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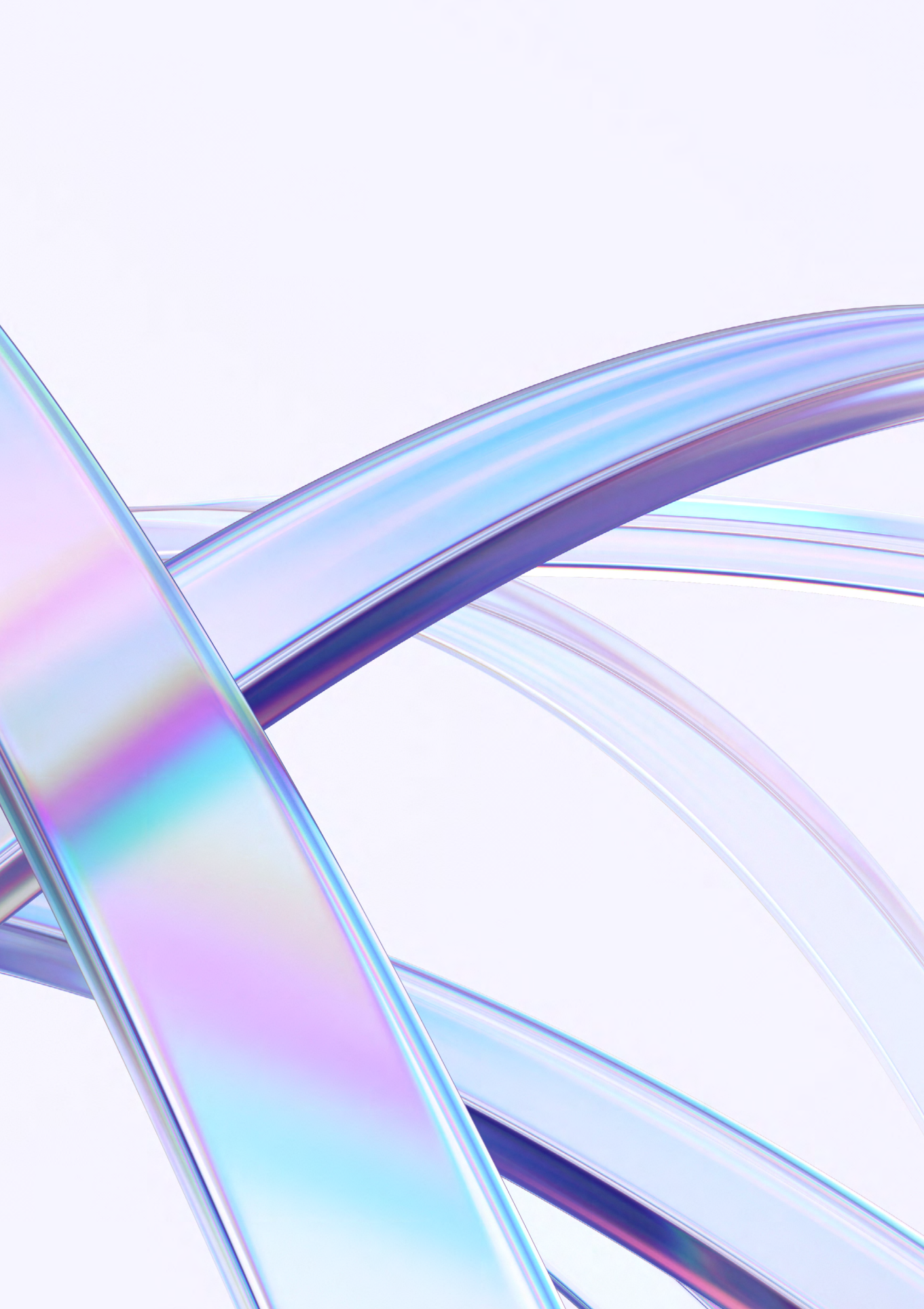
AI literacy obligation in EU companies

November 2025



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Introducción

Companies that develop or use artificial intelligence ("AI") systems in Europe must guarantee to provide the corresponding digital abilities training to their employees and any external collaborators. In this guide, we will comment on how to meet this new obligation.

