) purposes is set to grow in the future, as are the risks.

Despite all the positive aspects in terms of new efficiencies, cost savings and innovations that we hear about resulting from this new technological landscape, the press sometimes reports stories of AI assistants producing **unwanted outputs** (*Bias*) or, **sometimes, used incorrectly**, with negative effects on the management and organization of work.

AI has long been a part of our lives (sometimes even unknowingly), and its expansion risks pushing us into territories that were still unexplored until a few years ago. These are areas in which AI now seems capable of simplifying and speeding up many tasks, but which still pose **significant ethical and legal questions**.

Although these instances of AI going rogue are very infrequent - and what point to do businesses need to start asking themselves '*What If?*'.

### AI Going Rogue

Here below are just **a few examples** from the past months of AI automated services not quite functioning as intended:

- in **April 2025** an AI Chatbot called Sam 'working for' (if that is the correct term) an AI company told a client user that the service of the client was limited to one device per subscription. This was not true. There was no company policy of this nature - the AI Chatbot 'Sam' had invented it.
- in **July 2025** the press reported that an AI Assistant being used by a company to help with coding made unauthorised changes to an active company database - deleting some information in the process.
- in **October 2025** the press has reported that an internationally recognised consultancy brand acknowledged using 'generative' AI in a 200+ page report for a foreign government - which was found to have false references and fabricated academic citations.

The examples of the errors reported above are the result of the adoption of highly automated processes in organizations and work environments. However, **if a real employee were to make the same errors** there would certainly be an urgent meeting in the HR office and the initiation of **disciplinary proceedings**.

At what point will employers need to start treating their AI-powered tech workers on a par with their human counterparts? After all, there's been a lot of press lately about how "AI is coming for your job." Even the World Economic Forum recently published a report stating that **400-800 million jobs** could be affected. Although, according to the **ILO 2025 report "Generative AI and Jobs"**, indicates that these job losses have not yet manifested themselves - but rather the transformation of many jobs has.

Under Model 231 (Legislative Decree 231/2001), **Italian companies can be held liable** for crimes committed by their employees or managers. The examples above aren't exactly crimes, but they do raise an important question for the future... a future where we still don't fully understand the profound potential of this new technology.

At what point will the "AI automation assistant" have to follow the **same rules as "flesh and blood workers"**? At what point will the "AI automation assistant" face the same consequences for "misconduct" as "flesh and blood workers"?

This is a pertinent question that cannot be answered at this time, given that **European legislation** (and with it the domestic Italian legislation currently contained in Law no. 132/2025) has only recently begun to define the legal framework within which companies and individuals must operate in terms of the new Artificial Intelligence renaissance.

It must be noted that the European Regulation on AI (Reg. (EU) 2024/1689, **AI Act**) is not an isolated measure but instead is part of a broader set of rules that the European Union has long been implementing for the purpose of more responsible management of economic and social activities within and outside the European Union. This set of rules encompasses **data protection, consumer protection, fundamental rights governed by the EU Treaty, employment and worker protection, product safety**, and **respect for private and family life**. It also focuses on the governance and supervisory systems that have also been the basis of the Italian Compliance 231 Model for over twenty years, which is also currently being revised in light of the challenges of AI.

The recent Italian Law no. 132/2025 integrates this EU set of rules at the national level, with the aim of promoting the **human-centric**, correct, transparent, and responsible use of AI – also monitoring economic and social risks, the impact on fundamental rights, and the correct implementation of supervisory and control tools.

This is a **rapidly evolving field**, which is making the work of the decision makers, specialists, consultants, and institutions even more complex today.

In **labor law**, for example, the challenge will be to learn how to regulate and manage not only the traditional **relationships** between companies and their employees, but also those **between "human" and "artificial" employees**. This will also provide businesses with fundamental guidelines for the proper programming—and monitoring—of AI systems increasingly called upon to support (and sometimes even replace) humans in corporate and manufacturing settings. A **new and different system of rules, relationships, and governance** will need to be built...

... and with it a new field of law that cuts across different specializations and accompanies the social and ethical evolution of human and automated behaviour.

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