

GUIDELINES ON THE USE OF ARTIFICIAL INTELLIGENCE IN THE JUDICIAL ACTIVITIES OF THE TRIBUNAL ADMINISTRATIF DU TRAVAIL

CONTEXT

Artificial intelligence¹ is increasingly present in our lives. It is being implemented in a number of fields, including law.

Given its rapid development and the proliferation of new tools made available to the public, the Tribunal administratif du travail has provided these guidelines for those who may use artificial intelligence in the course of their judicial activities.

THE USE OF ARTIFICIAL INTELLIGENCE BY THE ADMINISTRATIVE JUDGES OF THE TRIBUNAL

Decision-making by the Tribunal's administrative judges is a human responsibility. Thus, every case is decided by the administrative judge who examined² it, on the basis of the evidence in the record and the resulting observations.

Administrative judges are entirely responsible for their decisions. They do not use artificial intelligence to make a decision or to analyze the evidence in their stead.

THE USE OF ARTIFICIAL INTELLIGENCE BY LITIGANTS AND THEIR REPRESENTATIVES

In any matter introduced before the Tribunal, and at each stage of the process, the use of artificial intelligence by litigants and their representatives³ must be guided by the following principles:

- **Human responsibility:** Litigants and their representatives remain responsible for the accuracy of their written and oral submissions when they use artificial intelligence in preparing them.
- **Caution:** Artificial intelligence tools are not infallible. They may produce erroneous or biased results. Litigants and their representatives must exercise caution when

¹ Artificial intelligence is defined as a [TRANSLATION] "field of study whose goal is to imitate the cognitive abilities of human intelligence, with the aim of creating systems or machines capable of performing functions normally associated with it, or of surpassing them." See: https://vitrinelinguistique.oqlf.gouv.qc.ca/fiche-gdt/fiche/8385376/intelligence-artificielle.

² Act to establish the Administrative Labour Tribunal, CQLR c T-15.1, s. 44.

³ The Barreau du Québec has, in particular, prepared the <u>Guide pratique pour une utilisation</u> <u>responsable de l'intelligence artificielle générative</u> (practical guide for the responsible use of generative artificial intelligence) in order to provide certain recommendations to its members on the subject.

using them to conduct legal research, draft proceedings, or analyze their record. They must verify the results proposed by these tools.

Use of reliable sources: The suggestions generated by artificial intelligence applications are not immune to errors or "hallucinations".⁴ The parties and their representatives must, in particular, ensure the validity of the information and the legal sources resulting from such use by consulting reliable sources such as court websites, official publishers, or recognized legal databases like CanLII, CAIJ or SOQUIJ.

In addition, when a litigant or their representative uses artificial intelligence to prepare a document for the Tribunal, they must disclose this by adding the following statement at the beginning of the document: "Artificial intelligence (AI) was used to generate at least part of the content of this document".

Adherence to these principles makes it possible to ensure the continuing integrity of the justice system while allowing it to adapt to the use of new technologies by all concerned actors.

These guidelines are evolutionary in nature and will be modified periodically in order to take into account the gradual implementation of artificial intelligence and technological changes.

These guidelines came into effect on November 6, 2025.

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⁴ A hallucination, in generative artificial intelligence, occurs when the Al invents facts in a response, given that it is based on statistical models and does not understand the meaning of the text.