Access the Cuatrecasas Practical Guide to learn about the business obligations derived from the AI Act and how to efficiently prepare to comply with them.

Key aspects

01.

The European Union's ("EU") AI Act (2024) imposes on **AI providers and deployers** of the obligation to ensure a sufficient level of AI literacy from February 2, 2025.

02.

This obligation applies to all persons dealing with the operation of AI systems on behalf of the organization, including employees, contractors and external partners.

03.

The obligation to **internally document** the training actions does not require formal certifications or the appointment of a specific person for this task.

04.

The **national authorities will be responsible for oversight** and can impose penalties based on the seriousness of infringements.

05.

The European Commission offers support resources, including a **repository of good practices and training programs** to reinforce AI competencies.

06.

Penalties for infringements will apply from **August 2026**.

07.

As AI becomes increasingly **adopted** in companies, this obligation will acquire a more **important role**.

1

Where and why is the AI literacy obligation regulated?

Under the EU's AI Act, since February 2025, there is an obligation to ensure and to document AI literacy with a risk-based approach.

In 2024, according to data published by Eurostat, the **business adoption of AI** in the European Union ("EU") took a quantitative leap: 13.5% of companies with 10 or more employees declared they use **AI** technology compared to 8% in 2023. Intensity of use grows with company size: 41.2% in large companies (≥250 employees), 21% in medium-sized companies, decreasing to 11.2 % in small companies.

During the same year, around 22% of EU companies provided **training to develop or improve staff's ICT skills**[1]. In large companies, the percentage rose to approximately 73%; in SMEs, to around 21%. In terms of awareness-raising and IT security, also according to Eurostat, about 60% of companies informed their employees in 2024, combining measures such as voluntary training (~43%), mandatory training (~25%) and inclusion of obligations in contracts (~34%).

In Spain, continuous training is a right and, in certain cases, an obligation linked to adaptation to a job, the prevention of risks or the guidelines established in the applicable collective bargaining agreement. In Portugal, companies must provide a minimum of 40 hours of mandatory continuous training to their employees.

In this context, the EU wants to ensure that anyone developing, deploying or simply interacting with AI systems has the necessary knowledge and skills to do it responsibly. In this context, article 4 of Regulation (EU) 2024/1689 ("**AI Act**") recognizes, for the first time, the **obligation to ensure a sufficient AI literacy level to certain groups in companies that are AI providers or deployers**.

1 EU data published annually about the use of AI technologies in companies does not include, for now, a specific indicator of the "percentage of companies that provide training on AI."

