

Brussels, 6 May 2026

To:  
MEP Arba Kokalari, rapporteur  
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## **Urgent concerns regarding the Digital AI Omnibus – Preserving protections applicable to high-risk systems for workers**

Dear Madam Kokalari,

On behalf of **industriAll Europe**, representing seven million workers and trade unions across the mining, manufacturing and energy sectors in Europe, we are writing to express our serious concerns regarding the substantive direction taken in the ongoing trilogue negotiations on the **Digital AI Omnibus** (Regulation of the European Parliament and of the Council amending Regulations (EU) 2024/1689 and (EU) 2018/1139 as regards the simplification of the implementation of harmonised rules on artificial intelligence – COM(2025) 836 final).

We are deeply alarmed by a number of proposals that would weaken the safeguards established by the AI Act and hollow out a core pillar of the European Union’s horizontal approach to trustworthy and safe artificial intelligence. Following the deadlock in the negotiations of 29 April, we urge the Commission to uphold a high level of worker protection by refraining from pursuing two particularly concerning changes.

### **1. Removal of sectoral legislation from the scope of the AI Act**

We strongly oppose the proposal to move sectoral legislation from Section A to Section B of Annex I. This approach is based on the mistaken assumption that existing product safety legislation alone is sufficient to mitigate the risks posed by artificial intelligence.

In practice, such a change would exempt AI-powered safety components, including those embedded in machinery and personal protective equipment used in the workplace, from compliance with the requirements of the AI Act. This would create a significant regulatory gap precisely where AI systems directly affect workers’ health and safety.

The proposed change is both unnecessary and problematic. The AI Act already contains tailored mechanisms designed to prevent administrative duplication. Under the current framework, providers are allowed to incorporate AI Act requirements directly into conformity assessment procedures already established under sectoral legislation. This ensures consistency with the New Legislative Framework (NLF) while avoiding overlapping obligations. The proposed exclusion would therefore not simplify compliance but would instead fragment the Union’s safety architecture.

## 2. Restriction of the definition of “safety components” (Article 6(1))

Our second major concern relates to the proposed restriction of what qualifies as a “safety component” under Article 6(1) of the AI Act. Any further narrowing of this definition would risk leading to a *de facto* deregulation of AI systems with a direct and substantial impact on workers’ health and safety.

Workers in mining, energy and manufacturing sectors operate daily with a wide range of machinery, often in environments characterised by intense production pressures and complex technical processes. Despite the integration of advanced safety devices in modern machines, workers continue to face occupational safety risks. These risks are further compounded by the growing complexity of automated and digitalised machinery.

In particular, the integration of advanced automation and AI systems introduces new challenges in human-machine interaction, especially where workers are insufficiently involved in the design, deployment or risk assessment of these systems.

In light of the above concerns, we respectfully request clarification on the following points:

- **Will the final text include a binding non-regression clause guaranteeing that the transfer of machinery legislation to Section B of Annex I will not result in a reduction of the level of workers’ protection?**
- **Has the Commission carried out a specific worker-safety impact assessment of the proposed transfer of machinery legislation within Annex I, and if so, will this assessment be made publicly available?**
- **What concrete evidence underpins your assertion that the current inclusion of machinery legislation in Section A constitutes a disproportionate burden for machinery manufacturers?**

We therefore call on the Commission and legislators to reconsider these proposed changes, which risk creating loopholes allowing AI systems embedded in workplace products to fall outside the direct scope of the AI Act. Excluding machinery and personal protective equipment from the horizontal safeguards of the AI Act would undermine the integrity and coherence of the Union’s AI regulatory framework.

We thank you for your attention to these urgent concerns and look forward to your response.

Yours sincerely,

**Isabelle Barthès**  
Deputy General Secretary  
**industriAll European Trade Union**