

THE “LIVING WAGE”

The Education Committee of the Law Society of Ireland, whilst recognising that it exceeds the minimum statutory wage under the National Minimum Wage Act 2000 (“NMWA 2000”, see below), recommends that a training solicitor gives consideration to paying his or her trainee solicitor the higher non-statutory “living wage” published from time to time by the Vincentian Partnership, as found and defined on its website (www.livingwage.ie).¹

The current “living wage” hourly rate is €14.80 per hour and therefore, based on the recommended 36 hour work week, represents a weekly salary of €532.80.

STATUTORY MINIMUM WAGE / SALARY

A training solicitor is obliged to pay his/her trainee solicitor a minimum salary under the terms of the NMWA 2000. From 1 January 2023, the statutory national minimum wage for an experienced adult employee is €11.30 per hour (the “Statutory Wage”). An experienced adult employee, for the purposes of the NMWA 2000 is an employee who has had employment of any kind in any two years over the age of 18.

(i) Pre-Professional Practice Course (PPC)

A trainee solicitor who works in his/her training solicitor’s office prior to starting the PPC must be paid a salary of at least the Statutory Wage. This is €406.80 per week based on the Education Committee’s recommendation of a 36-hour work week. Four months can be credited against the duration of the two-year training period for a trainee who works in the training solicitor’s (or another practicing solicitor’s) office before commencing on the PPC.

(ii) During the fulltime PPC course

Where a trainee solicitor is attending the fulltime PPC **having worked for their training firm immediately prior to commencing the course** with the intention of returning to that firm on completion of the course to complete his or her twenty-four month in-office training period, the Law Society is of the view that there is a requirement under the National Minimum Wage Act, 2000 that the trainee solicitor is paid at least the National Minimum Wage hourly rate for the duration of the course based on a thirty hour week (during the course). This is on the basis that the PPC is a work related course taking place during the trainee’s normal working hours.”

(iii) During the two year in-office training period

A trainee solicitor must be paid a salary of at least the Statutory Wage during his/her two year in-office training period. This is €406.80 per week based on the Education Committee’s recommendation of a 36-hour work week. This is €1,763 per month or €21,156 per annum. Hours worked in excess of 36 hours per week must also be paid at least the Statutory Wage.

¹ Proposed by the Education Committee (6th December 2018)

(iv) Enforcement

A trainee solicitor, who is not satisfied that he/she is being paid the Statutory Wage is entitled to make a complaint² to the Workplace Relations Commission.

The NWMA 2000 provides for the imposition of criminal sanctions on an employer who is found to have failed to pay an employee the Statutory Wage.

For further information on the statutory national minimum wage see the [detailed guide to the National Minimum Wage Act 2000 \(pdf\)](#) or contact the Workplace Relations Commission - Customer Services.

Workplace Relations Commission - Customer Services, Department of Jobs, Enterprise and Innovation, O'Brien Road, Carlow. Opening Hours: Mon. to Fri. 9.30am to 5pm
Tel: (059) 917 8990. Locall: 1890 80 80 90.
Homepage: <http://www.workplacerelements.ie/>

² Where a complaint is contemplated, reference should be made to the detailed provisions of the NWMA 2000 (as amended by the Financial Emergency Measures in the Public Interest Act 2010) and relevant statutory regulations.