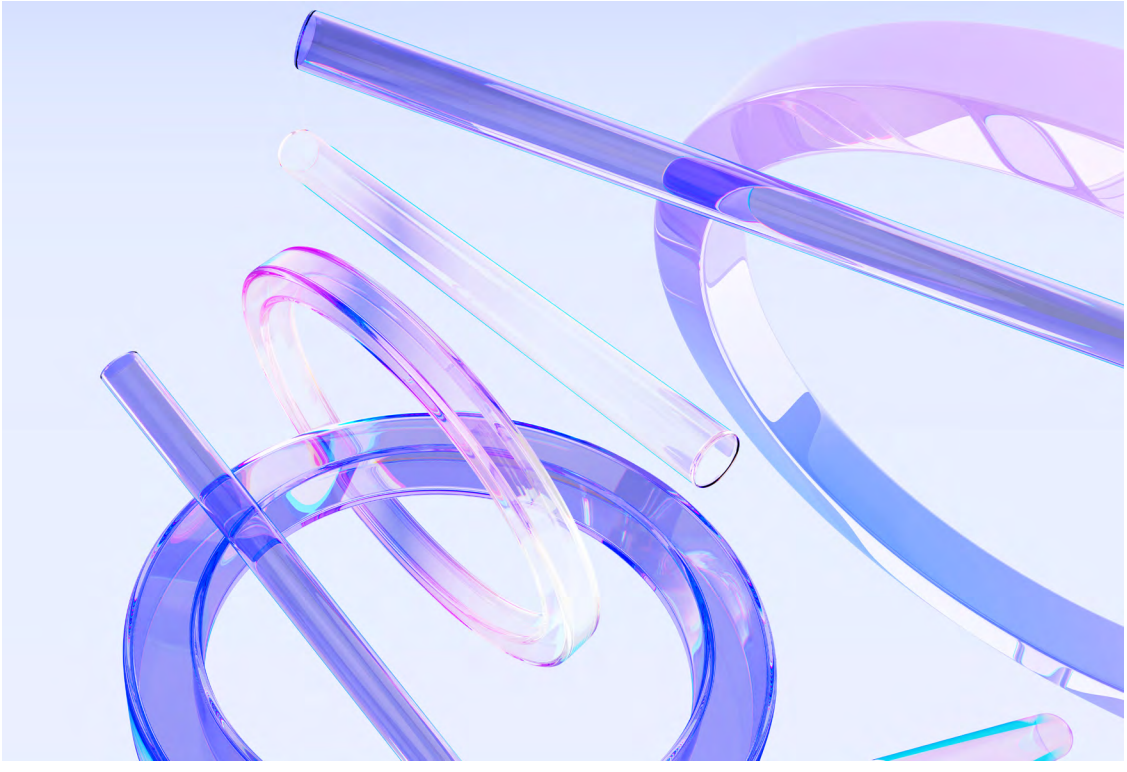
Oversight of compliance with this new obligation will start in August 2026.

The AI Act came into force on August 1, 2024, although the obligation to ensure a sufficient AI literacy level **started to apply on February 2, 2025.**

The **oversight and related penalties**, as well as other measures, will be operative from **August 2, 2026**.

Since February 2, 2025, therefore, companies and entities must **document internally** all **training and awareness-raising actions for AI**, although effective oversight does not start until later. The objective of this transition is to facilitate gradual adaptation in companies.

In May 2025, the **European Commission (the "Commission")** published a series of frequently asked questions (FAQs) that clarify the **scope and practical application** of this **obligation of "AI literacy"** imposed on AI providers and deployers. These FAQs emphasize a flexible approach, based on the risk and adapted to the different roles in organizations, without requiring formal certifications or specific job positions, and make available a **live repository of best practices** that enable companies to design an **action plan**.



2

Who is obliged to ensure AI literacy and in relation to which individuals?

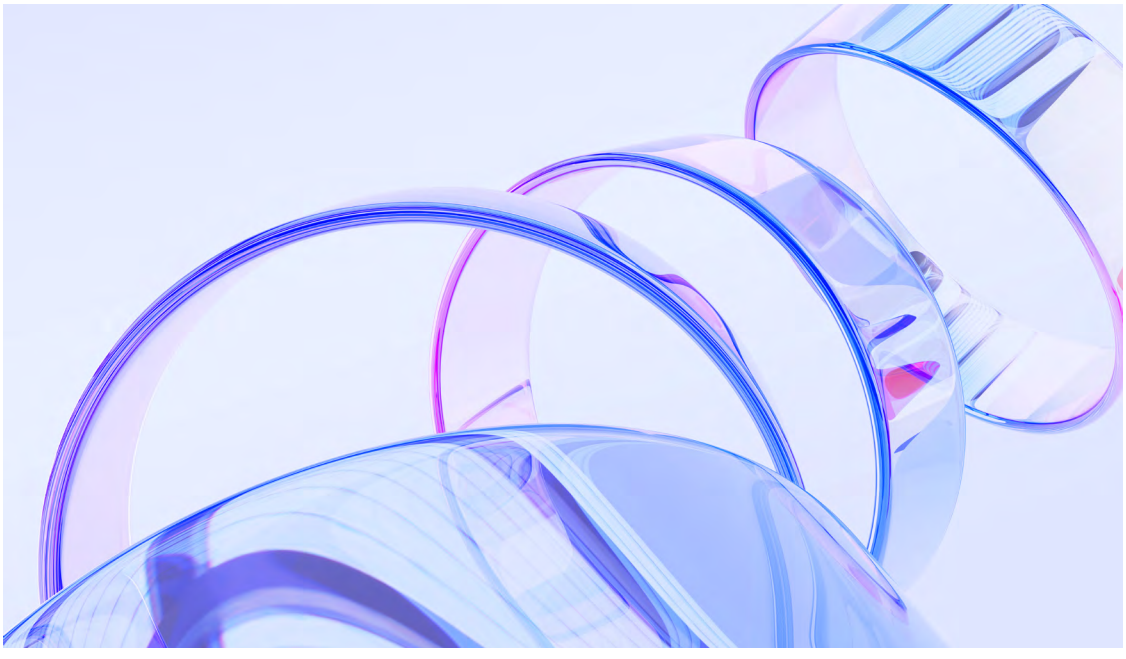
The obligation falls directly with AI providers and deployers, including all persons operating AI systems on behalf of the organization: staff, contractors, temporary work agencies, self-employed persons, partners and certain clients.

Regarding regulated entities, under article 4 AI Act, the obligation falls directly with **persons developing and operating AI systems in the EU**, i.e., both AI providers and deployers (any individual or legal entity using an AI system under its own authority, except when its use is for a personal and not professional activity).

Although the regulation applies to systems "placed on the market" or "used" in the EU, its scope can **affect companies located outside the EU that offer AI services or platforms to European users**.

Regarding **persons and entities included in this literacy obligation**, the Commission clarifies that the obligation **does not** include only **employees**, and that **any person operating or using AI systems on behalf of an organization is included in its scope of application**. This includes contractors, workers placed by temporary employment agencies, self-employed workers that provide services to companies, external providers, partners, administrators and, in certain cases, clients that handle or configure AI systems.

By extending its scope, the Commission reinforces the **principles of transparency and human oversight of AI** under the AI Act, with the aim of minimizing the risks arising from an inadequate or negligent use of AI.



3

What is the meaning and scope of AI literacy?

AI literacy includes technical, legal and ethical competencies to use the systems by applying criteria, reinforce human control and mitigate risks such as bias, hallucinations, security and improper use.

The AI Act defines "AI literacy" as the **skills**, **knowledge** and **understanding** that allow providers, deployers and affected persons to make an informed deployment of AI systems, as well as to gain awareness about the **opportunities**, **risks** of AI and the **possible harm** it can cause.

The Commission highlights that it is not enough to have technical knowledge: AI literacy must also include **legal, ethical and governance aspects** that must **adapt to the level of risk** of the systems used. Therefore, not only the engineers and technical developers need to have in-depth knowledge, considering that they will be the ones designing, developing and adjusting the compliance systems with the regulatory requirements; any person interacting with AI, whether directors, decisions makers, compliance officers, legal advisors or any other employee must understand the basic principles, the obligations under law and the possible practical impact of these technologies.

AI literacy is aimed at combating misinformation, promoting confidence in the use of AI systems, promoting an innovation culture and responsible use of these systems. Therefore, it seeks to reduce the false expectations about the use of these systems, granting capacities and specific skills, particularly focused on **detecting hallucinations**, strengthening **human control** about how it works and **mitigating the associated risks**, such as bias, security breaches and the non-ethical use of these systems.

Also, it must favor inclusion, facilitating access to underrepresented groups, reducing the knowledge gap, promoting diversity and fairness, and driving responsible and fair practices, such as the impartial use of data.

This approach promotes an **organizational culture** in which AI is perceived not only as a technical tool, but also as a **strategic asset** that requires responsible management and adequate oversight.

From a labor perspective, this obligation can determine the need to design new roles in the organization that make it possible to comply with it and is an opportunity for redefining the existing roles and updating the skills of the current employees.

4

Is there a minimum content for literacy plans?

There is no obligatory format; plans must require a sufficient level, including basic comments, clear documents, role obligations, risk management, profile-specific material and continuous follow-up with metrics.

Article 4 AI Act does not establish a specific method and does not require the carrying out of standard tests to measure the level of knowledge. **It is enough to ensure "a sufficient level of literacy**," considering certain parameters such as experience, previous training and the responsibilities of each person.

To design a program with minimum content, the Commission recommends considering, at least, the following elements:

- a clear introduction about **AI, its basic functioning** (with the possibility to develop more technical knowledge), **related vocabulary and its main applications and best practices** in the organization and the sector, adapted based on the levels of technical knowledge, experience and academic training of the recipient;
- implementation of **technical documents, policies and models** that include clear instructions, information and warnings regarding the use of AI systems, which facilitate processes, support the users and provide transparency;
- explanation about the **role of the company** (provider or deployer) and its **specific obligations**;
- **identification of the risks and benefits of the systems used**, with practical cases and mitigation measures;
- **materials and formats adapted to the different technical levels and roles**, from directors to operatives (such as self-paced learning module; demos; classes given by instructors, trainers, experts and collaborators at universities and research centers; the creation of internal academies, webinars and workshops);
- **content** aimed not only at acquiring **technical knowledge**, but also at **improving skills** (including critical thinking), **capabilities and ability to adapt to the emerging changes**, increasing **motivation**, ensuring the constant **participation** and **accessibility of all participants**; and
- **continuity of training** to adapt to the rapid technological changes and integration of new tools, as well as **follow-up measures** (such as feedback programs for users, participation metrics, regular assessments, and monitoring with key performance indicators).

5

Are there requirements regarding designing the training?

It is recommended to implement traceability procedures: records of actions and attendees, clear communication regarding resources and, preferably, assessment.

It is recommended to establish certain internal procedures to ensure the traceability and efficiency of training in AI. For example, companies are advised to keep **detailed internal records** of the training actions carried out, such as workshops, webinars and material distributed, as well as of the participants in each activity.

It is also important to ensure that the **information about the training opportunities** is communicated clearly and is accessible to all relevant staff. It is recommended to facilitate access to the training materials and resources, and to consider the possibility to assess the participants to measure their assimilation of the knowledge and the effectiveness of the programs.

In the case of **Portugal**, it will be necessary to consider the obligations and requirements linked to the mandatory continuous training.

6

Is a single or uniform plan valid for the whole workforce?

No, a uniform plan will not work; the training must be adapted to the risks of each system and role, particularly focusing on oversight and response mechanisms for high-risk systems.

No. Before designing the literacy program, it is essential to identify and classify the AI systems according to their level of risk—unacceptable, high risk and minimal risk—, as defined in the AI Act (for more details, see the Cuatrecasas Guide on the AI Act). It is necessary to design specific training actions for each AI system, depending on the level of risk and use complexity, and for each group receiving the training.

For those systems **classified as high risk**, the training measures must be detailed with protocols and adequate training on human oversight, bias detection and response mechanisms for incidents.

Not all recipients need the same level of detail:

- **Developers** need advanced technical knowledge (such as architectures, performance metrics, management of data and of potential vulnerabilities and biases in the models).
- For **end users** it is more useful to learn about use cases, best practices and guidelines for interpreting the results.
- AI literacy for **employees** that operate or use AI systems on behalf of the organization will aim to help these to acquire basic knowledge or to expand on existing knowledge, consolidate skills and specific competencies, and to understand the implications and practical risks associated with the use of these systems, including relevant ethical considerations.
- In the case of **administrators and partners**, they just be made aware of the strategic and governance implications of adopting AI systems in the organization. They must be informed of the associated legal and ethical responsibilities, as well as of the risks and opportunities that AI can represent for companies. This awareness will enable them to make informed decisions, correctly supervise AI implementation and ensure that the compliance standards and best practices are met throughout the organization.

7

Who will supervise compliance and what are the consequences in the case of infringements?

From August 2, 2026, national authorities will be able to impose penalties for the lack of or insufficiency of training, based on the seriousness of infringements, negligence, impact and lack of internal documents.

Each Member State should designate a national market surveillance authority responsible for supervising compliance. In Spain, the designated national authority is the Agencia Española de Supervisión de la Inteligencia Artificial ("AESIA") and, in Portugal, the Autorida de Nacional de Comunicações ("ANACOM"). **From August 2, 2026**, these authorities will be able to impose administrative penalties proportional to the seriousness of the infringements. Infringements can include the absence of training actions and insufficient or inadequate actions in relation to the risks and roles involved, or the lack of internal documents on the training actions carried out.

The **seriousness**, the **intentional or negligent character** of the infringement, and the real or potential impact of the infringement—particularly, if arising from a security incident or a violation of rights—will be determining factors when imposing fines.

8

What resources, support initiatives and best practices exist for AI literacy?

There are living repositories of best practices, and the European AI Skills Academy provides programs, scholarships and collaborations that facilitate the design and promotion of effective AI literacy plans.

The **European AI Office** has published a living repository that collects real examples of AI literacy initiatives **contributed by the signatory companies of the AI Pact**. This space is **updated regularly** and divides the cases in "planned", "partially rolled-out," and "fully implemented," which facilitates the exchange of training models between diverse sectors.

In **April 2025**, a new open survey was launched to all organizations to invite them to **share their literacy programs**, with the objective of enriching the repository with practices by SMEs, large corporations and public institutions.

Also, in April 2025, the Commission presented the **AI Continent Action Plan**, a package of measures to situate Europe as a global leader of AI. One of the plan's key points is the **creation of the AI Skills Academy**, which will offer specialized courses, scholarships and own qualifications in AI, and will promote collaboration between universities, research centers and the private sector.

In addition, the plan includes:

- scholarships and research contracts for students, researchers and professionals of AI;
- pilot programs for university degrees focused on generative AI;
- continuous training through the European digital innovation hubs; and
- strategic associations to attract international talent.

In the widest framework of the European approach to AI, the AI Continent Action Plan aligns with the implementation of **AI Factories** and the **deployment of consortiums** in sectors such as health, transport and advanced manufacture, which reinforces the training offer and access to innovation laboratories.

9

What practical recommendations should companies take into account?

Carry out inventories of systems and gaps, design profile-specific modules, document exhaustively, assess regularly and promote an internal culture of responsible use and continuous learning.

For companies to which this new obligation applies, it is recommended to take the following steps:

- **Exhaustive diagnosis**: take an inventory of all the AI systems used, identify the roles and current competencies of the persons involved and map possible knowledge gaps.
- **Differentiated training plan**: design basic modules on the fundamentals, regulations and risks, and advanced units for compliance officers, internal auditors and technical staff.
- **Implementation and documents**: register each session, workshop or material distributed, make them available to employees and collaborators efficiently, and keep proof for inspections.
- **Continuous assessment**: program quarterly or annual reviews to update content in line with developments in technology and in regulations.
- **Promoting a trust culture**: promote internal discussion forums and sessions for exchanging lessons learned.

This ensures legal compliance, as well as promoting a **proactive organizational culture that is prepared** for the ethical and technical challenges posed by AI.

10

What are the future perspectives for AI literacy?

We expect to see sectoral guidelines, expansion of the AI Skills Academy and public-private collaborations that will continuously update content and AI literacy practices.

In the coming months, we must await the development of the following initiatives by the European and state authorities:

- **Sectoral guidelines**: soon, the Commission will publish specific guidelines for high-risk sectors (health, transport and finance), detailing the additional training requirements regarding human oversight and risk management.
- **Development of the AI Skills Academy**: the success of the pilot training programs and of the scholarships will determine the expansion of the training offer, which will include courses on multimodal explainable AI, and differential privacy.
- **Public-private collaboration**: it is intended to create practice communities and joint laboratories that facilitate the permanent updating of the literacy programs and the incorporation of real use cases.

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For additional information on the content of this document, please contact our Labor, and IP and Technology and Telecommunications experts through the Knowledge and Innovation Group at Cuatrecasas.